



New York State Archives

**New York State Supreme Court of Judicature (Albany)
Minutes of Return of Writs by Sheriffs J3130**

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Overview of the Records

Repository:	New York State Archives
Summary:	This volume contains minutes of the return of writs by sheriffs (or by coroners, in cases of attachments against sheriffs), with notes of motions and orders for proper execution of writs which had been returned only partially executed. The most frequent entries are for writs of <i>capias ad respondendum</i> (abbreviated " <i>capias</i> "), <i>fieri facias</i> (" <i>fi.fa.</i> "), and <i>capias ad satisfaciendum</i> (" <i>ca.sa.</i> ").
Creator:	New York (State). Supreme Court of Judicature (Albany)
Title:	Minutes of return of writs by sheriffs
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Series:	J3130

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Arrangement

Chronological by court term, then by attorney for the several parties in whose favor the writs were issued.

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Scope and Content Note

This volume contains minutes of the return of writs by sheriffs (or by coroners, in cases of attachments against sheriffs), with notes of motions and orders for proper execution of writs which had been returned only partially executed. The most frequent entries are for writs of *capias ad respondendum* (abbreviated "*capias*"), *fieri facias* ("*fi.fa.*") and *capias ad satisfaciendum* ("*ca.sa.*"). The writ of *capias* ordered the sheriff to arrest a defendant for appearance in court to answer the plaintiff. The return to the writ was *cepi corpus* ("I took the body"). On entering the return of *cepi corpus*, there may be an additional order to the sheriff

to bring in the body of the defendant or be "amerced" (fined). The writ of fieri facias ordered a sheriff to sell a defendant's real or personal property to satisfy a judgment. The return to this writ was usually a statement that "no goods, chattels, lands or tenements" were found. The return may include a list of property sold. The writ of capias ad satisfaciendum ordered a sheriff to arrest and imprison a defendant until the judgment against him was satisfied. Writs entered only rarely in this volume are the writ of scire facias, by which a party is ordered to show cause, usually as to why a judgment should not be satisfied; writ of venditione exponas, ordering a sheriff to put for sale property of a judgment debtor.

Writ of latitat, which was issued for a defendant's arrest after a writ of capias was returned no.

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Related Information

Related Material

J0024Series J0024, New York State Supreme Court of Judicature (Albany) Writs of Arrest and Execution, contains writs of fieri facias and capias ad satisfaciendum.

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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.

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Access Terms

- Adjudicating
- Courts
- Sheriffs
- Judicial records
- New York (State)
- Minutes (administrative records)
- Executions (Law)
- Motions (Law)
- Arrest
- Writs
- Lawyers
- Attachment and garnishment
- New York (State). Supreme Court of Judicature
- New York (State). Court of Appeals