



New York State Archives

**New York State Supreme Court of Judicature (Utica) Writs of
Attachment J8013**

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Table of Contents

Overview of the Records	3
Arrangement	3
Scope and Contents	3
Use of Records	4
Administrative Information	4
Access Terms	4

Overview of the Records

Repository:	New York State Archives
Summary:	This series consists of writs of attachment, issued under seal of the Supreme Court of Judicature, ordering a sheriff or coroner to attach a person disobeying a court rule and to make him appear to answer for his contempt. Persons subject to attachment included judges, court clerks, attorneys, sheriffs, witnesses, jurors, and other public officers. The writ was most frequently issued after an incumbent or a former sheriff had failed to execute and return a writ of fieri facias.
Creator:	New York (State). Supreme Court of Judicature (Utica)
Title:	Writs of attachment
Quantity:	0.4 cubic feet
Inclusive Date:	1825-1843
Series:	J8013

[^ Return to Table of Contents](#)

Arrangement

Chronological by term.

[^ Return to Table of Contents](#)

Scope and Content Note

These writs order a sheriff or coroner to attach judges, court clerks, attorneys, sheriffs, witnesses, jurors, and other public officers who had disobeyed a court rule and to make them appear in court to answer the contempt charge.

This series consists of writs of attachment issued under seal of the Supreme Court of Judicature, ordering a sheriff or coroner to attach a person disobeying a court rule and to make him appear to answer for his contempt. Persons subject to attachment included judges, court clerks, attorneys, sheriffs, witnesses, jurors, and other public officers. The writ was most frequently issued after an incumbent or a former sheriff had failed to execute and return a writ

of fieri facias, commanding him to levy a judgment from the personal property of the losing party in an action at law. A summary of the rule of the court allowing issuance of the writ of attachment is found on the recto or dorso of the writ. The rule for attachment also required the defendant (i.e. the sheriff) to give a bond for his appearance, and many of the writs have these bonds enclosed.

The series includes a few interrogatories, or lists of questions posed by the serving officer to the sheriff held to be in contempt; and a few warrants for the arrest of persons who had refused to appear in court to testify as material witnesses in a cause. The plaintiff in an action of attachment is the people of the State of New York "on the relation of " (ex relatione) the aggrieved party. The series includes some writs from western New York because a law of 1829 which set up the office of the Supreme Court of Judicature at Canandaigua (later removed to Geneva) required that all attachments continue to be filed with the clerk at Utica. The general statutory provisions relating to attachment proceedings for contempts are found in legislation of 1829.

[^ Return to Table of Contents](#)

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.

[^ Return to Table of Contents](#)

Access Terms

- Adjudicating
- Writs
- Sheriffs
- Writs

- Courts
- Judicial records
- Judgments
- New York (State)
- Attachment and garnishment
- New York (State). Court of Appeals
- New York (State). Supreme Court of Judicature