GUIDE TO RECORDS
OF THE COURT OF QUARTER SESSIONS
CHESTER COUNTY, PENNSYLVANIA
1681-1969

Records of the Clerk of Courts
Records of the Court of Oyer and Terminer and General Jail Delivery
Criminal Records of the Sheriff

Chester County Historical Society
Researched and Compiled by Lynn Ann Catanese

Chester County Historical Society
West Chester, Pennsylvania
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PREFACE

This guide is the result of a two-year project funded by the National Historical Publications and Records Commission to arrange and describe the records of the Chester County Court of Quarter Sessions. All of the records described in this guide are in the collection of Chester County Archives and Records Services, which is administered by Chester County Historical Society in cooperation with the County of Chester. These records were previously housed at two facilities: the library of Chester County Historical Society and the office of the Chester County Clerk of Courts.

Numerous individuals and agencies contributed to the success of this project. The Chester County Commissioners provide the facility and share the financial support of the Archives with the Historical Society. The current commissioners are Irene B. Brooks, D. T. Marrone, and Patricia M. Baldwin. At the time this project started, Robert J. Thompson, Earl M. Baker, and Patricia M. Baldwin served as county commissioners. The Archives would also like to thank Clerk of Courts Norman Pine and First Deputy Edward Schmid for the office’s continuing support. Alfred C. Hayden, the former clerk of courts, not only transferred the quarter sessions records to the Archives, but cheerfully answered any and all questions about them. The staff of the Division of Archives and Manuscripts of the Pennsylvania Historical and Museum Commission, particularly Frank M. Suran, has always been available for advice and assistance. Roland H. Woodward and Rosemary B. Philips of the Chester County Historical Society provided guidance in administering the project. Jack McCarthy, former director of Archives and Records Services, secured the grant funding. Elizabeth Simler, the former records manager, located, packed, and made the actual transfer of records from the clerk of courts’ office. Current Archives staff that have assisted with this project include M. Linda Feehrer, Joanne
Johnson, Jeffrey D. Rollison, Mary M. Sproat, and Barbara L. Weir.

Lynn Ann Catanese organized the records and researched, wrote, and typed this guide. The project has benefited greatly from her knowledge of the legal system, as well as her thoroughness and attention to detail. Lucy Simler, a historian who has been working with Chester County records for the past fifteen years, served as project consultant. She brought to the project her familiarity with the records and a knowledge of what researchers need. The following volunteers and students helped with processing records: Winslow Abbott, John J. Darlington, Joan Brinton Johnson, Richard O. Lewis, Jr., Michelle Pyfer, Charles Robinson, and Emma Spence. As always, their assistance was invaluable and very much appreciated.

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Laurie A. Rofini
Project Director
INTRODUCTION

This guide to the records of the Chester County Court of Quarter Sessions, 1681-1969, describes the criminal and county administrative records under the court's jurisdiction. The "Series Descriptions" section is the core of the guide. Here, each of the 54 series of Court of Quarter Sessions records in the collection of Chester County Archives and Records Services is thoroughly described. These series descriptions provide the researcher with the types of information contained in the records, how the records are arranged and indexed, and the legal process that was followed for the particular series. The guide also includes a glossary, a selected annotated bibliography, a map of Chester County circa 1780, and both a table of contents and an index.

Chester County, located in southeastern Pennsylvania, is the southernmost of the three original counties of the province, the other two being Bucks County and Philadelphia County (which then included today's Montgomery County). Originally, Chester County extended along the Delaware River, southwest from the city of Philadelphia to the limits of settlement. The western boundary was set in 1729 with the establishment of Lancaster County. In 1786 the county seat was moved from the town of Chester to Turk's Head, now West Chester. In 1789 Chester County was divided and Delaware County was formed out of the southeastern third. The original county seat, Chester, became the county seat of Delaware County. Records to 1789 for the area that became Delaware County remained in West Chester. These, together with a few early records for the area now comprising Lancaster County and the 1681-1969 records for Chester County make up the collection of records described in the guides to the Chester County court records. In general, records for Lancaster County after 1729 and for Delaware County after 1789 form separate record groups maintained by the respective counties.
This, the second in the series of guides to the Chester County court records, is concerned with the records of the court of quarter sessions. The Chester County Court of Quarter Sessions heard criminal cases and dealt with county administrative matters. The records of this court provide significant information for researchers. Historians can use them for information on such topics as economics, labor, law, government, crime, poverty, women, and social and local history. Those interested in genealogical research can find names, occupations, ages, and places of residence in record series such as indictments, tavern license papers, indentured servant and apprentice records, reports of directors of the poor, and licenses for hawkers, peddlers, and Indian traders.

The Delaware valley was settled by the Dutch, Swedes and Finns in the seventeenth century. In 1664 these settlements came under the English government at New York, administered in the name of James, Duke of York. One of the courts established by the Duke of York, the Upland court (November 1676 - June 1681), was located along the Delaware River and was included in the grant of the province of Pennsylvania from Charles II to William Penn in March 1681. It was here that the first court for the province of Pennsylvania was held September 13, 1681. Soon after Penn's arrival in October 1682, Pennsylvania was formally divided into three counties. The town of Upland was renamed Chester and became the seat of government of Chester County.¹

The Chester County Court of Quarter Sessions was based on English practice and was shaped by the laws passed by Pennsylvania's General Assembly. The early county court held by justices of the peace heard all types of cases (civil, criminal, estate) and dealt with administrative functions such as levying taxes, controlling finances, caring for the poor, overseeing building of roads and bridges, and laying out townships and boroughs. The judicial system of Pennsylvania was reorganized by the "Ordinance for Establishing of Courts" (1707). The ordinance designated the provincial court the "supreme court" and formally divided the county court into criminal and civil courts: the court of quarter sessions and the court of common pleas respectively. However, Chester County court records indicate that this division had existed in practice as early as December 1686.

The court of "general quarter sessions of the peace and gaol delivery" heard and tried criminal cases. The court also heard disputes involving apprentices, indentured servants, and care of...


3 See the first court docket, "Chester County Courts 1681-1697," December 1686, p. 54, Chester County Archives and Records Services, West Chester, PA.

4 In English law, when judges with the commission of general gaol delivery arrived in a circuit town, they were empowered to try and deliver every prisoner in the gaol whether the prisoner had been indicted and for whatever crime had been committed. The purpose was that gaols were cleared, all offenders were tried, punished or delivered twice a year. Sir William Blackstone, Commentaries on the Laws of England, IV (reprint ed., Philadelphia: Robert Bell, 1772), 267. According to chapter 62 of "The Great Law" (December 10, 1682), "every Quarter of a year there shall be a Goal delivery in Every County where Imprisonment is not the Punishment." Gail McKnight Beckman, ed., "The Great Law," The Statutes at Large of Pennsylvania in the Time of William Penn, Vol. I 1680-1700 (New York: Vantage Press, 1976), hereafter cited as Statutes, 134.
the poor. In addition, it oversaw various county administrative functions such as licensing of taverns and peddlers, laying out of roads and bridges, and erection of townships. Court was held by justices of the peace (any three a quorum) and met four times a year (hence the name "quarter sessions").

Another function of the court of quarter sessions was the appointment of township and borough officials. An act of October 28, 1701 provided that a quorum of three justices could call special courts and an act of February 28, 1710/1 specified that three justices could "hold special and private sessions, when and as often as occasion shall require." In Chester County, the court of private sessions met to hear such matters as petitions regarding the necessity of a safe place to keep county records, a new jail door, and other concerns. However, it appears that the primary function of this court was the appointment of township and borough officials. It met annually each March 25 in compliance with an act for the relief of the poor (January 12, 1705/6) that called for the appointment of overseers of the poor by at least three justices of the peace meeting at some convenient place in the county on March 25 of each year. In Chester County this annual meeting on March 25 eventually evolved into the court of private sessions for the appointment of overseers of the poor and supervisors of highways, and "taking the return of the old constables and electing new ones for the ensuing year". Apparently the last court of private sessions held in Chester County was March 25, 1800 after which time there

5Over the years, the scope of the court's administrative jurisdiction changed. See the "Series Descriptions" section of this guide for details regarding types, functions, and dates of administrative duties.

6Statutes at Large, II: chaps. CVI and CLXVIII.

7Ibid., chap. CLIV.

8See the first two volumes of "Township and Borough Officers" (1718-1826), Chester County Archives and Records Services.
was no longer a need for overseers of the poor due to construction of the poor house in Chester County. Remaining duties of the court of private sessions were transferred to the court of quarter sessions.

Murder, treason, and other capital crimes were not initially under the jurisdiction of the court of quarter sessions. An act of 1685 gave the provincial court the power to hear and try capital crimes that had formerly been under the jurisdiction of the provincial council. The 1707 "Ordinance for Establishing of Courts" provided for special commissions of oyer and terminer and gaol delivery to be granted to the counties of the province for hearing and trying all capital offenses. This remained in effect until an act of May 28, 1715 empowered supreme court judges to hear and try capital cases. The supreme court judges' sole jurisdiction over capital crimes continued until the Pennsylvania Constitution of 1790.

There was very little change affecting the jurisdiction or structure of the court of quarter sessions due to the American Revolutionary War. The important changes regarding the court occurred with the Pennsylvania Constitution of 1790. It provided for judges of the court of common pleas in each county to be justices of oyer and terminer and general gaol delivery for the trial of capital offenses with two of the judges as a quorum. However, county judges were not to hold courts of oyer and

9 An act of February 27, 1798 abolished the office of overseers of the poor in Chester and Lancaster Counties upon the removal of the poor to the poor house. Statutes at Large, XVI: chap. MCMLXXI.

10 See the following for the laws regarding the hearing and trying of capital crimes: Loyd, The Early Courts of Pennsylvania, 67; Beckman, ed., "Laws Made at an Assembly Held att Philadelphia the 10th day of the 3rd Month May 1685," Statutes, 171; Evans, "Ordinance for Establishing Courts," Statutes at Large, II: appendix II, sec. 1, 505; Ibid., III, chap. CCXII.

11 The following information regarding the Constitution is from Pennsylvania Constitution, art. V, sec. iv-x (1790).
terminer and general gaol delivery if supreme court judges were holding court in the same county at the same time. This provision transferred to the county the power to hold separate courts of oyer and terminer which had previously been held by supreme court judges. The Constitution of 1790 also provided that judges of the court of common pleas of each county (any two a quorum) would compose a court of quarter sessions of the peace. The new constitution created the office of county judge separate from that of justice of the peace. Justices of the peace no longer held county court. An act passed April 13, 1791 established judicial courts in conformity with the Constitution of 1790. 12

After 1790, there were few changes affecting the structure of the court of quarter sessions until the Pennsylvania Constitution of 1968. The Constitution abolished the courts of oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court; the jurisdiction of these courts was transferred to the court of common pleas. 13 This reorganization became effective January 1, 1969. In Chester County, criminal records continue to be maintained by the clerk of courts.

The records of the Chester County Court of Quarter Sessions are representative of the records of the province and of the Commonwealth of Pennsylvania. Although names of series or arrangements may differ, similar records exist or did exist for each county from the time of its formation. They reflect the laws and legal institutions of both the province and the commonwealth. The descriptions of the papers, dockets, and books provided here are, in general, descriptive of those of Pennsylvania at the county level and not merely of Chester County. However, the records surveyed here were generated by a

12 Statutes at Large, XIV: chap. MDLXXV.

specific county court: the Chester County Court of Quarter Sessions. They concern a given population and a defined geographic area and reflect particular political and economic conditions.

The records of the Chester County Court of Quarter Sessions are an important primary source for research. Whether used separately or in conjunction with other records in either the Archives collection or the library collection at the Chester County Historical Society, these records offer an opportunity to examine in detail the early history of Chester County and Pennsylvania.
SERIES DESCRIPTIONS

The Series Descriptions section describes the records of the Chester County Court of Quarter Sessions, Oyer and Terminer and General Jail Delivery, and the criminal records of the sheriff, all of which are maintained by the Chester County Archives and Records Services. The records include dockets and books, indexes to dockets and books, and papers. The description for each record series contains a definition, a statement of content, arrangement, access, and a section on missing records and further records. The phrase "internal evidence suggests that some records are missing" is used when it was determined that records are missing, but it can not be determined what specific records are missing. Where appropriate, alternative sources of information or corresponding records are noted. Within each section, criminal records are listed first followed by records generated by administrative functions of the court. The arrangement of some of the record series is artificial and was created at the end of the nineteenth century. This arrangement was continued by the clerk of courts' office through the twentieth century.

RECORDS OF THE COURT OF QUARTER SESSIONS

DOCKETS AND BOOKS

RECORDS OF THE COURTS OF CHESTER COUNTY September 1681 - November 1710. 2 vols.

Description: The earliest county court dockets kept by the clerk of courts for recording matters before the Courts of Common Pleas and Quarter Sessions and the Orphans' Court. Included are entries of the Upland Court (September 1681 - September 1682).

Content: Names of plaintiffs, defendants, justices, witnesses, jurors, attorneys, and anyone else with business before the courts; punishments; dates of proceedings; copies of inventories; acknowledgment of deeds; assignments of bound servants; entries of criminal, civil and orphans' court cases; records of debts and damages.

Arrangement: Entries recorded chronologically by court term.

Access: Published transcription of volume 1 contains name index; published transcription of volume 2 contains name and subject index.

Missing Records: The first eight pages of volume 2 are missing from the original docket; but may be found in the 1827 transcription.

Alternative Sources of Information: Published transcriptions of volumes 1 and 2 (see Annotated Bibliography); unpublished transcriptions of volumes 1 and 2 compiled as a result of "Act for the better preservation of the records contained in the..."
For Further Records: Before September 1681, see published transcription Record of Upland Court; from the 14th of November, 1676, to the 14th of June, 1681. After 1710, the various courts kept separate dockets; see Quarter Sessions Docket May 1714 - May 1723. Almost all records for the period 1710-1713/14 are missing.

QUARTER SESSIONS DOCKETS May 1714 - May 1969. 60 vols. (The first four volumes, May 1714 - February 1759, are dated but not lettered; subsequent volumes, May 1759 - May 1969 #74, are labelled A-E3).

Description: Dockets kept for recording by court term cases that came before the court.

Content: Varies, but may include name of defendant, sureties for recognizance, prosecutor, witnesses, justices or judges attending court, constables, grand, petit, and traverse jurors; type of alleged crime committed; number assigned to case; entries on proceedings; verdict; punishment and/or fine imposed; court term; date of proceedings; amount of recognizance; information regarding the laying out of roads; coroner's inquests; appointment of township officials; report of grand jury; qualifications of county officials; entries on changes in township or borough boundaries; application to sell fertilizer; list of tavern, liquor and eating house licenses granted (name of petitioner and township or borough); names of those granted hawker, peddler, and Indian trader licenses, fence viewers, retailers of foreign merchandise, town clerks; cases involving apprentice and indentured servant matters; disputes between overseers of the poor.

Arrangement: Entries recorded chronologically by court term.

Access: First four volumes (May 1714 - February 1759) and volumes A through part of B (May 1759 - May 1776) are not indexed. Part of B through Z (August 1777 - March 1937) are indexed in two separate indexes. The first covers part of volume B through part of volume Q (August 1777 - May 1862); the second, Quarter Sessions Index No.2 covers part of volume Q through volume Z (August 1862 - March 1937). Both indexes are arranged alphabetically by first letter defendant's surname; within letter chronologically. Volumes A.A. - E3 (April 1932 #1 - May 1969 #74) each contain indexes arranged alphabetically by first letter defendant's surname.

Missing Records: None.

Corresponding Records: Entries in the dockets refer to papers in the following series: Indictments; Tavern License Papers; Licenses for Hawkers, Peddlers, and Indian Traders; Indentured
Servant and Apprentice Records; Coroner’s Records; Township, School, and Election District Papers; Original Road Papers; Original Bridge Papers.

Alternative Sources of Information: Rough Dockets (April 1821 - February 1830), Township and Borough Officers, Commercial Fertilizers, Quarter Sessions Dockets (kept by sheriff), Transcript Docket (December 1926 - February 1932), Miscellaneous Dockets.

For Further Records: Prior to May 1714, see Records of the Courts of Chester County (September 1681 - November 1710). After May 1969, Quarter Sessions Dockets continue as Criminal Dockets in the clerk of courts’ office.

OYER AND TERMINER DOCKETS May 1802 - November 1971. 8 vols. (1-8).

Description: Dockets kept for recording, by court term, capital cases that came before the court of oyer and terminer and general jail delivery.

Content: Name of defendant, prosecutor, sureties for bail, prosecutor, witnesses, judges, grand jurors; type of alleged crime committed; number assigned to case; entries on proceedings; verdict; punishment and/or fine imposed; court term; date of proceedings.

Arrangement: Entries recorded chronologically by court term.

Access: Oyer and Terminus Index is arranged alphabetically by first letter defendant’s surname; within letter chronologically.

Missing Records: None.

Corresponding Records: Entries in the dockets refer to papers in the following series: Indictments.

Alternative Sources of Information: Rough Dockets (April 1821 - February 1830), Miscellaneous Dockets.

For Further Records: County courts of oyer and terminer and general gaol delivery to hear and determine capital crimes, (formerly a function of justices of the supreme court) were established by the Pennsylvania Constitution of 1790. This was enforced by an act of April 13, 1791. The first county court of oyer and terminer in Chester County was held May 1792. The entries for the proceedings are in Quarter Sessions Docket vol. D. Entries for the following terms were also recorded in this docket until May 1802 when the Oyer and Termine Dockets series began. Felony cases after 1971 are recorded in Criminal Dockets in the clerk of courts’ office.
ROUGH DOCKETS August - November 1779, April 1821 - February 1830. 5 vols.

Description: Rough drafts of information later transferred to Quarter Sessions and Oyer and Terminer Dockets (beginning with April 1821 volume).

Content: Name of defendant, witnesses, surety for defendant's appearance in court, petitioners for peddler licenses, jurors, those named as constable; charge; amount of recognizance; verdict; court term; date case appeared in court.

Arrangement: Entries recorded chronologically by court term.

Access: Not indexed.

Missing Records: February 1780 - January 1821.

Corresponding Records: Entries in the dockets refer to papers in the following series: Indictments; Licenses for Hawkers, Peddlers, and Indian Traders.

Alternative Sources of Information: Quarter Sessions and Oyer and Terminer Dockets.

For Further Records: No records found prior to or after dates listed.

ENTERING DOCUETS November 1791 - May 1801. 14 vols.

Description: Dockets kept for recording all writs, citations, subpoenas and rules of courts issued for the court term. Kept by the person who held concurrently the positions of prothonotary, clerk of the court of quarter sessions and oyer and terminer, and clerk of orphans' court.

Content: Pertains to writs, subpoenas, citations, rules of court issued from the courts of quarter sessions, oyer and terminer, common pleas, and orphans' court and contains name of plaintiff, defendant, attorney, those receiving subpoenas; dates writ issued and returned; cost of writ; court term; type of writ or rule issued; number assigned to writ (if applicable).

Arrangement: Chronologically by court term.

Access: Not indexed.

Missing Records: None.

Corresponding Records: Entries in the dockets refer to papers in the following series: Indictments; Original Writs; Executions; Rules of Reference; Affirmations, Depositions, Interrogatories; Orphans' Court Estates.

Alternative Sources of Information: Quarter Sessions, Common Pleas Appearance and Continuance, Orphans' Court Dockets.

For Further Records: No records found prior to or after dates listed.

Description:  Docket for recording reports of juries of view on roads and bridges.  It also contains reports on bridge repairs, bridge inspections, road vacations, widening of roads, assessment of damages to property when roads were laid out and opened.  It may also contain entries on division of townships, alteration of township boundaries, and erection of townships.

Content:  Varies, but may contain name of road, street, alley, bridge, township, viewers appointed by the court, property owners, judges; landmarks; survey (location and description of); court term; findings; date of report; date approved by court; location of road; number assigned to road; amount of damage.

Arrangement:  Entries recorded chronologically by court term.

Access:  Volumes A-J (February 1724/5 - October 1861) each contain internal indexes arranged chronologically by court term.  There is a two-volume index for the Road Dockets and Original Road and Original Bridge Papers in the clerk of courts' office; microfilm of this index (1686-1985) is in the Chester County Archives.

Missing Records:  None.

Corresponding Records:  Entries in the dockets refer to papers in the following series: Original Road Papers; Original Bridge Papers; Township, School, and Election District Papers; Road Damages.

Alternative Sources of Information:  Miscellaneous Dockets, Road Damage Receipt Book.

For Further Records:  The earliest entry regarding roads is found in Records of the Courts of Chester County, vol. 1 in 1686.  Subsequent entries appear in vol. 2 and in the first Quarter Sessions Docket through 1724.  After 1969, the docket series ends.

ROAD DAMAGE RECEIPT BOOK  January 1873 - December 1921.  1 vol.

Description:  Book kept for recording the amount of money paid for road damages.

Content:  Name of person owed damage payment, amount received, township or borough of land, date of receipt, volume and page number of Road Docket where entry may be located, signature of person who received payment, and remarks.

Arrangement:  Entries recorded chronologically by date of receipt of money.

Access:  Not indexed.

Missing Records:  None.
Corresponding Records: Entries in the dockets refer to papers in the following series: Original Road Papers.

Alternative Sources of Information: Road Dockets end of K - part of N, Miscellaneous Dockets.

For Further Records: No record found prior to 1873. After 1921, road damages are entered in Miscellaneous Dockets.

MISCELLANEOUS DOCKETS August 1867 - March 1970. 29 vols. (1-29). (Beginning with No. 9, dockets are labelled "MISCELLANEOUS QUARTER SESSIONS DOCKETS.")

Description: Dockets kept for recording various matters before the court such as: reports of grand jury; annexation of lands for school purposes; disputes regarding school directors; disputes between school districts; extension or establishment of township or borough boundary lines; division of boroughs into wards; incorporation of boroughs; annulling borough incorporations; township divisions; township, borough, and school district election results for increase of indebtedness; loan statements; appointments and resignations of constable, supervisor, tipstaff, prison inspector, special detective, tax collector, auditor, judge of election, town clerk, assistant district attorneys; increases in salary for probation officers, assistant to district attorney; changes of polling place; contested election proceedings; returns of special election; division of wards into election districts; tax rate increases for townships and boroughs; court orders to re-index and rearrange papers, dockets and books; rules of court regarding contempt of court; entries on road, street and alley damages; discharge from prison of insolvents (unable to pay costs and fine in criminal cases); lists of liquor, eating house, wholesale, and bottlers licenses granted and refused (1905-1921); condemnations of illegal liquor (during Prohibition); revocations of liquor licenses; protest against location of a liquor store; appeals from refusal of Pennsylvania Liquor Control Board to grant license; orders to empanel and summon jurors for special session of court; orders for removal of bodies from cemetery and vacation of land for burial purposes; corrections of birth record (prior to 1941); support proceedings for elderly and disabled parents; support proceedings for spouses; proceedings on lunacy (or sanity) or habitual drunkenness of defendant; commitments to state mental hospital of defendant; destruction of gambling devices and pinball machines; condemnation of money; petitions for remission of forfeited bonds, bail bonds, and reduction of bail; petitions to be released from costs; proof of service; agreements for taking depositions; appeals of summary conviction; petitions to enter nol. pros.; writ of habeas corpus entries; petitions for bench warrant; motion for new trial; appointments of counsel; waivers of extradition; parole petitions and decrees.
Content: Varies, but may include name of petitioner, defendant, witnesses, attorneys, judges, township or borough officials, and other parties involved in matters before the court; township, borough, school district; court term; date of proceedings; date papers filed; case or paper number (if assigned); copies of papers involved; citations of entries appearing elsewhere in same docket or other dockets; decree of court.

Arrangement: Entries recorded chronologically by court term.

Access: Numbers 1-4, 6-13 (August 1867 - August 1919, January 1934 - November 1960) each contain an index that is alphabetical by first letter person's surname, township, borough, etc.; within the letter, chronologically by year. Numbers 5, 14-29 do not contain indexes but there are external Indexes to Miscellaneous Dockets for number 5 (1920-1933) and numbers 14-30 (1969-1971).

Missing Records: None.

Corresponding Records: Entries in the book refer to papers in the following series: Miscellaneous; Township, School, and Election Districts; Indictments; Original Road Papers; Original Bridge Papers; Loan Statements; Road Damages.

Alternative Sources of Information: Quarter Sessions, Oyer and Terminer, Road, Loan Statement Dockets.

For Further Records: Prior to August 1867, miscellaneous matters were recorded in other dockets such as Quarter Sessions. After March 1970, Miscellaneous Dockets are in clerk of courts' office.


Description: Dockets kept for recording entries of loan statements that are for the increase of indebtedness of a township, borough, or school district and the issue of obligations (bonds) for the indebtedness.

Content: Name of township, borough, school district, officials (such as treasurer, secretary, board president, directors, supervisors, chief burgess, mayor, clerk); amount of indebtedness of township, borough, school district; amount of last preceding assessed valuation of taxable property of township, borough, school district; amount of loan; form of obligation issued for indebtedness including the text of the obligation; date of maturity; reasons for incurring debt; amount of annual tax levied and assessed to pay the indebtedness.

Arrangement: Entries recorded chronologically.

Access: Volumes 1 (October 1909 - November 1921) and 3 (January 1950 - August 1959) contain indexes that are alphabetical by township, borough, or school district. Volume 2 (November 1921 - April 1949) contains an index that is chronological by year. Volume 4 (August 1959 - August 1971) does not contain an index.
The year 1960 is indexed in Index Loan Statement Docket. It is alphabetical by township, borough, or school district.

Missing Records: None.

Corresponding Records: Entries in the dockets refer to papers in the following series: Loan Statement, Miscellaneous.

Alternative Sources of Information: Township, borough, and school district election results for increase of indebtedness are entered in Miscellaneous Dockets.

For Further Records: Prior to October 1909, loan statement information is recorded in Miscellaneous Dockets. (Loan statements were required by an act of April 20, 1874.) After August 1971, series appears to have been discontinued.

REGISTER OF STALLIONS, NO. 1 October 1893 - June 1899. 1 vol.

Description: Book kept by the clerk of courts for recording the registration of stallions.

Content: Name and township of owner, horse's name, registered number, description, pedigree and record of horse (including age, height, weight, color, dam, sire), conditions and terms, names and signatures of clerk of court of quarter sessions and owner, date registered.

Arrangement: Entries recorded chronologically by registration.

Access: Not indexed, but only contains three entries.

Missing Records: None.

For Further Records: Series begins in 1893 by virtue of an act of May 10, 1893 requiring the registration of stallions. An act of April 25, 1907 repealed the 1893 legislation removing the registration function from the county clerk of courts to the state livestock sanitary board.

COMMERCIAL FERTILIZERS September 1873 - August 1878. 1 vol.

Description: Volume kept for recording petition for a license to manufacture and sell commercial fertilizer.

Content: Name of petitioner (either a manufacturer or agent that sold the fertilizer), fertilizer, clerk of courts, justice of the peace (acting as witness to petitioner's affirmation that facts set forth in the petition were true); township or borough of petitioner; place fertilizer manufactured; composition of fertilizer including percentage of ingredients; date of petition; date license granted by court; date recorded in volume.

Arrangement: Entries recorded chronologically.
Access: Volume contains an index that is alphabetical by first letter petitioner's surname.

Missing Records: None.

Corresponding Records: Entries in the volume refer to papers in the following series: Indictments.

Alternative Sources of Information: Quarter Sessions Docket S (October 1873 - August 1879).

For Further Records: Legislation passed April 10, 1873 required that persons wishing to manufacture and sell fertilizer in Chester and Delaware Counties were to first obtain a license from the county court of quarter sessions. An act of June 28, 1879 removed the licensing function from the county court of quarter sessions to the secretary of the commonwealth.

**DOG REGISTER** April 1855 - June 1912. 1 vol.

Description: Book kept for recording registration of dogs.

Content: Name and township or borough of owner; date of registration; registration number; description of dog that includes name, sex, breed, age, height, length, color, value and additional descriptive remarks; signature of clerk.

Arrangement: Entries recorded chronologically by date registered.

Access: Book contains an index that is alphabetical by first letter owner's surname.

Missing Records: None.

For Further Records: The register begins in 1855 in conformity to an act of April 6, 1854 that provided for the registration of dogs. The "Dog Law" of July 11, 1917 provided that licenses for dogs were to be issued by the county treasurer.

**TRANSCRIPT DOCKET** December 1926 - February 1932. 1 vol.

Description: Docket kept by clerk of courts for recording transcripts from justices of the peace.

Content: Name of defendant, justice, arresting officer; charge; date.

Arrangement: Entries recorded chronologically.

Access: Not indexed.

Missing Records: None.

Corresponding Records: Entries in the docket refer to papers in the following series: Indictments.
Alternative Sources of Information: Quarter Sessions and Oyer and Terminus Dockets.

For Further Records: No records found prior to or after dates listed.

Liquor License Applications 1920-1923 -- Tax Collectors Bonds
1918 January 1920 - February 1923. 1 vol.

Description: Volume in which applications for liquor licenses were entered.
Content: Name of applicant and applicant’s attorney, township or borough, date of application, amount paid for license.
Arrangement: Entries recorded chronologically.
Access: Not indexed.
Missing Records: Tax collectors bonds entries were removed from this volume.

Corresponding Records: Entries in the volume refer to papers in the following series: Tavern License Papers 1920-1923.
Alternative Sources of Information: Miscellaneous Dockets.
For Further Records: No records found prior to or after dates listed.

List of Notaries Public and Justices of the Peace of Chester County March 1905 - December 1911. 1 vol.

Description: Volume in which names of notaries public and justices of the peace were entered.
Content: Name and signature of notaries public and justices, township or borough, date elected.
Arrangement: Entries recorded chronologically.
Access: Not indexed.
Missing Records: None.

Alternative Sources of Information: Commission Books.
For Further Records: No records found prior to March 1905. After 1911, records relating to notaries public and justices of the peace were kept in the prothonotary’s office.
PAPERS FILED IN THIS OFFICE BUT NOT FILED IN OPEN COURT  January 1930 - May 1972.  10 vols. (first two volumes labelled MINUTE BOOK PAPERS FILED).

Description: Minute books kept by the clerk of both orphans' court and court of quarter sessions (a position held by the same person) for entering papers filed with the office but not in open court.

Content: Varies, but may include name of defendant, defendant's attorney, decedent's or minor's estate, judges, clerk of courts; type of case; type of motion; type of papers filed; date papers filed; date of appearance before the court.

Arrangement: Entries recorded chronologically.

Access: Not indexed.

Missing Records: None.

Corresponding Records: Entries in the books refer to papers in the following series: Indictments, Orphans' Court Estates.

Alternative Sources of Information: Quarter Sessions, Oyer and Terminer, and Orphans' Court Dockets.

For Further Records: No records found prior to 1930. After May 1972, Minute Books are in the clerk of courts' office.

TOWNSHIP AND BOROUGH OFFICERS 1718-1936.  9 vols.

Description: Books kept for recording the list of township and borough officers election returns or court appointments.

Content: Varies, but may include date of election or court term, name of township or borough, assessor, assistant assessors, town clerks, auditors, judge of election, inspectors of elections, school directors, board of license, supervisors of roads, constable, justice, burgess, assistant burgess, tax collector, overseers of the poor.

Arrangement:
1. 1718-1800: Entries recorded chronologically by court term (court of private sessions).
2. 1801-1936: Entries recorded chronologically by year.

Access: Not indexed.


Corresponding Records: Entries in the books refer to papers in the following series: Private Sessions -- Township and Borough Officers.

Alternative Sources of Information: Quarter Sessions and Miscellaneous Dockets.
For Further Records: The first volume begins March 25, 1718 at a
court of private sessions "for ordering & appointing overseers of
the poor for the Respective Townships within the said County of
Chester according to the Directions of a late act of Generall
Assembly of this province (Instituted) an act for ye relief of
the poor." This act of January 12, 1705/6 calls for the
appointment of overseers of the poor by at least three justices
of the peace meeting at some convenient place in the county. An
act of June 3, 1937 provided for the county board of election to
assume the duties previously performed by the court of quarter
sessions.

MONIES RECEIVED ON VERDICTS IN CIVIL ACTIONS May 1814 – November
1816. 1 vol.

Description: Book kept for recording all costs and fees for
criminal cases as well as money paid after verdicts in civil
actions. The title is a misnomer because the book also includes
criminal cases.

Content:
1. Criminal cases contain name of defendant and witnesses in
case, all costs and fees, court term, signed statements of those
who received their fees.
2. Civil cases contain name of plaintiff and defendant, court
term, party in whose favor verdict was rendered and amount of
cost of verdict.

Arrangement: Criminal and civil cases are recorded separately
and are arranged chronologically by court term.

Access: Not indexed.

Missing Records: None.

Corresponding Records: Entries in the docket refer to papers in
the following series: Indictments.

Alternative Sources of Information: Quarter Sessions and Oyer
and Terminer Dockets.

For Further Records: No records found prior to or after dates
listed.

CLERK OF COURTS CASH ACCOUNT January 1921 – January 1926. 1
vol.

CLERK OF COURTS OFFICE RECEIPTS January 1930 – December 1933,
January 1938 – November 1953. 5 vols.

CASH RECEIPTS QUARTER SESSIONS COURT November 1953 – April 1962.
3 vols.

Description: Books containing daily itemized accounts of
payments (such as fees) from individuals to the clerk of courts.
Content: Name of payee, date and type of service performed, amount of fee received, court designation, name of clerk of courts. The first five volumes contain entries for both quarter sessions and orphans' court; the last three volumes contain only quarter sessions entries.

Arrangement: Entries recorded chronologically.

Access: Not indexed.


Corresponding Records: Entries in the books refer to papers in the following series: Indictments, Original Road Papers, Original Bridge Papers, Miscellaneous, Loan Statements, Orphans' Court Estates, Marriage License Applications.

Alternative Sources of Information: Quarter Sessions, Oyer and Terminer, Road, Miscellaneous Dockets.

For Further Records: No records found prior to or after dates listed.


Description: Daily itemized account books showing money due the clerk of courts from the County pertaining to the clerk's various duties regarding the court of quarter sessions.

Content: Names of parties involved in quarter sessions matters, dates, description of service or type of paper issued with amount of fee received, name of clerk of courts.

Arrangement: Entries recorded chronologically.

Access: Not indexed.

Missing Records: January 1926 - December 1929.

Corresponding Records: Entries in the books refer to papers in the following series: Indictments, Original Road Papers, Original Bridge Papers, Miscellaneous, Loan Statements.

Alternative Sources of Information: Quarter Sessions, Oyer and Terminer, Road, Miscellaneous Dockets.

For Further Records: No records found prior to or after dates listed.
CLERK OF COURTS' ACCOUNTS WITH ATTORNEYS January 1900 - December 1902, January 1926 - December 1950. 7 vols.

Description: Account books kept by the clerk of courts for recording amount of money owed the clerk by attorneys for both court of quarter sessions and orphans' court matters.

Content: Name of attorney, date, type and amount of transaction.

Arrangement: Entries recorded chronologically under each attorney.

Access: Each book contains an index that is alphabetical by first letter attorney's surname.

Missing Records: January 1903 - December 1925.

Corresponding Records: Entries in the books refer to papers in the following series: Indictments, Original Road Papers, Original Bridge Papers, Miscellaneous, Loan Statements, Orphans' Court Estates.

Alternative Sources of Information: Quarter Sessions, Oyer and Terminer, Road, Miscellaneous Dockets.

For Further Records: No records found prior to or after dates listed.

CASH BAIL ON DEPOSIT June 1941 - February 1960. 1 vol.

Description: Book kept for recording cash bail deposited in the clerk of courts' office for the defendant's appearance in court.

Content: Name of defendant, person depositing money (and address); date; amount of bail; amount and date paid; check number.

Arrangement: Entries recorded chronologically.

Access: Book contains an index that is arranged alphabetically by first letter surname of defendant.

Missing Records: None.

Corresponding Records: Entries in the book refer to papers in the following series: Indictments.

Alternative Sources of Information: Quarter Sessions and Oyer and Terminer Dockets.

For Further Records: No records found prior to or after dates listed.
CLERK OF COURTS' ACCOUNT BOOK  Three Sections:  January 1916 - June 1920, January 1926, October 1925 - January 1942.  1 vol.

Description:  Book kept by several clerks of courts for recording such various items as money received from county commissioners, register of wills, orphans' court, marriage licenses, miscellaneous receipts; receipts of the clerk; and cash bail entered.

Content:
1. The section on money received from county commissioners, register of wills, orphans' court, marriage licenses, miscellaneous receipts (January 1916 - June 1920) is a monthly listing of money received by the clerk of courts and contains month and year, amount of total receipts for the month, name of office or function.
2. The section labelled clerk of courts receipts (January 1926) is a daily itemized account of money received by the clerk for orphans' court and miscellaneous quarter sessions matters and contains date, description of service or type of paper issued with amount of fee received.
3. The section cash bail entered (October 1925 - January 1942) is an itemized account of cash bail received by the clerk and contains name of defendant, clerk of courts, person depositing the check (and address); number on check; amount of bail; date bail entered; date bail paid.

Arrangement:  Entries recorded chronologically.

Access:  Book contains an index that is alphabetical by section.

Missing Records:  None.

Corresponding Records:  Entries in the book refer to papers in the following series: Indictments, Orphans' Court Estates, Marriage License Applications.

Alternative Sources of Information:  Quarter Sessions, Oyer and Terminator Dockets.

For Further Records:  No records found prior to or after dates listed for section 1.  Section 2 (January 1926) contains same type of information as Clerk Of Courts Cash Account (January 1921 - January 1926).  Cash Bail On Deposit (June 1941 - February 1960) overlaps section 3 but may be a continuation.

INDEXES TO DOCKETS AND BOOKS

INDEX TO QUARTER SESSIONS DOCKETS B TO Q  August 1777 - April 1862.  1 vol.

Description:  An index by defendant's name to cases in Quarter Sessions Dockets volumes part of B through part of Q.
Content: Defendant's surname followed by first name and page number of docket entry.

Arrangement: Alphabetically by first letter defendant's surname; within letter chronologically by docket.

Other Quarter Sessions Dockets Indexes: Quarter Sessions Index No. 2, internal index in each Quarter Sessions Docket volumes A.A. - E3 (April 1932 - May 1969).

QUARTER SESSIONS INDEX NO. 2 August 1862 - January 1932. 2 vols.

Description: Indexes by defendant's name to cases in Quarter Sessions Dockets volumes part of Q through part of Z. Both volumes are the same (one is the duplicate of the other).

Content: Defendant's surname followed by first name and page number of docket entry.

Arrangement: Alphabetically by first letter defendant's surname; within letter chronologically by docket.

Other Quarter Sessions Dockets Indexes: Index to Quarter Sessions Dockets B to Q, internal index in each Quarter Sessions Docket volumes A.A. - E3 (April 1932 - May 1969).


Description: Indexes by defendant's name to cases in Court of Oyer and Terminer Dockets volumes 1-8. First volume is index for volumes 1 through part of 5 (May 1802 - August 1935) and second volume is index for volumes 1-8.

Content: Defendant's surname followed by first name and page number of docket entry.

Arrangement: Alphabetically by first letter defendant's surname; within letter chronologically by docket.

Other Oyer and Teriner Indexes: None.


Description: Indexes for Miscellaneous Dockets numbers 5 and 14-30 by petitioner, township, borough, defendant, etc.

Content:
1. Index Miscellaneous Docket No. 5 (1920-1933), 2 vols. (one is a duplicate) contains name of petitioner, defendant, township, borough; page number of docket entry; description of entry; year.
2. Index Miscellaneous Docket for numbers 14-30 contains same information as the above index as well as number assigned to entry and docket number.
Arrangement: Alphabetically by first letter person’s surname or township, borough; within letter chronologically by year.

Other Miscellaneous Indexes: Miscellaneous Dockets numbers 1-4, 6-13 (August 1867 – August 1919, January 1934 – November 1960) each contain an index that is alphabetical by first letter person’s surname or township, borough, etc.; within the letter, chronologically by year.

INDEX LOAN STATEMENT DOCKET 1960. 1 vol.

Description: An index by township, borough, or school district to Loan Statement Docket for 1960.

Content: Name of township, borough, or school district; volume number; page number of entry.

Arrangement: Alphabetically by first letter of township, borough, or school district.

Other Loan Statement Docket Indexes: Internal indexes in Loan Statement Dockets 1-3.

ROAD AND BRIDGE INDEX 1686-present. 2 vols. and microfilm.

Description: Indexes to Road Dockets and Original Road and Original Bridge Papers by township or borough. The two volumes are in the clerk of courts’ office; the microfilm (1686-1985) is in the Chester County Archives.

Content: Name of township or borough, year, number (if assigned), description of road or bridge, volume and page number of entry in both the Road Dockets and the Original Papers. Not all Original Road and Original Bridge Papers appear in the index.

Arrangement: Alphabetically by name of township or borough; within township or borough chronologically.

Other Road and Bridge Indexes: None.

PAPERS

INDICTMENTS March 1699/1700 – October 1906. 46 cu. ft.

Definition: Papers filed in criminal cases, as well as various non-criminal papers. Types of papers for criminal cases include: complaint, warrant, deposition, recognizance, transcript, subpoena, bill of indictment, writ of attachment, testimony, appeal from taxation of bill of costs and exceptions.

Content: Papers for criminal cases vary, but may include:
1. Complaint (also known as information or affidavit) is a written declaration or statement of facts made voluntarily and
confirmed by oath or affirmation of prosecutor, taken before an
officer (usually the justice of the peace) having authority to
administer such oath. The complaint was signed by the person
making the statement (usually the prosecutor) and also contains
the date of the affirmation, name of person making the
affirmation and defendant (person accused of the crime), township
or borough of affiant, and signature of justice of the peace.
2. Warrant from the justice to the constable commands the
constable to arrest the defendant and bring him before the
justice to answer the charge brought by the prosecutor. It
contains name of justice, prosecutor, defendant, constable;
township or borough; charge; date alleged crime occurred;
description of alleged crime; date of warrant; signature of
justice.
3. Deposition is testimony of witnesses taken before a justice of
the peace. It contains date of testimony; name of prosecutor,
defendant and witness; prosecutor and witness's sworn or affirmed
and signed statement that the testimony was true; may contain age
and place of residence of witness, prosecutor, defendant;
witness's relationship with the parties involved; description of
the alleged crime.
4. Recognizance is an obligation of record entered into before
the justice with the condition to appear at court. It was
entered into by both the defendant and prosecutor. It contains
name and signature of defendant, prosecutor, and sureties;
township or borough of all parties; amount of recognizance; date
of court term the parties are to appear; type of court (either
quarter sessions or oyer and terminer); date of recognizance;
signature of justice of the peace. If the defendant is unable to
pay the recognizance, he is committed to the county jail.
5. Transcript of justice of the peace is the record of
proceedings before the justice sent to the clerk of courts. It
contains name of justice, defendant, prosecutor, constable,
witnesses; date warrant issued; charge (with description of
alleged crime); date of hearing before justice; date defendant
committed to prison (if applicable); date of transcript; date
justice's commission expires; signature of justice; township or
borough of justice's jurisdiction; township or borough of
prosecutor and defendant; date transcript filed with clerk of
courts; costs of justice, constable and witnesses.
6. Subpoena is a writ or order requiring attendance at a specific
time and place to testify as a witness. It contains name of the
person subpoenaed, defendant, constable of township or borough of
person subpoenaed, judges, justice of the peace; charge; court
term; date to appear; type of court (either quarter sessions or
oyer and terminer); date of subpoena; signature of clerk of
courts; costs (which includes the miles constable had to travel
to deliver the subpoena to witnesses).
7. Bill of indictment is a formal, written document accusing the
defendant named of having committed a felony or misdemeanor; it
is presented to the grand jury for their action. It contains
name of defendant, witnesses, prosecutor; charge with description
of alleged crime; court term; type of court in which case appeared (either quarter sessions or oyer and terminer); date and designation of jury whether or not a true bill; date of crime; signature of district attorney, jury foreman; number assigned to case; docket notation (letter and page number); verdict, sentence.

8. Writ of attachment is issued by the court to the sheriff commanding that he take and keep a witness to answer the court in contempt in not obeying the court's writ of subpoena commanding the witness to give testimony in a certain case. It contains the name of the witness and judge, signature of the clerk (or deputy), date the writ of subpoena was served, date of attachment.

9. Testimony of witnesses before the court is a transcript of evidence given under oath or affirmation. It contains name of defendant, witnesses, district attorney, defense attorney; court term; date of testimony; charge; index of witnesses with page number; testimony. It may also include the examination of jurors for the case that contains name of juror, township or borough.

10. Appeal from taxation of bill of costs and exceptions contains name and signature of the defendant and his attorney, type of court, court term, date paper filed, date of appeal, exceptions to the bill, sworn or affirmed statement of defendant that the exceptions are true, signature of witness to the affirmation (usually a justice of the peace).

11. Certificate of discharge of prisoners upon release from Eastern Penitentiary (1836-1843) is an affidavit that the prisoner has no possessions other than clothing. It contains name of prisoner, crime for which convicted, date of discharge, signature of prisoner and warden, date filed. Although an act of January 17, 1831 provided for these affidavits, no records are extant prior to 1836.

There are non-criminal papers filed in the Indictment series, many prior to the establishment of the Miscellaneous Docket and Paper series after which some are found there. Non-criminal papers content varies, but may include:

1. Report of the Grand Jury to the court varies, but may contain: signature of foreman; court term; date; the jury's findings on the condition of county offices, jail, poor house; number of indictments returned as true and ignoramus; recommendations for improvements; Quarter Sessions Docket entry notation (letter and page number).

2. Petition for and appointment of township or borough officials (such as constables, supervisors, overseers of the poor, auditors, election officials, town clerk) and prison officers. The petition contains name of former official and proposed official for the court to appoint, township or borough, signatures of inhabitants of area, court term. The appointment by the court is often found on the front of the paper and contains the name of the newly-appointed official, date, instructions, Quarter Sessions Docket entry notation (letter and page number).
3. Qualification of county officials (such as commissioners, auditor, mercantile appraiser, surveyor) are written oaths of office affirmed to by the official. It contains signature of the official and witness, type of office, promise to support the Constitutions of the United States and Pennsylvania and to perform the duties of the office with fidelity, date of qualification, filing date, Quarter Sessions Docket entry notation (letter and page number).

4. Coroner’s inquisition when made by person other than coroner (such as a justice of the peace), April 1845 - January 1864. It contains the name of the deceased (if known), place inquisition held, township or borough of deceased, circumstances of death, cause of death, signature of person holding inquisition and those on jury of inquisition, date of inquisition, date approved by court, date filed, Quarter Sessions Docket entry notation (letter and page number). An act of May 27, 1841 provided that a justice of the peace could hold a coroner’s inquisition when there was no coroner, or if the coroner was absent from the county, or unable to attend. However, no fees or costs were to be paid until the proceedings were submitted to the court of quarter sessions. The court was to adjudge if there was reasonable cause for holding the inquisition. An act of March 17, 1864 provided that the coroner of Chester County could appoint deputies (such as justices of the peace) to hold inquisitions without needing to submit the proceedings to the court.

5. There are petitions to the court for various reasons: maintenance (monetary support) for spouses or elderly parents; release from prison; removal of a disruptive person in the community; relief from prosecution; fence viewed, repaired, or partitioned; recovery of fine; clemency of court in sentencing for a criminal offense; commitment of lunatic to Pennsylvania State Lunatic Hospital (Harrisburg); license to sell fertilizer. They vary, but may contain name of petitioner, township or borough, description of circumstance, court term, signature of petitioner, date filed, court’s decree, Quarter Sessions Docket entry notation (letter and page number).

Arrangement: Chronologically by court term case first appeared in court; within court term arranged alphabetically by defendant’s surname.

Access: Not indexed; however, the researcher can use Index to Quarter Sessions Dockets B to Q (August 1777 - April 1862), Quarter Sessions Index No. 2 (August 1862 - January 1932), internal index in each Quarter Sessions Docket volumes A.A. - E3 (April 1932 - May 1969), and Oyer and Terminer Indexes (May 1802 - November 1971) arranged alphabetically by first letter defendant’s surname.

Missing Records: June 1700-1701, November 1702, August 1703, May 1706, November 1706, November 1709 – November 1715, February 1765, April 1832, April 1902.
Alternative Sources of Information: Quarter Sessions, Oyer and Terminus, Quarter Sessions (maintained by the sheriff), Miscellaneous, Rough, Transcript Dockets; Records of the Courts of Chester County; Papers Filed in this Office but not Filed in Open Court; Township and Borough Officers.

For Further Records: Indictments prior to 1699 are not extant. Post 1906 Indictments are on microfilm in the clerk of courts office.

FINES AND AMERCEMENTS January 1810 - July 1821. 1 file folder.

Definition: Copies of records of fines, amercements, and forfeited recognizances sent after each court term to the state auditor general from the clerk of courts. Fines are a monetary punishment imposed by the court upon a person convicted of a crime. Amercements are similar to fines and are imposed upon a person for a fault or misconduct, being "in mercy" for the offense. They are created by statute and can only be imposed and assessed by courts of record. Forfeited recognizances are those in which the obligor failed to perform a particular act that was specified in the obligation of record entered into before the court.

Content: Name of defendant; charge; guilty verdict or plea; sentence; amount of fine, amercement, or forfeited recognizance; court term.

Arrangement: Chronologically by court term.

Access: Not indexed; however, to determine if a fine was issued in a particular case, the researcher can use Index to Quarter Sessions Dockets B to Q arranged alphabetically by first letter defendant’s surname to find the case in the Quarter Sessions Docket, and Oyer and Terminus Indexes arranged alphabetically by first letter defendant’s surname to find the case in the Oyer and Terminus Docket.

Missing Records: January 1815, April 1816, May 1818 - April 1821.

Alternative Sources of Information: Indictments, Quarter Sessions and Oyer and Terminus Dockets.

For Further Records: None.

PRISON DISCHARGES January 1843 - September 1872. .5 cu. ft.

Definition: Papers filed with the clerk of courts for the release of prisoners who had served their sentence in the county prison but had not paid the costs of prosecution or fine. If in the judgment of the board of prison inspectors the prisoner was unable to pay or restore the same, the prisoner made an affirmed statement that he had no property other than wearing apparel.
Content: Name of prisoner, affirmation that prisoner was unable to pay fine and costs of prosecution and had no property except for wearing apparel, charge for which sentenced, date of affirmation, signature of prisoner and witness, date filed.

Arrangement: Chronologically by date filed with clerk of courts.

Access: Not indexed.

Missing Records: 1850-1851.

Alternative Sources of Information: Indictments, Quarter Sessions Dockets.

For Further Records: An act passed February 8, 1842 provided that prisoners who had served their sentence in the Chester County Prison but had not paid the costs of prosecution or fine could be discharged upon affidavit that they had no property. After September 1872, none found.

TRIAL AND ARGUMENT LISTS March 1888 - December 1959. 4 cu. ft.

Definition: Printed pamphlets for each court term of cases to be tried or argued before the court. There are two types: trial lists and argument lists.

Content:
1. Trial lists contain name of court (oyer and terminer and general jail delivery and court of quarter sessions), judges, district attorney and assistants, clerk and deputy, jurors (and their occupations and residences), defendant, defendant’s attorney; court term; date case tried; charge; court term case first appeared; number assigned to case. Some trial lists contain attached newspaper clippings regarding the cases or list of jurors and handwritten notations about the proceedings.
2. Argument lists contain entries for courts of common pleas, quarter sessions, orphans’ court, and equity lists. For court of quarter session entries, argument lists contain the name of court and defendant; charge; exception, order, petition, or rule; court term; date case argued. Some argument lists contain attached newspaper clippings regarding the cases or handwritten notations about the proceedings.

Arrangement: Chronologically by court term.

Access: Not indexed.

Missing Records: Internal evidence suggests that some records are missing.

Bulk Dates: 1907-1959.

Alternative Sources of Information: Quarter Sessions and Oyer and Terminus Dockets.

For Further Records: No records found prior to or after dates listed.
TESTIMONY October 1907 - September 1952. 2.5 cu. ft.

Definition: Typewritten transcript of evidence given under oath or affirmation by witnesses before the court. The testimony in this series is limited to only a few cases, most of which appeared before the court of oyer and terminer.

Content: Name of defendant, witnesses, district attorney, defense attorney, judge; court term; date of testimony; charge; index of witnesses with page number; testimony. It may also include the examination of jurors by the district attorney and defendant's attorney when selecting jurors for the case and contains name of juror, township or borough.

Arrangement: Chronologically by court term.

Access: Oyer and Terminer Indexes for volumes 1-8 of Oyer and Terminer Dockets (May 1802 - November 1971), Quarter Sessions Index No. 2 for Quarter Sessions Dockets (August 1862 - January 1932), both arranged alphabetically by first letter defendant's surname, within letter chronologically by docket. After January 1932, each Quarter Sessions Docket contains an index that is arranged alphabetically by first letter defendant's surname.

Missing Records: None.

Alternative Sources of Information: Quarter Sessions and Oyer and Terminer Dockets, Indictments on microfilm in clerk of courts' office.

For Further Records: Prior to 1907, testimony is filed with the Indictments papers series. Indictments after 1907 have been microfilmed and destroyed. No records found after September 1952.


Definition: Petitions and other papers from individuals, organizations, townships, boroughs, and school districts requesting court action on various issues or matters such as: reports of grand jury; annexation of lands for school purposes; disputes regarding school directors; disputes between school districts; extension or establishment of township or borough boundary lines; division of boroughs into wards; incorporation of boroughs; annulling borough incorporations; township divisions; township, borough, and school district election results for increase of indebtedness; loan statements; appointments and resignations of constable, supervisor, tipstaff, prison inspector, special detective, tax collector, auditor, judge of election, town clerk, assistant district attorneys; increases in salary for probation officers, assistant to district attorney; changes of polling place; contested election proceedings; returns of special election; division of wards into election districts; tax rate increases for townships and boroughs; court orders to
re-index and rearrange papers, dockets and books; rules of court regarding contempt of court; entries on road, street and alley damages; discharge from prison of insolvents (unable to pay costs and fine in criminal cases); lists of liquor, eating house, wholesale, and bottlers licenses granted and refused (1905–1921);condemnations of illegal liquor (during Prohibition); revocations of liquor licenses; protest against location of a liquor store; appeals from refusal of Pennsylvania Liquor Control Board to grant license; orders to empanel and summon jurors for special session of court; orders for removal of bodies from cemetery and vacation of land for burial purposes; corrections of birth record (prior to 1941); proceedings on lunacy (or sanity) or habitual drunkenness of defendant; commitment of defendant to state mental hospital; destruction of gambling devices and pinball machines; condemnation of money; petitions for remission of forfeited bonds, bail bonds, and reduction of bail; petitions to be released from costs; proof of service; agreements for taking depositions; appeals of summary conviction; petitions to enter nol. pros.; petitions for writ of habeas corpus; petitions for bench warrant; motion for new trial; appointments of counsel; waivers of extradition; parole petitions and decrees.

Content: Varies, but may include name of petitioner, defendant, witnesses, attorneys, judges, township or borough officials, and other parties involved in matters before the court; township, borough, school district; court term; date of proceedings; date papers filed; case or paper number (if assigned); citations of docket entries (volume and page number); decree of court.

Arrangement:
1. Chronologically by Miscellaneous Docket and page number notation.
2. If there is no Miscellaneous Docket and page number notation on paper, arranged chronologically by year.


Missing Records: Internal evidence suggests that some records are missing.

Alternative Sources of Information: Miscellaneous, Quarter Sessions, Oyer and Terminer, Road, Loan Statement Dockets; Road Damage Receipt Book; Clerk of Courts Cash Account; Clerk of Courts Office Receipts; Cash Receipts Quarter Sessions Court; County of Chester — Book Account to Clerk of Court; Clerk of Courts' Accounts with Attorneys; Warrants and Non Support Cases; Indictments; Township, School, and Election Districts; Original Road Papers; Loan Statements; Original Bridge Papers; Tavern License Papers; Road Damages.
For Further Records: Miscellaneous Dockets begin August 1867. No papers found prior to October 1869. After January 1970, Miscellaneous papers are in the clerk of courts’ office.


Definition: Papers relating to the process by which the court granted licenses for taverns, eating houses, temperance houses, and distilleries. Types of papers include: petition to court, bond, remonstrance, fee receipt.

Content: Varies, but may contain:
1. Petition to court requesting a license was filed by the proprietor of a tavern, eating house, temperance house, or distillery in order to obtain a license and contains the name and signature of petitioner, date of petition, township or borough of petitioner and establishment, name of establishment, type of license, date filed, notation indicating whether or not the court granted or refused the petition. The petition may also include the signatures of various residents of the area urging the court to grant a recommendation for a license due to the necessity of a tavern or eating house for the area, as well as attesting to the good character of the petitioner.
2. Bond of petitioner is an obligation entered into by the petitioner and his surety under the condition that the petitioner will abide by the laws governing the keeping of taverns. It contains name and signature of petitioner, surety, and witnesses; date of bond; amount of bond; date filed.
3. Remonstrance is a representation made to the court showing the reasons why a license should not be granted. It contains name of tavern keeper, township or borough, reasons why the tavern keeper should not be licensed, signatures of those opposed to the licensing, date filed.
4. Fee receipt contains the name of petitioner, signature of county treasurer, type of license, amount paid for license and treasurer’s fees, date.

Arrangement: Chronologically by year; within year alphabetically by petitioner’s surname.

Access: Volumes contain internal indexes arranged in rough alphabetical order by name of petitioner. Indexes also contain some additional information such as township for location of tavern or name of tavern, as well as page number(s) of entries for that particular petitioner. There are also several external indexes at Chester County Archives that cover the years 1700-1750 (Vols. I-VIII) and 1700-1879. The years 1880-1923 are not indexed.


Alternative Sources of Information: Quarter Sessions and
Miscellaneous Dockets, Lists of Tavern Keepers, and Liquor License Applications 1920-1923 -- Tax Collectors Bonds 1918.

For Further Records: The first act regarding tavern licenses, passed May 10, 1684, provided for the issuance of licenses by the governor of the province. An act of March 27, 1923 prohibited the manufacture and sale of intoxicating liquor in Pennsylvania. An act of November 29, 1933 established the Pennsylvania Liquor Control Board and gave it the power to grant liquor licenses.

LISTS OF TAVERN KEEPERS August 1739 - August 1763. 1 file folder.

Definition: Lists kept by clerk of courts for recording names of tavern keepers, as well as peddlers, granted recommendations for a license from the court.

Content: Name of tavern keeper or peddler, amount paid for license, court term.

Arrangement: Chronologically by year.

Access: Not indexed.

Missing Records: 1754-1762.

Alternative Sources of Information: Tavern License Papers; Quarter Sessions Dockets; Licenses for Hawkers, Peddlers, and Indian Traders.

For Further Records: No records found prior to or after dates listed.


Definition: Papers relating to the laying out, opening, and vacation of roads in the county. Types of papers include, for the laying out of a road: petition, bond, order to viewers, notice, constable's affirmation, report of viewers, draft, exception to report of viewers, petition to court for road damages, order to viewers for road damages, report of the viewers of road damages; for a road vacation: petition, bond, order for viewers, notice, constable's affirmation, report of viewers; for second class townships to accept roads, streets, lanes and alleys dedicated as public highways: petition for consent, resolution of board of supervisors, decree of court.

Content: Varies, but may include:

1. Petition for a road to be laid out requests that the court appoint a jury of view to see if there is need for a road. It contains signatures of petitioners, court term, date of petition, date filed, location of road, and affirmation by one of the petitioners that the statements made in the petition are true.
2. Bond filed by one of the petitioners who promises to pay to the county treasurer the fees and mileage of the surveyor and viewers (provided by an act of April 4, 1907). It contains signature of petitioner, surety, and witnesses; amount of bond, date of bond and date filed. In some instances the petitioner will also have to affirm that he owns a specific amount of property located in the township or borough where the proposed road is located.

3. Order from the court to viewers (six viewers until act of April 28, 1857 "Relating to Road Laws in Chester and Lancaster counties" reduced number of viewers to three) appointed by the court instructs the jury to lay out the road if the need exists, report to the court, and make a map or draft of the road. It contains the names of the viewers, court term, date filed, location of the proposed road, instruction to viewers, signature of clerk of courts. The viewers must affirm or swear that they will perform the duties "impartially, and according to the best of their skill and judgment." This statement is attached to the order and contains the signatures of the viewers and person before whom they made the affirmation, and the date.

4. Notice to inhabitants of area where prospective road is to be laid out is delivered to the viewers and inhabitants, as well as being posted in public places by the constable. It contains names of the viewers, location of road, place, date and time where the viewers will meet (provided by an act of April 28, 1857 "Relating to Road Laws in Chester and Lancaster counties").

5. Affirmation of constable stating that he posted the notice in public places and delivered notices to the viewers, owners and occupiers of land that will be affected by the road, county commissioners, and township supervisors. It contains signature of constable and justice before whom he made his affirmation, date of affirmation.

6. Report of viewers gives the opinion as to the necessity of the road and has the location, description, and width (with courses and distances) of the road. It contains signatures of the viewers, date of report, date filed. (The order and report may be on the same sheet of paper.) The confirmation or rejection of the report by the court is found either on the front of the report or the front of the petition with a confirmed or rejected notation and date. The Road Docket citation (volume and page number) only appears if the report is confirmed. An act of April 28, 1857 stipulated that if viewers decided that a road was necessary, they were to obtain releases in writing of all claims to damages arising from opening the road from owners of lands over which the road would pass. If the viewers were unable to obtain all the necessary releases, they were to assess the damages and return them along with any releases obtained to the court to be filed and entered on record.

7. Draft of the road contains the courses and distances of the road, landmarks, notations regarding improved property, names of property owners.
8. Exception to report of viewers is filed by persons whose land is affected by the opening of the road. It contains name and signature of those opposed, location of road, date of exception, enumerated reasons for exception to the report, affirmed or sworn statement that the facts set forth in the exceptions are true, date filed.

If inhabitants of the area where the proposed road was to be laid out opposed it, they petitioned the court for a review of the road and the same type of papers were generated as when inhabitants petitioned for a road to be laid out.

Papers 9-11 were generated prior to a law of April 28, 1857 that combined the duties of viewers reporting on the necessity of a road with that of assessing damages.

9. Petition to court for road damages is addressed to the court from persons whose land has suffered damage due to the laying out and opening of the road. They ask the court to appoint a jury of view to adjudge the value. It contains signatures of petitioners, court term, date filed, location of road.

10. Order from court to viewers appointed by the court instructs the jury to adjudge the damages and report their opinion to the court. It contains the names of the viewers, location of road, court term, date filed, clerk of courts’ signature, and instructions to the viewers.

11. Report of the viewers contains their opinion whether or not damages are due the petitioners and contains the signatures of the viewers, names of the petitioners, amount of damages owed, date of report, date filed. The confirmation or rejection of the report by the court is found either on the front of the report or the front of the petition with a confirmed or rejected notation and date. A docket citation (volume and page number) only appears if the report is confirmed. (The order and return may be on the same sheet of paper).

If inhabitants wanted a road to be vacated because it was no longer used and had become a burden to maintain, the following papers would be generated:

12. Petition to court for the vacation of the road contains the signatures of the petitioners, location of the road, reasons why the road should be vacated, court term, date filed, and affirmation by one of the petitioners that the statements made in the petition are true.

13. Bond filed by one of the petitioners that promises to pay to the county treasurer the fees and mileage of the surveyor and viewers (provided by an act of April 4, 1907). It contains signature of petitioner, surety, and witnesses; amount of bond, date of bond and date filed. In some instances the petitioner will also have to affirm that he owns a specific amount of property located in the township or borough where the road is located.

14. Order from court to viewers appointed by the court instructs the jury to view the proposed road vacation and report their opinion to the court. It contains the names of the viewers, location of road, court term, date filed, clerk of courts’
signature. The viewers must affirm or swear that they will perform the duties "impartially, and according to the best of their skill and judgment." This statement is attached to the order and contains the signatures of the viewers and person before whom they made the affirmation, and the date.

15. Notice to inhabitants of area where road is to be vacated is delivered to the viewers and inhabitants, as well as being posted in public places by the constable. It contains names of the viewers, location of road, place, date and time where the viewers will meet (provided by an act of April 28, 1857 "Relating to Road Laws in Chester and Lancaster counties").

16. Affirmation of constable that he posted the notice in public places and delivered notices to the viewers, owners and occupiers of land over which the road passes, county commissioners, and township supervisors. It contains signature of constable and justice before whom he made his affirmation, date of affirmation.

17. Report of the viewers contains their opinion whether or not the road should be vacated and contains the signatures of the viewers, location of the road, date of the report, date filed, docket and page number where recorded. The confirmation or rejection of the report by the court is found either on the front of the report or the front of the petition with a confirmed or rejected notation and date. The Road Docket citation (volume and page number) only appears if the report is confirmed. (The order and return may be on the same sheet of paper.)

An act of July 18, 1935 (P.L. 1299) amended the act of May 1, 1933 (P.L. 103) by adding section 1147 concerning second class townships' taking over roads, streets, lanes and alleys dedicated as public highways. Whenever plans of dedicated roads, streets, lanes, or alleys in second class townships had been adopted, approved, and recorded prior to May 1, 1933, the township board of supervisors with consent of the court of quarter sessions, upon petition filed, were able accept any roads, streets, lanes, or alleys as public highways (as long as the roads met certain size stipulations). The following papers were generated:

18. Petition for consent to accept the road as a public highway in the township. It contains the name of the township, road, location and description of road, plan book citation for road in recorder of deeds office, signature of supervisors and witness to affirmed statement by one of the supervisors that the petition is true, date of affirmation.

19. Resolution of the board of supervisors, adopted by a majority of the board duly recorded and entered upon the minutes of the board. It contains name, description (with courses and distances), location of road; name of township; signature of president and secretary of board of supervisors, date meeting held to adopt the resolution.

20. Decree of court consents to the acceptance of the road as described in the resolution as part of the public highway system of the township. It contains name of township, attorney for petitioners, road; date of decree; filing date; signature of president judge.
Arrangement: Chronologically by court term road confirmed by court. If the road was not confirmed, papers are arranged chronologically by date (along with papers for roads that were confirmed).

Access: Road and Bridge Index (1686-1985) arranged alphabetically by name of township or borough where road is located; within township or borough chronologically. The first volume (1700-1724) contains an index that is arranged chronologically.

Missing Records: Internal evidence suggests that a few records are missing.

Alternative Sources of Information: Road, Quarter Sessions, Miscellaneous Dockets; Road Damage Receipt Book.

For Further Records: Records prior to 1700 are not extant. After 1982, papers are in the clerk of courts' office.

ROAD PAPERS NOT GRANTED April 1906 - September 1929. 1 cu. ft.

Definition: Papers relating to the laying out, vacation and extension of roads and erection of bridges not granted by the court.

Content: See series descriptions for Original Road and Original Bridge Papers.

Arrangement: Chronologically by date filed.

Access: Some of the papers are indexed in the Road and Bridge Index (1686-1985) arranged alphabetically by name of township or borough where road is located; within township or borough chronologically.


Alternative Sources of Information: Original Road and Original Bridge Papers, Road Dockets.

For Further Records: Prior to April 1906 and after September 1929, papers not granted were filed with Original Road and Bridge Papers.

ROAD DAMAGE PAPERS 1929-1964. 6 cu. ft.

Definition: Papers relating to property damages from both road and bridge construction.

Content: Varies, but may include:
1. Petition to court for appointment of jury of view to ascertain and assess damages sustained by those owning property that was taken and appropriated for a road or bridge and who were unable to agree with the county commissioners on the amount of damages that should be paid. It contains signature of petitioner (may
also be referred to as claimant) and witness before whom petitioner has made affirmed statement that the facts in the petition are true, township or borough, name and number of road, amount of property damaged by road or bridge, description of work performed on the road or bridge; deed book citation (volume and page number) to prove ownership of property, date of deed, name of former owner of property, date of petition, filing date, Miscellaneous Docket citation (number and page number).

2. Order from court to viewers appointed by the court contains name of viewers appointed, petitioner, president judge; township or borough, name and number of road or bridge; date viewers appointed; signature of clerk of courts, filing date, Miscellaneous Docket citation (number and page number).

3. Report of viewers contains their opinion on amount of damages due the petitioner and contains name of petitioner, township or borough, name and number of road or bridge, amount of damages sustained, signatures of viewers, Miscellaneous Docket citation (number and page number).

If the petitioner or commissioners remain dissatisfied with the report of viewers, the following papers are generated:

4. Appeal of confirmation of the report of viewers in the court of quarter sessions to the court of common pleas contains name of property owner; name and number of road or bridge; township or borough; date of appeal; signature of property owner, attorneys for county, commissioner (depending on which party is the appellant), witness to the appellant’s affirmed statement that the facts in the appeal are true, filing date; Miscellaneous Docket citation (number and page number).

5. Petitioner’s bill of costs contains name of petitioner, witnesses that attended before jury of view; number of days attended, amount paid per day’s attendance, mileage; number of miles travelled; total per witness; grand total; signatures of deputy clerk of courts, one of the witnesses that attended (who affirms that the bill of costs is correct and true and that all the witnesses were material), witness to the affirmed statement; date of bill of costs; filing date; Miscellaneous Docket citation (number and page number).

Arrangement:
1. 1929-1949: Chronologically by date petition filed.
2. 1950-1964: Numerically; numbers are assigned chronologically in filing order.

Access: Indexed alphabetically by first letter petitioner’s surname or by township or borough of petitioner’s property in Miscellaneous Dockets and Miscellaneous Docket Indexes for numbers 5, 14-30.

Missing Records: Internal evidence suggests that a few records are missing.

Alternative Sources of Information: Miscellaneous Dockets.

For Further Records: An act of July 18, 1917 (P.L. 1040) provided for the appointment of viewers to ascertain and assess
damages incurred when property owners and county commissioners were unable to agree on damages involving construction, reconstruction or improvement of a state highway where a change of existing lines and location was deemed necessary. Prior to 1929, road damage papers were part of the Miscellaneous Papers series. No papers found after 1964.


Definition: Papers relating to building bridges in the county. Types of papers include: petition for bridge, petitioner's bond, order from court to viewers, notice to inhabitants, constable's affirmation, report of viewers, draft of bridge, commissioners' petition, order from court to jury of inspection, report of jury of inspection.

Content: Varies, but may include:
1. Petition for a bridge to be erected requests that the court appoint a jury of view to see if there is occasion for a bridge to be erected. It contains signatures of petitioners, court term, date of petition, date filed, location of bridge, name of stream, and affirmation by one of the petitioners that the statements made in the petition are true.
2. Bond filed by one of the petitioners that promises to pay to the county treasurer the fees and mileage of the surveyor and viewers (provided by an act of April 4, 1907). It contains signature of petitioner, surety, and witnesses; amount of bond, date of bond and date filed. In some instances the petitioner will also have to affirm that he owns a specific amount of property located in the township or borough where the proposed bridge is located.
3. Order from the court to viewers (six viewers until act of April 28, 1857 "Relating to Road Laws in Chester and Lancaster counties" reduced number of viewers to three) appointed by the court instructs the jury to see if the need for a bridge exists and if the bridge would be too expensive for the township to erect, and to examine the route of the road crossing the water at the site where the bridge would be located. In addition, if in the jury's opinion, a change or variation in the road bed would be an improvement and saving of expense in the erection of the bridge, they are to report this and cause such variation to be accurately surveyed and a map or plot to be made to accompany the report to the court. It contains the names of the viewers, court term, date filed, location of the proposed bridge, instruction to viewers, signature of clerk of courts. The viewers must affirm or swear that they will perform the duties "impartially, and according to the best of their skill and judgment." This statement is attached to the order and contains the signatures of the viewers and person before whom they made the affirmation, and the date.
4. Notice to inhabitants of area where prospective bridge is to be erected is delivered to the viewers and inhabitants, as well
as being posted in public places by the constable. It contains names of the viewers, location of bridge, place, date and time where the viewers will meet (provided by an act of April 28, 1857 "Relating to Road Laws in Chester and Lancaster counties").

5. Affirmation of constable that he posted the notice in public places and delivered notices to the viewers, owners and occupiers of land that will be affected by the bridge, county commissioners, and township supervisors. It contains signature of constable and justice before whom he made his affirmation, date of affirmation.

6. Report of viewers gives the opinion whether or not the bridge is necessary and is too expensive for the township to erect, and if necessary proposes a change in the road bed as an improvement and saving of expense in the erection of the bridge. It contains location of the bridge, signatures of the viewers, date of report, date filed. (The order and report may be on the same sheet of paper.) The confirmation or rejection of the report by the grand jury, commissioners and court is usually found on the front of the report with a confirmed or rejected notation, signature of grand jury foreman and commissioners, date approved by grand jury and court. The Road Docket citation (volume and page number) only appears if the report is confirmed. An act of April 28, 1857, stipulated that if viewers decided that a bridge was necessary, they were to obtain releases in writing of all claims to damages arising from construction of the bridge or change in the road from owners of lands over which the bridge would be located or in which a change or variation of the road bed would be made. If the viewers were unable to obtain all the necessary releases, they were to assess the damages and return them along with any releases obtained to the court to be filed and entered on record.

If the bridge was approved, the following papers were generated:

7. Draft of the bridge contains the courses and distances of the road to be changed, landmarks, notations regarding improved property, names of property owners, width and location of bridge.

8. Commissioners’ petition requests that the court appoint a jury to inspect the bridge and report to the court the workmanship and materials used in erection of the bridge. It contains the signature of the commissioners, court term, date viewers appointed, name of viewers appointed and person or company that erected the bridge, location of bridge, cost of construction.

9. Order from the court to jury of inspection contains the name of viewers appointed, location of bridge, cost of bridge, court term, signature of clerk of courts.

10. Report of jury of inspection contains the opinion of the viewers regarding the workmanship, materials used, and cost, and any recommendations regarding improvements that could be made by the township. It contains the signatures of viewers, date of report, court term, date confirmed by court, Road Docket citation (volume and page number).

Arrangement: Chronologically by date recorded in Road Docket.
Access: Road and Bridge Index (1686-1985) arranged alphabetically by name of township or borough where bridge is located; within township or borough chronologically. Volumes 2-12 contain chronological indexes.

Missing Records: Internal evidence suggests that a few records are missing.

Alternative Sources of Information: Road, Quarter Sessions, Miscellaneous Dockets.

For Further Records: Records prior to 1708 are not extant. After 1958, no new bridges have been built in Chester County. The court still retains the right to approve the erection of bridges, but not the abandonment of bridges. Replacement and repair records for bridges are in the county engineer's office.

TOWNSHIPS, SCHOOL, AND ELECTION DISTRICT PAPERS 1720-1921. 9 vols.

Definition: Papers relating to the erection of townships, school, and election districts, as well as alteration of lines between two townships, annexation of township land to a borough, division of ward or precinct in a borough, borough incorporation, and change of place for holding elections. This is an artificially created series of papers that were originally filed with Indictments and Miscellaneous Papers. Types of papers include: petition, remonstrance, order, report of viewers or commissioners, draft, exception to report, proof of publication, report of grand jury, decree of court.

Content: Varies, but may include:
1. Petition from inhabitants requesting the erection of a new township, division of a current township, school or election district, alteration of present lines, change of place for holding elections, or borough incorporation. It contains name of present area and future name; signature of petitioners; location, description, and boundaries of area; reasons for new area; court term petition presented to court; date filed; affirmation and signature of a petitioner that facts in petition are true; docket citation where entered (volume and page number).
2. Remonstrance against the petition contains signatures of those opposed, location and boundaries of area, reason for opposition, court term, date filed,
3. Order to view the proposed area was issued from the court to a court-appointed jury of view or commissioners who were to make a plot or draft of the area and report regarding the petition. It contains a survey with the division line of the area, names of viewers or commissioners, signature of clerk of courts; court term, date filed.
4. Report of viewers or commissioners gives their opinion regarding the petition and contains signature of the viewers or commissioners, date and place where they met, date of report,
location of description of area, name of property owners and area, date filed, court term; docket citation where entered (volume and page number).
5. Draft or plot of the area contains boundaries, local landmarks, size of area, names of property owners.
6. Proof of publication is an affirmed statement from the petitioner’s attorney or newspaper publisher that a notice of the proposed action appeared in a local newspaper. It contains signature of affirmand and witness, name of newspaper and date notice appeared, date of affirmation, newspaper clipping, date filed.
7. Exception to the report of the viewers or commissioners contains signature of those who disagree with the report, reasons for disagreement, affirmed statement that the facts in the exception are true, date filed, court term.
8. Report of grand jury regarding incorporation of borough gives jury’s opinion and contains signature of foreman, date of report, court term, date filed, docket citation where entered (volume and page number).
9. Decree of court contains the description and location of area; boundaries; name of property owners; place, date, and time elections to be held; name of appointed judge and inspectors of election; signature of judge of court of quarter sessions; date filed; court term; docket citation where entered (volume and page number). If decree is for an incorporation of a borough, it contains citation (name of book, volume and page number) where it is recorded in the office of recorder of deeds, with signature of recorder of deeds (or deputy) and date.

Arrangement: Chronologically.

Access: Each volume contains an index that is chronological by order that papers were mounted in volumes.

Missing Records: Internal evidence suggests that some records are missing.

Alternative Sources of Information: Road, Miscellaneous, Quarter Sessions Dockets.

For Further Records: Records prior to 1720 are not extant. After 1921, township, school and election district papers are filed in the Miscellaneous Papers Series.

**LOAN STATEMENT PAPERS** October 1909 - 1971, 2 cu. ft.

Definition: Papers relating to the increase of indebtedness of a township, borough, or school district and the issuance of obligations (bonds) for the same.

Content: Name of township, borough, school district, officials and their signatures (such as treasurer, secretary, board president, directors, supervisors, chief burgess, mayor, clerk); amount of indebtedness of township, borough, school district;
amount of last preceding assessed valuation of taxable property of township, borough, school district; amount of debt incurred; form of obligation issued for indebtedness including the text of the obligation; reasons for incurring debt; maturity date of obligations; amount of annual tax levied and assessed to pay the indebtedness; newspaper or public notice regarding sale of bonds; resolution of township, borough, or school district authorizing the issuance of obligations; date obligation issued; date filed with clerk of courts; Loan Statement Docket reference with page number.

Arrangement: Chronologically by date filed.

Access: Loan Statement Dockets volumes 1 (October 1909 - November 1921) and 3 (January 1950 - August 1959) contain indexes that are alphabetical by township, borough, or school district. Volume 2 (November 1921 - April 1949) contains an index that is chronological by year. Volume 4 (August 1959 - August 1971) does not contain an index. The year 1960 is indexed in Index Loan Statement Docket which is alphabetical by township, borough, or school district.

Missing Records: Internal evidence suggests that a few records are missing.

Alternative Sources of Information: Loan Statement Dockets; township, borough, and school district election results for increase of indebtedness are entered in Miscellaneous Dockets.

For Further Records: Prior to 1909, Loan Statement papers were part of the Miscellaneous Papers series. (Loan statements were required by an act of April 20, 1874.) No records found after 1971.

LIST OF CONSTABLES 1703-1846. 3 file folders.

Definition: Lists of constables kept by the clerk of courts.

Content:
1. 1703-1770: Name and township or borough of constable, year, notation of attendance at court terms, amount of fine assessed for non-attendance, year.
2. 1823-1842: Name and township or borough of constable, year, notation of attendance at court terms, date attended, name of substitute if constable unable to attend, notation if constable filed bond, date filed.
3. 1843-1846: Names of two persons elected for each township or borough returned to the clerk of the quarter sessions, designation for who received most votes, number of votes received, township or borough, year.

Arrangement: Chronologically by year.

Access: Not indexed.

Alternative Sources of Information: Quarter Sessions Dockets, Township and Borough Officers.

For Further Records: No papers found prior to or after dates listed, but lists of constables appear in Quarter Sessions Dockets.

CONSTABLES' RETURNS  February 1705/6 - January 1933. 11 cu. ft.

Definition: Reports of constables returned to each session of the court reporting on various violations and/or conditions within their township or borough.

Content: Varies, but may contain return of name of retailer of liquor, and occupation (store keeper, tavern keeper, distiller), whether or not retailer has license, type and amount of liquor sold, name of liquor license violator and description of violation, return of name of retailer of foreign merchandise, return on gaming houses, roads, index boards, disturbances of the peace at elections, adulteration of and fraud in the sale of dairy products, township or borough, constable's affirmed statement that the return is correct and true, signature of constable and clerk of courts, return date, date filed.

Arrangement:
1. February 1705/6 - November 1799: Chronologically by court term; within court term alphabetically by township or borough.
2. February 1800 - 1933: Chronologically by year; within year alphabetically by township or borough; within township or borough chronologically by court term.

Access: Not indexed.


Bulk Dates: 1783-1881, 1918-1933.

Alternative Sources of Information: Quarter Sessions and Miscellaneous Dockets, Tavern License Papers, Liquor License Applications 1920-1923, Township Officials -- Private Sessions, Township and Borough Officers (for name of constable).

For Further Records: Records prior to November 1716 are not extant. An act of April 25, 1719 provided that constables were to return to the court of quarter sessions the names and places of all persons selling liquor that were liable to pay duties imposed on the liquor. The series ends with an act of February 28, 1933 that provided for the abolition of constables' returns to the court at the discretion of the court.
TOWNSHIP OFFICIALS--PRIVATE SESSIONS  1741-1799.  1 cu. ft.

Definition: Election (or appointment) returns of township officials such as overseers of the poor, constables, supervisors of highways, assessors and assistant assessors returned to the court of private sessions. Those eligible to vote met the third Saturday of March each year at a town meeting, selected the persons to fill the positions, and made return to the court.

Content: Name of person elected or appointed, township, position, date town meeting or election held, signatures of judges of election (if person was elected) or those persons who held the office the year before for which the appointment was being returned.

Arrangement: Alphabetically by township or borough; within township or borough chronologically by year.

Access: Not indexed.


Bulk Dates: 1780-1799.

Alternative Sources of Information: Township and Borough Officers volumes, Quarter Sessions Dockets, Indictments.

For Further Records: Records prior to 1741 are not extant. After 1799, returns of township officials are in the library collection of the Chester County Historical Society.

PRIVATE SESSIONS CALENDAR  1792-1799.  1 file folder.

Definition: List of township or borough officials elected or appointed and returned to the court of private sessions.

Content: Name of justices of court of private sessions, constables (not included 1797-1799), overseers of the poor, supervisors of roads; township or borough, court term.

Arrangement: Chronologically by year.

Access: Not indexed.

Missing Records: None.

Alternative Sources of Information: Township and Borough Officers, Quarter Sessions Dockets, Township Officials -- Private Sessions.

For Further Records: No papers found prior to or after dates listed, but lists of supervisors of roads, overseers of the poor and constables appear in Township and Borough Officers series.
INDENTURED SERVANT AND APPRENTICE RECORDS  
February 1702/3 - April 1833. 1 cu. ft. and 1 vol.: February 1702/3 - April 1833, 1 cu. ft. November 1720 - February 1750/1 (labelled Chester County Petitions Court of Quarter Sessions, 1720-1750), 1 vol.

Definition: Papers relating to actions before the court involving problems between masters and indentured servants or apprentices. Types of papers include: petition of servant or apprentice, petition of master, master’s account, indenture, petition to transfer assignment of indenture.

Content: Varies, but may contain:
1. Petition of servant or apprentice to the court for redress due to abuse from master, refusal of master to pay freedom dues or other reasons contains name of master and servant or apprentice, township or borough, type of trade, amount of time served and/or time remaining to be served, reasons for redress, signature or mark of servant or apprentice, court term, date of petition, date filed, court’s decree.
2. Petition of master to the court requesting relief because of the absconding, jailing, pregnancy, etc. of the servant or apprentice. The master requests the court to set an amount of additional time for the servant or apprentice to serve to pay back the costs incurred by the master because of the misbehavior of the servant or apprentice. It includes name of master and servant or apprentice, township or borough, description of servant’s activities, signature or mark of master, court term, date petition filed, court’s decree.
3. Master’s account of money spent due to the servant or apprentice running away, jailing due to charge of a criminal offense, pregnancy or other matter contains name of master and servant or apprentice, description of activities undertaken to find and bring back servant or apprentice with costs of each, signature or mark of master, date of account, dates of servant or apprentice’s absence.
4. Indenture between the master and servant or apprentice is a deed entered into with reciprocal obligations. It contains name of master, servant or apprentice and if he is a minor, the parent’s name; signature of servant or apprentice and parent (if applicable), witnesses; township or borough of master and servant or apprentice; date of indenture; length of time of indenture; trade of master; terms of the agreement to be fulfilled by the master and servant or apprentice.
5. Petition from the master or executor of master’s estate to the court to transfer the indenture of assignment of the servant or apprentice to another person contains name of master, servant or apprentice, executor of master’s estate, person to whom the indenture is to be transferred; township or borough of master and person to whom the indenture is to be transferred; trade of master; amount of time served and time remaining to be served; if master died, date of death; signature of master or executor; court term; date filed; decree of court.
Arrangement: Chronologically by court term.

Access: Volume is indexed alphabetically by surname of every name that appears in volume. Index available at Chester County Archives.

Missing Records: Internal evidence suggests that some records are missing.

Alternative Sources of Information: Quarter Sessions Dockets.

For Further Records: Records prior to February 1702/03 are not extant. No records found after April 1833.

LICENSES FOR HAWKERS, PEDDLERS, AND INDIAN TRADERS  November 1722 - October 1866. 1 cu. ft.

Definition: Papers relating to the licensing of hawkers, peddlers, and Indian traders. The terms "hawker" and "peddler" are synonymous and signify a person who travels from place to place selling his wares. An Indian trader is someone engaged in trade with Indians. Types of papers include: petition, bond, fee receipt.

Content: Varies, but may contain:
1. Petition from hawker, peddler, or Indian trader requests that the court recommend him to the governor for a license or grant him a license. Licenses had to be petitioned for annually. It contains name and signature of hawker, peddler, or Indian trader, township or borough, mode of transportation, signature and statement of those certifying the honesty and good character of the petitioner, signature and statement of a medical doctor certifying the reason the petitioner is unable to procure a livelihood by labor (this may be filed as a separate paper), court term, date filed, Quarter Sessions docket citation, decree of court.
2. Bond of petitioner bound the petitioner and his sureties to the governor or Commonwealth of Pennsylvania to obey the laws governing hawkers, peddlers, or Indian traders for the one year that the license was in effect. Signed by the petitioner and his sureties and a witness, it contains name of petitioner and governor, mode of transportation, date of bond, amount of bond, date filed.
3. Fee receipt paid by the peddler or hawker for the license contains the name of peddler or hawker, signature of county treasurer, type of license, amount paid for license and treasurer's fees, date.

Arrangement: Chronologically by court term; within court term alphabetically by surname of hawker, peddler, or Indian trader.

Access: Indexed alphabetically by surname of hawker, peddler, or Indian trader. Index contains the court term and township or borough of hawker, peddler, or Indian trader. Index available at Chester County Archives.
Missing Records: Internal evidence suggests that some records are missing.

Alternative Sources of Information: Quarter Sessions Dockets, Lists of Tavern Keepers.

For Further Records: An act of May 21, 1715 was the first law providing that the court of quarter sessions recommend the licensing of Indian traders to the governor. An act of February 14, 1729/30 was the first law regulating hawkers and peddlers and provided for the recommendation of licensing to the governor by the court of quarter sessions. Records prior to November 1722 are not extant. No records found after October 1866.

REPORTS OF DIRECTORS OF THE POOR 1801-1856. .5 cu. ft.

Definition: Reports from directors of the poor house/house of employment for the poor, submitted annually to the court.

Content: Name, age, sex, race, and disease or affliction (if applicable) of those paupers residing in the poor house/house of employment for the poor, as well as those who had been dismissed, removed or had absconded from the house, those who had been bound as apprentices (with name, township and trade of master), those who died, those aided out of the house. It also contains totals by race and sex of the above, with monthly total and average number of paupers for the year; signature of directors and clerk; year covered in report; filing date.

Arrangement: Chronologically by date filed.

Access: Not indexed.

Missing Records: 1811.

Alternative Sources of Information: Quarter Sessions Dockets may contain references to the filing of Reports of Directors of the Poor; Poor House Admission and Outdoor Allowance Books.

For Further Records: An act of February 27, 1798 provided for the erection of houses for the employment and support of the poor in Chester and Lancaster Counties. Section 5 of this act stipulated that directors of the poor were to submit a report to the court of quarter sessions and grand jury annually. Paupers were admitted to the Chester County facility upon its completion in 1800. No records found after 1856.

REPORTS OF VISITORS TO THE POOR HOUSE 1803-1853. 3 file folders.

Definition: Reports from court-appointed visitors to the poor house detailing conditions of the buildings, grounds, finances, and paupers. Types of papers include: order of court appointing visitors, report of visitors.
Content:
1. Order of court appointing visitors contains name of visitors, court term, date filed.
2. Report of visitors varies, but may contain signature of visitors; date visited poor house; conditions found regarding the building (such as plumbing, heating, sanitation, repairs needed); condition of the farm (types of crops and livestock, number of acres); observations on those living in the poor house (whether paupers, ill, elderly, children, insane), their condition (moral, physical, spiritual); and their employment (if any); remarks on those employed by the poor house (such as steward, matron, physician, nurse, teacher); account of the receipts and expenditures of the poor house and its farm; recommendations from the visitors for improvements; court term; date filed.

Arrangement: Chronologically by date filed.

Access: Not indexed.

Missing Records: Internal evidence suggests that some records are missing.

Alternative Sources of Information: Poor House Admission, Account, and Outdoor Allowance Books. Quarter Sessions Dockets may contain references to the filing of orders of court appointing visitors and reports of visitors to the poor house. On occasion, the grand jury made a visit to the poor house to inspect the premises and their observations were recorded in Reports of the Grand Jury. Although the grand jury made a report every court term, they did not visit the poor house every court term.

For Further Records: An act of February 27, 1798 provided for the erection of houses for the employment and support of the poor in Chester and Lancaster Counties. Section 5 of this act provided that the court of quarter sessions could, whenever required, appoint visitors to inspect the facility and make their report to the court. No records found after 1853.
Criminal Records of the Sheriff

As an officer of the court, the sheriff kept both civil and criminal records. The following are the sheriff's criminal records.

Gaol (Jail) Keepers' Dockets October 1804 - October 1807, November 1813 - November 1816, November 1828 - October 1831. 4 vols.

2. Gaol Calendar of Jesse Good, Sheriff. November 1813 - November 1816. 1 vol.

Description: Records of the sheriff as jail keeper of Chester County. Some prisoners were in jail as a result of criminal cases.

Content: Name of prisoner and person who had prisoner committed, charge against prisoner, number assigned to prisoner, date committed, turnkey and others' fees, costs, number of days in gaol, date of discharge, signatures of those who received their fees.

Arrangement: Entries recorded chronologically by date prisoner committed.

Access: The first volume of Oliver Alison's Commitment Docket is indexed alphabetically by prisoner's surname with page number of entry. Other volumes are not indexed.

Missing Records: November 1807 - October 1813, December 1816 - October 1828.

Alternative Sources of Information: Other prison records are maintained by the Chester County Archives and Records Services, but these are not quarter sessions records.

For Further Records: Dockets prior to October 1804 and after October 1831 are not extant.

Quarter Sessions Dockets January 1878 - August 1934. 25 vols.

Description: Dockets kept by the sheriff for recording fines and taxed bills of costs in criminal cases.

Content: Varies, but may contain name of defendant, person paying costs, sheriff; signatures of sheriff, clerk of courts or deputy, county treasurer, county commissioners (if person paying bill is exonerated), defendant and surety; itemized costs (district attorney, clerk, witnesses, justice, constable,
sheriff, jury) and fine; amount of taxed bill of costs; court
term of case; charge against defendant; case number (if one
assigned); date bills sent to sheriff; date money received by
sheriff, county treasurer.

Arrangement: Entries recorded roughly in chronological order.

Access: Dockets for the years January 1878 - October 1915 are
not indexed. Dockets covering years January 1916 - August 1934
each contain an index arranged alphabetically by first letter
defendant's surname.

Missing Records: None.

Corresponding Records: Entries in the dockets refer to papers in
the following series: Indictments.

Alternative Sources of Information: Oyer and Terminer and
Quarter Sessions Dockets (maintained by the clerk of courts).

For Further Records: No records found prior to January 1878.
Records after August 1934 are not extant.

WARRANTS AND NON SUPPORT CASES -- A. M. SELDOMRIDGE, SHERIFF
January 1932 - July 1934. 1 vol.

Description: Docket kept by sheriff A. M. Seldomridge for
recording warrants and non-support cases.

Content: Name and township or borough of defendant, date and
type of writ issued and paid, itemized costs, date writ was
returned, date costs paid, initials of person receiving payment.

Arrangement: Entries recorded chronologically.

Access: Docket contains an index that is arranged alphabetically
by first letter defendant's surname.

Missing Records: None.

Corresponding Records: Entries in the docket refer to papers in
the following series: Indictments.

Alternative Sources of Information: Quarter Sessions, Oyer and
Terminer, and Miscellaneous Dockets.

For Further Records: No records found prior to or after dates
listed.
GLOSSARY ¹

Affidavit -- statement or declaration of facts written and sworn to or affirmed before an officer having authority to administer an oath.

Agard -- an award.

Alias writ -- second writ issued in a case after the original writ had been issued and had proved ineffectual.

Allow -- to approve, permit, grant. To sanction, either directly or indirectly.

Appeal -- removal of a case from a lower court to a higher court for the purpose of correcting or reversing the lower court's decision. It has a common law origin and is a continuation of the original suit.

Apprentice -- person, usually a minor, bound by law (usually by an indenture) to a master, to learn from him his trade, business, or art and to serve him during the time of his apprenticeship.

Arraign -- to bring a prisoner to the bar of the court to answer the matter charged upon him in the indictment.

Arraignment -- procedure in which the accused is brought before court to plead to the criminal charge in the indictment. The charge is read and the accused may plead "guilty" or "not guilty."

Arrest -- to apprehend or detain a person to answer an alleged or suspected crime.

Arrest of judgment -- stopping judgment or refusing to render judgment after the verdict because of a matter on the record that would render the judgment, if given, reversible or in error.

Arson -- willful and malicious burning of the house of another.

Assault -- an attempt or threat to use force to injure the person of another.

Attachment -- writ issued by the court commanding the sheriff to bring before it a person who has been guilty of contempt of

¹Definitions based on Henry Campbell Black, Black's Law Dictionary (St. Paul, Minn.: West Publishing Co., 1933, 3rd ed.; 1979, 5th ed.). Definitions given are in some cases particular to the criminal, as opposed to civil, courts.
court, either by neglect or abuse of its process or of its subordinate powers.

Bail -- used as a verb, to obtain the release from legal custody of someone, by undertaking that the person appears at the time and place specified, and submits himself to the jurisdiction and judgment of the court.

Bail -- used as a noun, the surety or sureties who obtain the release of a person from legal custody by becoming responsible for the defendant's appearance at court.

Bailee -- one to whom goods are delivered in trust for another.

Banc -- full bench, full court.

Battery -- unlawful use of force (physical violence) to injure another.

Bench warrant -- process issued by the court for the attachment or arrest of a person either in a case of contempt or where an indictment was found, or to bring in a witness who did not obey a subpoena.

Bill of costs -- itemized, certified statement of amount of costs in a case.

Bill of indictment -- formal, written document accusing those named of having committed a felony or misdemeanor, put before the grand jury for their action upon it. If the grand jury decided a trial was necessary, they indorsed on it "a true bill," or if not, "not a true bill" or "not found."

Billa vera --"a true bill." Indorsement made on a bill of indictment by a grand jury when they found it sufficiently sustained by evidence.

Bond -- contract under seal to pay a certain sum of money, whereby the maker or obligor promises and binds himself, his administrators, executors and heirs to pay the sum. It also contains a clause stating that upon performance of a certain condition the obligation shall be void.

Burglary -- earlier statutes defined burglary as breaking and entering the house of another at night with intent to commit a felony, whether or not the felony was committed. Modern statutes regarding this crime are less restrictive. For example, breaking is not required, and entry may occur at any time in all types of buildings. A person is guilty of burglary if he enters a building with intent to commit a crime unless the premises at the time are open to the public or if he is permitted to enter.
Capias sur indictment (capias) -- writ commanding the sheriff to take the defendant into custody, so that he may be brought before the court on a certain day to answer the charges brought against him.

Cepi corpus -- "I have taken the body," i.e., arrested the defendant. A response written on a writ of capias by the arresting officer.

Certiorari -- writ issued by a higher court instructing a lower court to send up to the former all records of a case, certifying their correctness and completeness for review or trial.

Charge -- an accusation in legal form for the apprehension of an offender for trial before a court of proper jurisdiction. It is the first step in the prosecution of a crime.

Chattels -- personal property.

Citation -- writ issued by a court commanding a person to appear at a specific time and to do what is required, or to show cause why he should not.

Common law -- principles and rules of action that derive their authority from usages and customs, or from the judgments and decrees of the courts recognizing and enforcing the usages and customs.

Condemnation -- process in which private property is taken for public use without the owner's consent, upon the award and payment of just compensation.

Contempt -- there are two types: 1. Direct or criminal contempt is committed in the presence of court, obstructing or interrupting proceedings. A fine or imprisonment is imposed. 2. Constructive (also called indirect or consequential) arises from matters outside the court which obstruct the administration of justice such as failure or refusal of a party to obey a court order or decree.

Coram -- "before," "in the presence of."

Counts -- several parts of an indictment, each charging a distinct offense.

Cryer (Crier) -- court officer who makes proclamations. Principal duties include announcing opening and adjournment of court, transaction of special matters, admission of persons to the bar, swearing of witnesses, calling names of jurors, witnesses and parties, and other proclamations of a public nature as ordered by the judges.
Demurrer -- objection made by one party to his opponent's pleading.

Deposition -- written evidence taken from a witness in response to a series of written questions, not in open court, but in pursuance of a commission issued by the court. Also, a statement made orally on oath or affirmation, out of court, before a representative of the court.

Discharge -- in criminal practice, the act by which a confined person held on an accusation of a crime or misdemeanor is released from custody. The writing with the order for release is also called a discharge.

Easement -- right to use the land of another without compensation.

Embezzlement -- type of larceny. The fraudulent appropriation of the property or money of another for one's own use.

Eo die -- "on that day," "on the same day."

Evidence -- witnesses, records, documents, and other particular objects legally presented at a trial for the purpose of producing belief in the minds of the jury.

False pretenses -- deliberate misrepresentation made to defraud another for the purpose of obtaining money or property.

Felony -- term used to designate a crime (such as murder) that is more grave than one labelled a misdemeanor.

Forfeiture of a bond -- failure to perform the condition on which the obligor was to be excused from the penalty in the bond.

Fraud -- intentional, deceitful practice, resorted to in order to deprive another of his right, or to do injury.

Freeholder -- person whose possession of an estate in land or other real property is of indeterminate duration.

Freeman -- person in possession of a specific amount of land or other assets and residing in the province or state with the right to elect or be elected as a representative in government.

Garnishment -- warning to a person (garnishee) who has money or property in his possession belonging to a defendant, or who owes the defendant a debt. The money, property or debt is attached in the garnishee's hands with notice not to pay or deliver it over until the end of the case.
Grand jury -- jury of inquiry summoned and returned by the sheriff to each session of the court of quarter sessions. The jurors are first sworn and instructed by the court. Their duty is to receive complaints and accusations in criminal cases, hear evidence adduced on the part of the state, and find bills of indictment in cases where they are satisfied a trial ought to be held.

Habeas corpus -- writ for the purpose of bringing a party before a court or a judge.

Ignoramus -- "we are ignorant; we ignore it." Written by the grand jury on bills of indictment when, after hearing evidence, they thought the accusations against the prisoner were groundless, suggesting that though the facts could be true, the truth did not appear to them.

Impanel -- to present to the court a formal list of the jurors (the panel of jurors) who have been selected for the trial of a particular case.

Indemnify -- to secure against loss or damage; to give security for reimbursement of a person in case of anticipated loss.

Indentured servant -- a servant who, in return for the payment of certain debts (usually cost of passage to the colonies), agreed to serve for a given period (usually four to seven years) the person who paid the debts. At the end of the period of servitude, the individual not only received his or her freedom but usually also received freedom dues, customarily two sets of clothing (one new), and a few tools or the equivalent in money.

Indictment -- accusation in writing found and presented by a grand jury to the court, charging that the person named has done some act, or has been guilty of some omission, which by law, is a public offense, punishable on indictment.

In vacation -- time between court terms.

Judgment-proof -- term describing a person against whom judgments for money recoveries are of no effect such as insolvents or those without sufficient property within a court's jurisdiction to satisfy judgment.

Jury -- given number of men (usually twelve) selected by law, and sworn (or affirmed) to inquire into certain matters of fact and declare the truth upon evidence put before them.

Larceny -- unlawful taking and removing personal goods from another.
Larceny by bailee -- larceny by one temporarily holding the personal property of another. The bailee fraudulently takes the property for his own or another's use.

Lay out -- duty performed by a jury of view determining the courses and distances of a road.

Lien -- claim or hold that one person has upon the property of another as a security for a debt or charge.

Mandamus -- "we command." Writ issued from a court of superior jurisdiction, directed to a private or municipal corporation or an inferior court, commanding the performance of a specified act, or directing the restoration to the complainant to rights of which he was illegally deprived.

Misdemeanor -- indictable criminal offense which is less serious than a felony, such as cruelty to animals, disruption of religious services, or fornication and bastardy.

Mittimus -- precept issued from a court or justice, commanding the sheriff to convey to the prison the person named and commanding the jailer to receive and keep the prisoner until he is delivered to court by due course of law.

Motion -- application to the court by the parties or their counsel to obtain a rule or order that is necessary for the progress of the case, or that is unrelated to the entire proceedings.

Nisi -- "unless." Judgment which will conclude the defendant's rights unless within the prescribed time he shows cause to set it aside or successfully appeals. A judgment nisi is tentative in character. If no action is taken it is made absolute.

Nolle prosequi (nol. pros.) -- formal entry on record by the prosecuting officer that he "will no longer prosecute" the case, either as to some of the counts, some of the defendants, or altogether.

Nolo contendere -- "I will not contest it." Name of a plea in a criminal action with the same legal effect as a guilty plea.

Non culpabilis (non. cul.) -- "not guilty."

Non est inventus (N. E. I.) -- "he is not found." Inscription on a writ by the sheriff if he cannot find the defendant.

Nota bene (n.b.) -- "mark well."

Obligee -- person in favor of whom an obligation is contracted.
Obligor -- person engaged to perform some obligation.

Oyer -- hearing.

Oyer and terminer -- court that is empowered to inquire, hear and determine all felony and treason cases.

Paper book -- copies of proceedings with notes of points to be argued, given to the judges before the argument. It is used for appeal or error in a criminal case.

Parole -- conditional release with the condition that the prisoner must make good in order to receive an absolute discharge from the remainder of his sentence. If not, he will return to serve the remaining time.

Perjury -- false testimony under oath or affirmation given on a matter of fact, opinion, belief, or knowledge by a witness in a trial as part of his evidence.

Petit jury -- ordinary jury of twelve men for the trial of a civil or criminal case.

Petition -- written application to the court requesting that the court exercise judicial authority in the redress of a wrong, or to grant a favor, privilege or license.

Plead -- to make or deliver the defendant's formal answer to the indictment.

Pleading -- formal allegations by the parties of their respective claims and defenses for the court's judgment.

Pluries -- "often," "frequently." When original and alias writs have been issued and proved ineffectual, a third writ (pluries) may be issued. It has the same effect as the first two writs.

Precept -- written order from a court or justice of the peace, commanding a sheriff or constable to do an act within his powers.

Prerogative writ -- writ issued by the court when proper cause is shown; includes writs of procedendo, mandamus, habeas corpus and certiorari.

Prefer -- prosecute, try, bring before, proceed with.

Presentment -- written notice taken by a grand jury of any offense, from their own knowledge or observation, without any bill of indictment laid before them at the suit of the government. It is signed by all grand jurors.
Procedendo -- writ by which a case which was removed from an inferior to a superior court is sent down again to the same court to be proceeded with there. It is issued if it appears to the superior court that it was removed on insufficient grounds.

Prosecutor -- person who, in the name of the government, proceeds against another for a crime. The prosecutor makes an affidavit charging a named person with committing an unlawful offense on which a warrant is issued or indictment or accusation based.

Recognizance -- obligation of record entered into before a court or justice of the peace with the condition to perform a particular act such as appearing at court, keeping the peace, etc.

Remonstrance -- representation made to the court showing reasons against something proposed.

Respite -- delay or continuance.

Return -- sheriff's act of bringing back to the court a writ which he was required to serve or execute, with a brief account of his doings, the time and mode of service or execution, or his inability to accomplish it. It is also the indorsement made by the officer upon the writ, with a brief account of the above.

Right of way -- there are several definitions:
1. right belonging to a party to pass over the land of another. This is an easement and the grantee only has the right to a reasonable and usual enjoyment with the owner of the land retaining rights and benefits of ownership consistent with the easement.
2. strip of land upon which railroad companies build their road bed. When the term is used this way it refers to the land, not the right to pass over it.

Search warrant -- written order from a justice directing a sheriff or constable to search a specific premise and seize any property that constitutes evidence of the commission of a crime, or property intended for use or used in committing a crime. This property is to be brought before the justice, along with the person occupying the premises, to be dealt with according to law.

Sentence -- formal judgment pronounced by the court or judge upon the defendant after conviction in a criminal prosecution, awarding the punishment to be given.

Severally -- apart from others, distinctly, separately.

Similiter -- "likewise," "the like." Used either at the end of pleadings or by itself, expressing the acceptance of an issue of
fact offered by the opposite party. Also called joinder in issue.

Statute -- written law enacted by the legislative branch of government.

Striking a jury -- selecting or nominating a jury of twelve out of the whole number returned as jurors on the panel. It is used in selecting a special jury.

Sub conditione -- "upon condition."

Subpoena -- order or writ to a person requiring his attendance at a specified time and place to testify as a witness.

Supersedeas -- writ commanding a stay of the proceedings at law.

Surety -- person who binds himself for the payment of a sum of money, or for the performance of something else, for another.

Surety of the peace -- type of preventive justice. Persons suspected of future misbehavior give full assurance to the public that the offense as is apprehended will not take place, and must find pledges or securities for keeping the peace or good behavior.

Talesman -- person summoned to act as a juror from among the bystanders in the court.

Tarde venit -- return made by the sheriff to a writ when it came to him too late to be executed before the return date.

Testimony -- evidence given by a competent witness under oath or affirmation. This is different from evidence obtained from writings and other sources.

Theft -- fraudulent taking of personal property belonging to another from his possession without consent, with intent to deprive the owner of its value, and to confiscate it to the use of the person taking it.

Tipstaff -- court-appointed officer who has duties such as waiting upon court when it is in session, preserving order, serving process, and guarding juries.

Tort -- legal wrong committed upon a person or property.

Transcript -- official copy of proceedings in a court.

Traverse -- to delay the trial of an indictment until a succeeding term or to deny or take issue upon an indictment.
Traverse jury -- jury impaneled to try an action or prosecution.

Trespass -- unlawful act committed with actual or implied violence, causing injury to person, property or rights of another.

Vacation -- the act of removing a road from public use.

Venire facias (venire, ven. fa.) -- writ directing sheriff to "cause to come" before the court on the day mentioned twelve men of the county to act as a jury for a trial.

View -- inspection by a jury.

Viewers -- persons appointed by the court to investigate certain matters or to examine a particular area (such as a proposed site for a new road) and to report the result of their inspection and opinion to the court.

Writ -- order issued to the sheriff from a court of justice with its seal, in the name of the king, queen, or state, directing him to perform a specific action.

Yeoman -- In England, a commoner; a man under the rank of gentleman. In colonial Pennsylvania the term usually implied a country man (though not necessarily a farmer) of respectable standing.

A transcription of the Upland Court docket. The Upland Court operated under the Duke of York's Laws and had legislative as well as judicial powers. It was discontinued after William Penn became proprietor of Pennsylvania. The volume includes a history of the Delaware Valley area from the 1630s through the 1670s noting the importance of the Swedes and the Dutch. Not indexed.


A comprehensive history of Delaware County including the years prior to its separation from Chester County. Its information on the judicial system provides a useful supplement to Futhey and Cope's *History of Chester County, Pennsylvania.*


The volume includes the texts of the Duke of York's Laws, Charter of the Province of Pennsylvania, the Frames of Government, Laws Agreed Upon in England, the Great Law, and acts passed by the provincial council and general assembly from 1683-1699. The introduction discusses the background, government and administration of the province.


A standard legal dictionary relied upon in compiling the glossary for this guide.


An indispensable volume about English criminal law. It provides evidence that the early Pennsylvania judicial system was based on English practice.

Known as *Brightley's Purdon's Digest*, these volumes are arranged alphabetically by subject and contain references to statutes (with dates) as they pertain to different subjects. Indexed.


A transcription of the minutes of the Philadelphia County Court of Quarter Sessions, 1695. In the section preceding the transcription, Bronner discusses several common pleas cases, and provides a historical sketch of the court from 1681 through 1695.


A guide to the civil court records of Chester County from which this guide has borrowed glossary terms, bibliographic citations and early history of courts.


A transcription of the first court docket of Chester County, September 1681 - March 1696/7. Several entries have been expurgated. Indexed.


This volume is mainly concerned with the colonization of Pennsylvania, and includes the numerous drafts of the first Frame of Government, letters and other pertinent material, as well as detailed annotations for each document. Indexed.

Examining statutes, Fitzroy traces how punishments for crimes in Pennsylvania changed from the mild Quaker ideal in the late seventeenth to the more harsh English system by the early eighteenth century. He gives several reasons for this including unsettled frontier conditions and the influx of poor, felons, and different nationalities to the province.


The most comprehensive history of Chester County, this work contains information on a wide variety of topics including the judicial system. Indexed.


A compilation of the laws and ordinances that shaped the judicial system in Pennsylvania such as the Duke of York's Laws, the royal charter and frames of government, and laws passed by the general assembly of Pennsylvania from 1682-1700. The volume also contains valuable historical notes on the early government and legislative councils and assemblies of Pennsylvania from 1623-1700.


A study of changes in how crimes were punished in Pennsylvania and the increase of crime from 1683-1775. Gipson shows that punishments were harsher in the eighteenth century than the seventeenth century but that they were sometimes tempered with mercy, such as clemency for some capital crimes.


An examination of Chester County court records from January 20, 1697/8 to November 29, 1710, showing the court as a governing body as well as a dispenser of justice. Hagy also discusses court procedure and
functions, the court and the Quakers, and compares the Chester County court with courts in Bucks County, Pennsylvania and Burlington, New Jersey.


A transcript of the second volume of the Chester County court records from June 1697 - November 1710. Indexed.


The full text of all acts passed during the sessions of Pennsylvania's general assembly. Indexed.


An examination of Pennsylvania county courts from the implementation of the Duke of York's Laws in the 1670s through the proprietorship of William Penn and the beginning of the eighteenth century. The article focuses on the evolution of the judicial system, the types of cases before the court, how the court functioned, the role and duties of the provincial council, and includes brief sketches of early lawyers and justices.


An excellent description of the establishment and development of courts in Pennsylvania from the time of Dutch settlement in the mid-seventeenth century through the legal revisions of the first half of the nineteenth century.


A look at the disputes, events, and controversies such as treason cases, problems encountered in establishing courts in the western part of the state,
and the personalities and politics of attorneys and judges in Revolutionary and post-Revolutionary Pennsylvania.


The entire text of all laws passed from 1700-1809 with notes regarding the status of each act. Appendices in the volumes of colonial laws contain papers such as letters from Pennsylvania government officials to England and opinions of the privy council of the acts passed by the general assembly. Indexed.


This article examines the frequency of and types of crimes committed by women, using county quarter sessions court records. Rowe finds that most accusations against women in Pennsylvania between 1763 and 1790 were violations of the moral and public order with sexual offenses constituting the most common charge. Criminal accusations against women rose before the Revolution, dropped during the war years, rose by 1780, then leveled off and declined.


A transcript of part of Philadelphia County's Prisoners for Trial Docket. The docket was used for recording information on individuals jailed and waiting for the disposition of criminal charges against them.


Published under the legislature's authority, this set contains all titles of the acts of the legislature in chronological order, but gives only the text of those acts still in force at time of publication. Current laws are annotated and supplemented with references to legal decisions pertaining to the act. Indexed.

A history of Delaware County, including the years prior to its division from Chester County in 1789, containing a substantial amount of information on the history of the early courts.


Prepared by the Pennsylvania Historical Survey, this book summarizes the county records surveys done under the auspices of the Works Progress Administration. Included are overviews of county offices and agencies with their histories, a discussion of their duties and a description of their records (with dates) and various laws pertaining to the office.


An examination of the Pennsylvania Supreme Court from the late seventeenth century through 1834. The article traces the evolution of the court through the various laws which affected its development and jurisdiction.


A comprehensive history and examination of the English judicial system from 1689-1835 which influenced the establishment of county courts and offices in provincial Pennsylvania.
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