

# EXTRACTS FROM THE EARLY COURT RECORDS OF CHESTER COUNTY, PA.

By H. WILSON

## EARLY APPOINTMENTS OF OFFICERS TO SERVE IN WHAT IS NOW LANCASTER COUNTY

WILLIAM PENN, proprietary and governor, made the first appointments of justices for the Province of Pennsylvania. Succeeding governors continued to appoint justices until the Revolutionary War. During this time the Assembly, by various enactments, set up provisions for the election of the several offices following the provisions of the enactment of the Assembly in 1762,—the second year under the reign of King George III. Certain of these justices were delegated to hold quarter sessions court. The settlement of the territory, now included in the present Lancaster county, was well established after 1710.

The first justice was John Wright. These justices, at their sittings, appointed constables in each district in the county. They were required to make a return to the court of any infractions of the law in their respective bailiwicks. The constables were employed in various capacities; certain numbers of them, usually from five to seven, were required to attend court so as to be on hand to assist the sheriff with the prisoners, to serve writs, and to go after those persons whom the court desired to be brought before it either as witnesses or defendants in actions. In the quarter sessions docket, 1714-1723, p. 7, under date of 1714, appears the following: "Ordered by the Court that ye Sheriff shall get each Constable in ye County a Staffe, and to be paid out [of] ye County Stock." Justice John Wright appears as sitting in all courts for the year 1717.

"At a Court of Private Sessions held at ye borough of Chester the 25th day of March, in ye 4th year of the reign of our Sovereign Lord, George, King over Great Britain, etc., and in the year of our Lord 1718, for ordering and appointing Overseers of the poor, for the respective Townships within the said County of Chester according to the Directions of a late act of General Assembly of the

province (Instituted). An act for ye relief of the poor, etc., before Richard Webb, Henry Pierce, Henry Nayles, Richd. Hayes, John Wright, Joseph Couburn and David Parry, Justices." William Grimson was appointed constable for Sadsbury township.

At a court held on August 26th, 1718, "Wm. Grimson, Constable of Sadsbury doth present John Cartliedge, Thomas Hayward and Wm. Clayton for selling liquors by small measure."

The foregoing were traders. The jury which tried John Cartliedge brought in a verdict of not guilty. The others suffered the payment of fines.

Sadsbury township, while not outlined nor organized as a township until 1728, was understood to be the area settled between the West Branch of the Brandywine to beyond the Octorara, almost to its western branch, represented in the Great Valley region by the Copper Mine run, a distance of about fourteen miles. It extended from the Copper Mine ridge, in which is now located the village of Gap, southward over nine miles to Doe run and included the area afterwards known as Fallowfield township.

In the division and erection of the townships in 1728, that portion in the Great Valley was to be called Sadsbury; the portion south of the South Valley hills was to be called Fallowfield. That portion of Sadsbury township, east of the Octorara, was to be called East Sadsbury; and that portion, west of the Octorara, was to be called West Sadsbury. The portion in Lancaster county was, later, divided into two townships,—Sadsbury and Salisbury. In the early papers and documents the word was usually spelled Sudsbury. Later, it was variously written Sadsbury and Salisbury, Lancaster county retaining the two forms of spelling. The name was given to the township by its early English Quaker settlers, some of whom had come from the region in England known as Salisbury Plain. The appointment of constables for Sadsbury township usually came from its most settled portion,—the eastern end. William Grimson resided in the eastern end of that part east of the Octorara.

In the May term, 1719, Moses Musgrave was appointed constable of Sadsbury. He lived quite close to the Octorara, on the east side.

In the February term, 1720, Moses Musgrave and William Smith were appointed constables, but only Smith qualified.

At the August term, 1720, Richard Carter and Thomas Clark were appointed constables for Conestogoe. The justices at this time were appointed constables, overseers of the poor, supervisors of highways and assessors. Edmund Cartledge received the special appointment of assessor, evidently for the purpose of aiding in the valuation in the Conestogoe region.

The appointments for the region, now known as Lancaster county, beginning with 1721, were as follows:

<i>When Appointed</i>	<i>Office</i>	<i>Township</i>	<i>Persons Appointed</i>
* February 28th, 1720/21	Constable	Sadsbury	Wm. Smith
	"	East part of Conestogoe	Danl. Ferie
	"	West " " "	James Hendrickson
May term, 1721.	"	Sadsbury	Robert Stanford (Lived west of the Octorara).
As constables were fined for not attending court, appointees frequently refused to qualify, and others were appointed to take their districts.			
November term, 1721.	Constable	West part of Conestogoe	John Linville
February 27th, 1721/22.	"	Sadsbury	Robert Stanford
	"	East part of Conestogoe	Danl. Farie
	"	West " " "	John Linville
May term, 1722.	"	Sadsbury	John Musgrove
	"	East part of Conestogoe	Wm. Richardson
	"	West " " "	Richd. Grist (Fined ten shillings for non attendance).
May term, 1723.	"	Sadsbury	Gainer Peirce (Lived west of the Octorara).
	"	Conestogoe	Stufiel Franciscus
	"	Donegall	David Jones
	"	Peque	Thos. Clark
March 25th, 1724.	"	Sadsbury	David Hastings (Lived east of the Octorara).
	"	Conestogoe	John Roberts Martin Kendricks

\* The year began in March instead of January. A doubt existed when 1721 began.

<i>When Appointed</i>	<i>Office</i>	<i>Township</i>	<i>Persons Appointed</i>
	Constable	Donegall	John Jones David Jones (Continued).
	"	Pequea	Isaac Lowe John Williams
	Supervisors	Conestogoe	Martin Mil...? John Hendrix
	"	Donegall	
	"	Pequea	Daniel Ferree Jacob Hendrix
August term, 1725.	Constable	Conestogoe	David Jones
	"	Donegall	John Davis
	"	Pequea	Joseph Roe
	"	Sadsbury	Simeon Woodrow (Lived east of the Octorara).
March 25th, 1725.	Supervisors	Conestogoe	Benedetus Veredick
	"	Donegall	John Brokbaker
	"	Pequea	Joseph Roe
March 25th, 1726.	Constable	Conestogoe	David Jones
	"	Donegall	
	"	Pequea	John Ferree
	Overseers	Conestogoe	Thomas Baldwin William Willie
	"	Donegall	
	"	Pequea	
	Supervisors	Conestogoe	John Postlewhaite Martin Kendrick
	"	Donegall	
	"	Pequea	
August term, 1727.	Constable	Conestogoe E. & W.	David Jones
	"	Pequea	John Ferree
August term, 1728.	"	E. Conestogoe	David Jones
	"	W. Conestogoe	William Hughes
	"	Donegall	
	"	Pequea	David Cookson
	"	W. Sadsbury	James Guy (Lived on the west side of the Octo- rara).

As the court at this time had no representative on the bench from the territory now included in Lancaster county, and as the

business of that body had increased so rapidly, that it was found impossible to give the territory the proper attention, and as overseers of the poor and supervisors of highways were not being appointed (see petition from Pequea and East Conestogoe) the inhabitants of the region west of the Octorara asked that a separate county be erected. This was done in 1729. All records for this region cease to be given in the Chester county court dockets after the May term, 1729.

In the quarter sessions docket, 1723-1733, p. 163, John Mathews was appointed as constable of West Sadsbury township. This township, being west of the Octorara, was in Lancaster county.

The following petition concerning the abuse of a servant was copied from the quarter sessions docket, 1723-1733, p. 33, in the office of the clerk of the court at West Chester, Pa., and is as follows:

“At a court of Private Sessions held at the House of John Hannum in Concord the fifteenth Day of December, Ano. Dom. One Thousand Seven Hundred and Twenty Four. Before Nathaniel Newlin, Henry Pierce and Henry Nayle, Esqrs. Justices, present,

“Henry Hawkings, Servant to one Jonas Davenport, of Conestogoe, in the said County, Indian Trader, having before us a petition Sitting forth Several abuses and Evill Treatments recd by his Said master, to the Endengerring of his life, and at last was sold by his master, the said Davenport, to an Indian and forced back into the woods. Whereupon having Examined into ye particulars of the above petition and finding the contents thereof to be true, do therefore think fit to discharge ye said Servant of his Servitude from his said master his Exctrs, Admr. or Assigns, and by these presents under our hands and Seals pronounce and Declare that we have for the Causes aforesaid, Discharged the said Henry Hawkings, ye Servant, of his Servitude accordingly.

“Witness our hands & seals at Concord ye 15th day of December, Ano. Dom. 1724.”

This court was usually held in the borough of Chester, then the shire town of Chester county; but for the convenience of those persons in the western part of the county the court frequently had sittings at places more convenient for the petitioners. The house

of John Hannum was a commodious stone building used as a tavern in the present village of Concordville, Concord township, Delaware county, Pa., nine miles west of Chester, Pa. The petition had probably been presented by John Roberts, the constable of Conestogoe.

A petition from the inhabitants of East Conestogoe and Pequea townships was as follows:

“To the worshipping his Majesties Justices of the Peace at the Court of General Quarter Sessions, held at Chester ye 30th day of August, 1726.

“The Humble petition of Hans Grove & William Clark most Humbly showeth:

“That the Taxable Townships or districts, Called East Canestogoe and Peque, have not Supervisors of the Highways appointed in them

“Ye most Humble petitioners do humbly pray that your worships will nominate and appoint Jacob Bear, Supervisor for East Canestogoe and Daniel Cookson and John Williams Supervisors for Peque.

“And to issue out ye order for the cutting and clearing of the Road Laid out through the sd. Districts from the mouth of Cocalico to the Philadelphia Road, at John Ferrie land.

“And ye most Humble Petitioners shall, as in duty bound, for you ever pray.

“Hans Graff  
“Wm. Clark.”

“Backed August 1726

“The Supervisors in

.....allowed & ord.

to be entd.”

## PILGRIMAGE OF THE HISTORICAL SOCIETY OF BERKS COUNTY

By WILLIAM FREDERIC WORNER

**O**N Friday, October 9th, 1931, one hundred members and friends of The Historical Society of Berks County, made a pilgrimage to places of historic interest in Lancaster city and county as the guests of The Lancaster County Historical Society, under the guidance of Dr. Frederick Willson, chairman of the Pilgrimage