



New York State Archives

**New York State Supreme Court of Judicature (Utica) Writs of
Scire Facias J1031**

New York State Archives
222 Madison Avenue
Albany, NY 12230
archref@nysed.gov
URL: <http://www.archives.nysed.gov/>

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Overview of the Records

Repository:	New York State Archives
Summary:	This series consists of writs of scire facias, which are orders under seal of the Supreme Court of Judicature commanding a sheriff to summon a defendant (or his heirs or assigns) to appear in court and show cause why execution of a judgment against him should not be levied from his property. The writ of scire facias was often employed when a defendant died before satisfying a judgment.
Creator:	New York (State). Supreme Court of Judicature (Utica)
Title:	Writs of scire facias
Quantity:	0.5 cubic feet
Inclusive Date:	1843-1845
Series:	J1031

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Arrangement

Chronological by date of filing.

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Scope and Content Note

Writs of scire facias are orders under seal of the Supreme Court of Judicature commanding a sheriff to summon a defendant (or his heirs or assigns) to appear in court and show cause why execution of a judgment against him should not be levied from his property. The writ states the date and amount of the judgment.

The writ of scire facias was often employed when a defendant died before satisfying a judgment. In such cases the writ states that the defendant was deceased, but does not give the date of death. Each writ bears on its dorso the title of the cause, the name of the plaintiff's attorney, and the date of filing. Appended or attached is the sheriff's return stating that the writ

was executed by being served or not served. Proceedings by writ of scire facias were governed by legislation of 1829.

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Use of Records

Access Restrictions

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

Administrative Information

Custodial History

The Court of Appeals placed these records on deposit at the Historical Documents Collection, Queens College, from 1973-1982.

Processing Information

Originally filed with series J0031, New York State Supreme Court of Judicature (Utica) Writs of Error, Box 24.

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Access Terms

- Adjudicating
- Writs
- Courts
- Scire facias
- Judicial records
- New York (State)
- Appellate procedure
- Executions (Law)
- Appellate courts
- New York (State). Court of Appeals
- New York (State). Supreme Court of Judicature