



New York State Archives

**New York State Supreme Court of Judicature (Geneva) Pleas
and Demurrers J1012**

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Overview of the Records

Repository:	New York State Archives
Summary:	This series contains defendants' pleas, plaintiffs' replications, defendants' rejoinders, plaintiffs' surrejoinders, and defendants' rebutters; in short, the series of allegations by the parties to an action at common law, made by them alternately, which resulted in definition of an issue to be tried. Most of the documents are simple pleas, in which the defendant's attorney objects to the facts set forth in the plaintiff's declaration.
Creator:	New York (State). Supreme Court of Judicature (Geneva)
Title:	Pleas and demurrers
Quantity:	1.3 cubic feet
Inclusive Date:	1837-1847
Series:	J1012

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Arrangement

Chronological by year of filing.

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Scope and Content Note

Records of allegations made by plaintiffs and defendants in common law actions include pleas, replications, rejoinders, surrejoinders, and rebutters. This series contains defendants' pleas, plaintiffs' replications, defendants' rejoinders, plaintiffs' surrejoinders, and defendants' rebutters; in short, the series of allegations by the parties to an action at common law, made by them alternately, which resulted in definition of an issue to be tried. Most of the documents are simple pleas, in which the defendant's attorney objects to the facts set forth in the plaintiff's declaration. In his plea the defendant may "put himself upon the country", so that the case may proceed to trial, or he may "set off and allow" to the plaintiff only so much of a debt as is proven in the trial to be owed by the defendant. The plea is accompanied by the defendant's affidavit of merits, in which he swears that he has "fully and fairly" stated his case to his attorney and that

he has a "good substantial defense on the merits". Instead of a plea the defendant may enter his demurrer. This document states that while he does not dispute the facts set forth in the plaintiff's declaration, he denies their sufficiency in law to maintain an action. There are a few replications, rejoinders, surrejoinders, and rebutters, and a few amended pleas. This series also contains a few other documents such as joinders in demurrer (in which the defendant maintains the sufficiency of his declaration),

plaintiffs' demurrers to defendants' pleas, and avowries (in which the defendant avows that the property claimed by the plaintiff in an action of replevin belongs to him by right).

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Related Information

Related Material

J0012J0012, New York State Supreme Court of Judicature (Geneva) Miscellaneous Filed Documents, contains other Geneva pleas.

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Use of Records

Access Restrictions

There are no restrictions regarding access to or use of this material.

Access Terms

- Adjudicating
- Pleading
- Courts
- Judicial records
- New York (State)
- New York (State). Court of Appeals
- New York (State). Supreme Court of Judicature