

Library Company of Philadelphia

**McA MSS 018**

**PHILADELPHIA COURT RECORDS**

1802-1862

.63 linear feet, 2 boxes

- Series I. Arbitration Records (1828-1829)
- Series II. Insolvency Petitions (1821-1822)
- Series III. Miscellaneous Records (1802-1862)

March 2007

**Descriptive Summary****Repository**

Library Company of Philadelphia  
1314 Locust Street, Philadelphia, PA 19107-5698

**Call Number**

McA MSS 018

**Creator**

McAllister, John A. (John Allister), 1822-1896

**Title**

Philadelphia Court Records

**Inclusive Dates**

1802-1862

**Quantity**

.63 linear feet (2 boxes)

**Language of Materials**

Materials are in English.

**Abstract**

This collection consists of legal records, mostly documenting cases heard in the Philadelphia Court of Common Pleas, and includes Arbitration Records (1828-1829), Insolvency Petitions (1821-1822), and Miscellaneous Records (1802-1862). Primarily official legal forms, most of the documents hold little in the way of narrative about the suits cited, and were most likely kept for the value of their signatures.

**Administrative Information****Restrictions to Access**

The collection is open to researchers. It is on deposit at the Historical Society of Pennsylvania, and should be accessed through the Society's reading room at 1300 Locust Street, Philadelphia, PA. Visit their website, <http://www.hsp.org/>, for reading room hours.

**Acquisition Information**

Gift of John A. McAllister; forms part of the McAllister Collection.

**Processing Information**

The Philadelphia Court Records were formerly interfiled within the large and chronologically-arranged McAllister Manuscript Collection. The papers were reunited, arranged, and described as a single collection in 2005, under grants from the National Endowment for the Humanities and the William Penn Foundation. The collection was processed by Louise Beardwood and Sandra Markham. Any views, findings, conclusions or recommendations expressed in this finding aid do not necessarily represent those of the National Endowment for the Humanities.

**Preferred Citation**

This collection should be cited as: [indicate specific item or series here], Philadelphia Court Records (McA MSS 018), McAllister Collection, The Library Company of

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### **Online Catalog Headings**

#### **Subject Names**

Binns, John, 1772-1860

Brotherly Union Society of the County of Philadelphia

Manning, Thomas S., 1771?-1855

Pennsylvania--Court of Common Pleas (Philadelphia County)

#### **Subject Topics**

Arbitration (Administrative law)

Insolvency

#### **Document Types**

Judicial records

### **Related Collections**

The Historical Society of Pennsylvania holds eighteenth-century court records for the Court of Common Pleas.

### **Biographical/Historical Notes**

The following history of the court system is from the website <http://www.courts.state.pa.us/index/ujs/courthistory.asp> (accessed April 18, 2007):

Pennsylvania's judiciary began as a disparate collection of courts, some inherited from the reign of the Duke of York and some established by William Penn. They were mostly local, mostly part time, and mostly under control of the governor. All of them were run by non-lawyers. And although the Provincial Appellate Court was established in 1684, no court could be called the court of final appeal. Final appeals had to be taken to England.

Several attempts were made in the early years of the eighteenth century to establish a court of final appeal in Pennsylvania and to further improve and unify the colony's judicial system, but because the crown had final veto power over all colonial legislation, these attempts proved futile. Finally, in 1727 the crown sanctioned a bill that had been passed five years earlier. The Judiciary Act of 1722 was the colony's first judicial bill with far-reaching impact. It established the Pennsylvania Supreme Court, providing for a chief justice and two justices who would sit twice yearly in Philadelphia and ride the circuit at other times; and it created the Court of Common Pleas in Philadelphia, Bucks and Chester counties.

The court system in Pennsylvania did not change again until the Pennsylvania Constitution of 1776. By establishing the Courts of Sessions, Courts of Common Pleas, and Orphans' Courts in each county, the constitution allowed Pennsylvania to see the beginning of a statewide framework for the development of its judicial system.

A new constitution in 1790 encouraged further development in the Commonwealth's judicial system by grouping counties into judicial districts and placing president judges at the heads of the districts' Common Pleas Courts. This was meant to ease the Supreme Court's rapidly increasing workload. Constitutional changes in 1838 and 1874 and a constitutional amendment in 1850 made changes in the jurisdiction, tenure, and election or appointment of members of the judiciary.

### Collection Overview

The Philadelphia Court Records collection consists of legal records, mostly documenting cases heard in the Court of Common Pleas. Primarily official legal forms, most of the documents in hold little in the way of narrative about the suits cited, and were most likely kept for the value of their signatures. The material is arranged in three series: Series I, Arbitration Records (1828-1829); Series II, Insolvency Petitions (1821-1822); and Series III, Miscellaneous Records (1802-1862). The files are in chronological order with each series, and retain the document numbering system assigned when the entire McAllister manuscript collection was formally accessioned by the Library Company at the turn of the twentieth century.

As with the chronological filing system, the numbering system for these documents remains as it was imposed in the late 1890s: the four-digit number (i.e. 7334) represents a former box number, and the sub-number represents the assigned document number (which includes an .F for folio). Together, they make a unique identification number for each document, and should be employed by readers when filling out call slips; i.e. McA MSS 018 folder 7362.F.44 would request Thomas Bloxton's insolvency petition. Document numbers absent from this finding aid are now in held other McAllister manuscript collections.

Series I, Arbitration Records (1828-1829) hold forms that were "Printed and sold at No. 24, Arch-street. — A Walker, Agt." They record the names of the plaintiffs, defendants, and arbitrators, location of the arbitration (often a tavern), and the settlement, but generally not a précis of the case. All are signed by a prothonotary, a chief notary officer and court clerk for civil matters for the county Court of Common Pleas. The title is rarely used except in Pennsylvania and Delaware, as well as in some Canadian provinces and Australian states.

Series II, Insolvency Petitions (1821-1822) also holds standard legal forms, many "Printed and Sold by T.S. Manning, 13 South Sixth Street, Philadelphia." The two dozen documents, which span a little over a month, record the petitioner (and sometimes his occupation), a schedule of

his property, his creditors and debt owed, and a statement of the means by which he became insolvent.

Series III, Miscellaneous Records (1802-1862) holds a mix of printed forms and manuscript documents. Most are simple docket transcripts for *capias* (arrest warrant) cases or certifications of appeals filed in the Court of Common Pleas, and contain little content about the parties involved or their suits. There are just a few folders with more substantive narrative material. Two examples are 7353.F.57, which has a *précis* of a lawsuit over debt incurred in fixing a broken carriage, and 7353.F.60 which presents a case of a shipwright firm asking for the *Francis* to be sold so it could be reimbursed for repairs made to the boat. Folder 7376.F.61 holds multiple pages on the case of Benjamin Wilson, J.P.B. Eddy and Tilghman Darrah, officers of the Brotherly Union Society of the County of Philadelphia, versus Samuel Gordan, James M. White, and Samuel Durham, sham officers of the same organization. The file also contains copies of the charter of that mutual aid society, which was formed in 1823 by group of free black men.

Many of the folders hold printed forms titled "Transcript from the docket of Alderman Binns" and bear the signature of John Binns (1772-1860), but the provenance of these records, and the others, is unknown. The Irish-born newspaper publisher was appointed an alderman in Philadelphia by Governor Joseph Heister in 1822, and served until 1844; in this position he was also a city court judge.

Box Doc. No.

	SERIES I. ARBITRATION RECORDS	1828-1829
1	7368.F.45 Griffith & Blackford v Rubicam; Strahan, Clark, arbiters	1828 Mar 31
	7368.F.51 Camac v Pursil; Pierce, Solomon, Bradley, arbiters	1828 May 5
	7368.F.57 Dare v Woolahan; Bradley, Carver, Sewall, arbiters	1828 Jun 17
	7368.F.59 Stockley & Benjamin v Riley; Oakford, Newbold, Gaw, arbiters	1828 Jun 25
	7368.F.61 Simpson v assignees; Oakford, Newbold, Carver, arbiters	1828 Jun 27
	7368.F.62 Griffith & Blackford v Tanner; Bradley, Newbold, Carver, arbiters	1828 Jun 27
	7368.F.63 Broom v Bussier; Wilson, Hubbell, arbiters	1828 Jun 28
	7368.F.65 Brandt v Livezey; Holgate, Oakford, arbiters	1828 Jul 5
	7368.F.67 Allen v Nicholson; Newbold, Oakford, Sewall, arbiters	1828 Jul 10
	7368.F.68 Miley v Boyd; Bradley, Newbold, Sewall, arbiters	1828 Jul 11
	7368.F.69 Free v Cuny; Carver, Oakford, Myers, arbiters	1828 Jul 12
	7368.F.71 Peterman v Newell; Bradley, Newbold, Lodor, arbiters	1828 Jul 29
	7368.F.73 Taylor v Vanzyle; Johns, Newbold, Bradley, arbiters	1828 Aug 15
	7368.F.75 Moore v Selby; Caldwell, Leamy, Patton, arbiters	1828 Aug 28
	7368.F.76 Metzker v Franks; Newbold, Patton, Myers, arbiters	1828 Sep 27
	7368.F.83 Marks v Levy; Carver, Taylor, Kuhn, arbiters	1828 Nov 4
	7368.F.86 Mitchell v Ganges; Snyder, Solomon, Coates, arbiters	1828 Nov 10
	7369.F.11 Sutton v Hammitt; Bradley, Oakford, Coates, arbiters	1828 Dec 31
	7369.F.23 Cox v Fusz; Mulford, Bradley, Johns, arbiters	1829 Jan 26
	7369.F.25 Chamberlain v Collins; Pearce, Billmeyer, Bradley, arbiters	1829 Jan 31
	7369.F.56 Goudkop v Peers; Palethorpe, Newbold, arbiters	1829 Apr 14
	7369.F.69 Wagner v Hodge; Latimer, Rawle, McIlvaine, arbiters	1829 Jul 27

Box Doc. No.

	SERIES II. INSOLVENCY PETITIONS	1821-1822
[1]	7362.F.30 John Allison, carpenter, family illness	1821 Nov 30
	7362.F.31 George Chard, illness, inability to work	1821 Nov 30
	7362.F.32 Lewis Desabay, failure of grocery and painting businesses	1821 Dec 1
	7362.F.33 Samuel Beamer, blacksmith, illness, losses	1821 Dec 1
	7362.F.34 John Lange, public house, bad times	1821 Dec 1
	7362.F.35 William Baldt, cripple with family	1821 Dec 3
	7362.F.36 Daniel Young, surety for another, wife's illness, lack of work	1821 Dec 3
	7362.F.37 Philip Coleman, illness	1821 Dec 3
	7362.F.38 John Connolley, debtors have not paid him	1821 Dec 3
	7362.F.40 Christian Close, machinist, lapses in trade, illness	1821 Dec 4
	7362.F.41 Samuel Alrich, family illness	1821 Dec 4
	7362.F.42 Thomas Shepherd, hardship of times, lack of work	1821 Dec 4
	7362.F.43 Isaac Andrews, illness, incarceration	1821 Dec 5
	7362.F.44 Thomas Bloxton, bricklayer and innkeeper, bad debts, no work	1821 Dec 6
	7362.F.46 Martin Deal, illness, lack of work	1821 Dec 10
	7362.F.47 Gottlieb Gross, lack of work	1821 Dec 10
	7362.F.48 Frederick Cline, illness, lack of work	1821 Dec 10
	7362.F.49 Antony Miller, doctor's statement as to illness	1821 Dec 10
	7362.F.52 James Anderson, decrease of business, increase of family	1821 Dec 17
	7362.F.53 Christopher Kreible, executed assignment of estate two years ago	1821 Dec 20
	7362.F.56 Joseph Dawson, illness, lack of work	1821 Dec 24
	7362.F.57 Albert Coffin, sea captain, illness	1821 Dec 26

Box Doc. No.

SERIES II. INSOLVENCY PETITIONS, cont.

[1]	7362.F.58	Chilion Casterline, illness	1821 Dec 28
	7362.F.75	Samuel Hammer, weaver, small wages, big family, illness	1822 Jan 29



Box Doc. No.

	SERIES III. MISCELLANEOUS RECORDS	1802-1862	
2	7327.F.4	Hamilton v Smith, judgment receipt	1802
	7327.F.23	Israel & Fox v Broome, certificate of ruling	1803
	7328.F.51	Henzey v Liddle, balance due	1805
	7329.F.71	Wood v Hull, summons of plaintiffs	1806 Feb 27
	7330.F.11	Martin v Dodd, bail order	1806 Sep
	7330.F.12	Hamberg v Harris, bail reduction	1806 Jun 11
	7330.F.14	Page v Farnam, bail to be returned	1806 Jun 28
	7330.F.19	Brown v Imlay, re: ba`il	1806 Jul 31
	7353.F.5	Summons re: Duplesses v Chapman, appeal	1815 Jun 13
	7353.F.22	Shannon v Thompson, appeal	1815 Aug 22
	7353.F.23	Ward v Simons, appeal	1815
	7353.F.28	Jones v Hozey, appeal	1815 Sep 9
	7353.F.32	Garrigues v Fries, appeal re: debt for carpentry work	1815 Sep 25
	7353.F.34	Webb v Gramsby, appeal	1815 Sep 25
	7353.F.35	Delaney v Gilbert, appeal	1815 Sep 26
	7353.F.36	Strickland, Hancock, White, v Gilliam, appeal re: lumber	1815 Sep 29
	7353.F.42	Moore v Bloomfield, appeal re: payment of bail	1815 Oct 14
	7353.F.44	Mitler v Clement & Johnson, appeal	1815 Oct 18
	7353.F.47	Shepperd v Homes, appeal	1815 Oct 23
	7353.F.48	Rickeman v Hill, judgment	1815 Oct 26
	7353.F.50	Ham v Robinson, appeal	1815 Oct 28
	7353.F.52	Walker v Berniand, re: debt	1815 Oct 31

Box Doc. No.

## SERIES III. MISCELLANEOUS RECORDS, cont.

[2]	7353.F.55	Swift v estate of Benjamin Philips, appeal re: debt	1815 Nov 1
	7353.F.56	Farrell v Hozey, appeal re: debt	1815 Nov 6
	7353.F.57	Mawer v McDonald, appeal re: damage to a gig	1815 Nov 7
	7353.F.60	Delavan & Burton v ship <i>Francis</i> , re: debt for repairs made	1815 Nov 9
	7353.F.62	Swain v Gilbert, appeal	1815
	7353.F.67	Hart & Hutchins v Ennis, appeal	1815 Nov 15
	7353.F.68	Roberts v Miller, appeal re: debt	1815 Nov 16
	7353.F.69	Mackie v Berry, appeal	1815 Nov 17
	7353.F.73	Seckel v Dewees, judgment re: debt	1815 Nov 24
	7353.F.74	Wiley v Harper, appeal re: debt for bales of cotton	1815 Nov 25
	7353.F.75	Graham v Hall, transcript of case re: attendance and medicine	1815 Nov 25
	7353.F.76	Goodin v Porter, appeal re: tavern expenses for election	1815 Nov 25
	7353.F.79	Northern Liberties Commissioners v Anderson, re: parking cart	1815 Nov 27
	7353.F.80	Lee v Cunitz, appeal re: house rent and storage costs	1815 Nov 27
	7353.F.81	Marshall v Finn, appeal re: three brass plates	1815 Nov 28
	7353.F.82	Morton v White, appeal re: son's indenture	1815 Nov 28
	7353.F.83	Catterson v Harper, deposition re: slander	1815 Nov 22
	7353.F.84	Dougherty v Israel, deposition re: assault while at sea	1815 Dec
	7353.F.85	Ferrill v Puglia, appeal re: debt	1815
	7353.F.86	Boyle v Smith, appeal re: debt for victuals, drink & cash lent	1815
	7353.F.87	Gillam v Latimore & Murdock, re: moving barrels of flour	1815
	7353.F.88	Moore & Herkness v Parke, executor for R. Soderstrom, re: rent	1815

Box Doc. No.

## SERIES III. MISCELLANEOUS RECORDS, cont.

[2]	7353.F.89	Jones v Zell, re: debt	1815
	7353.F.90	Easterly v Porter & Cash, appeal re: debt	1815
	7353.F.91	Bartlett v Cropper, re: debt	1815
	7353.F.92	Ridgway v Smith, appeal re: debt	1815
	7353.F.93	Rhoads v Burton, appeal re: debt	1815
	7353.F.94	Rambo v Morton, appeal re: debt from employment	1815
	7353.F.95	Fortune v Fisher, re: debt from playing cards	1815
	7353.F.96	Sharp v Parker, appeal re: debt	1815
	7353.F.97	Thomas v Morton estate of Page, re: medical attention fees	1815
	7353.F.98	Estate of Flaherty v Clark, re: goods and chattels taken	1815 Dec
	7353.F.99	Young, re Robertson, appeal re: debt	1815
	7353.F.100	Horn v Horn, appeal re: debt	1815
	7353.F.101	Savage v Horn, appeal re: debt	1815
	7353.F.102	Clark v Beard, appeal re: debt for hay	1815
	7353.F.103	Marks v Thompson, re: adultery & fornication	1815 Dec
	7353.F.104	Hoffner v Lee, appeal re: debt	1815
	7353.F.105	Leaming v Lefevre, re: debt	1815
	7354.F.3	Longacre v Dupress, appeal re: theft from pocketbook	1815 Dec 2
	7354.F.5	Kelly v Gillum, appeal re: debt	1815 Dec 4
	7354.F.29	Field v Nathans & Cridland, re: writing will	1815 Dec 27
	7354.F.30	Moyamensing Commissioners v Freytag, re: debt	1815 Dec 29
	7354.F.53	Petition of David Hogan, for perfection of title	1816 Jan 24

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## SERIES III. MISCELLANEOUS RECORDS, cont.

[2]	7355.F.94	Dean v Mease, re: debt for employment	1816 Dec
	7355.F.95	Goodwin v sloop <i>Unexpected</i> , re: debt for repairs	1816 Dec
	7361.F.55	Petition of Joseph S. Walter, re: rent debt	1821 Mar 17
	7362.F.17	Ferguson v Cooper, appeal re: rent debt	1821 Sept 25
	7362.F.23	Ludie v Krider, appeal re: road tax	1821 Oct 22
	7369.F.58	Stein v Metayer, award for plaintiff	1829 May 3
	7370.F.28	Nathan Nathans, judgment on searches against	1831 Jun 13-27
	7370.F.42	King v Emory, record of referral	1830 Nov 2
	7372.F.20	Certification by William Payne Jr., re: Estate of Mary Harrison	1833
	7372.F.22	Sommerdyke v Pratt, re: dog	1833 Dec
	7372.F.23	Springer v Elmes, appeal re: debt for wages	1833 Dec 5
	7372.F.57	Macauley v Morton, appeal re: carpeting	1834 Aug 25
	7372.F.60	Estate of Thomas Reynolds v Dyson, re: debt	1834/1836
	7372.F.61	Hunter v Ashmead, appeal re: debt for work done	1834 Sep 1
	7372F.73	McNally v Johnson, appeal re: debt for goods sold	1836 Feb 3
	7372.F.77	Shubert v Perry, appeal re: debt for work done	1835 Mar 20
	7372.F.82	Churchill v Shepherd, appeal re: debt for work done	1835 Apr 27
	7373.F.21	Reid v Sylvester, appeal	1835 Oct 30
	7373.F.25	McNally v Gasper, appeal re: debt for goods sold	1835 Dec 29
	7373.F.28	Slaughter v Morton, appeal re: debt for work done	1836 Jan 1
	7373.F.29	Estate of Mary Harrison, re: dismissal of William Payne Jr.	1836 Jan 5
	7376.F.61	Gordon & others v Wilson, re: Brotherly Union Society officers	1840 Sep

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## SERIES III. MISCELLANEOUS RECORDS, cont.

[2]	7376.F.65	Society of Journeymen Cordwainers v Cook, appeal re: dues, fines	1840 Sep 23
	7376 .F.66	Hoskins v Miller, appeal re: debt for goods sold	1840 Sep 26
	7376.F.67	Linn v Patten, appeal re: commission on sale of brig <i>Janet</i>	1840 Sep 30
	7376.F.68	Hand, Marston & Champion v Swift, appeal re: debt	1840 Oct 1
	7376.F.69	Truefitt v Tomlinson, re: debt	1840 Nov 2
	7376.F.70	Slaughter v Harnstead, appeal re: debt for goods	1840 Nov 2
	7376.F.71	Warwick v Jackson, appeal re: debt for rent	1840 Nov 9
	7377.F.14	Robinson v Krider & McMurtrie, judgment	1841 Oct 11
	7377.F.15	Maitland v Shaw, appeal re: rent debt	1841 Oct 11
	7377.F.17	Ruhl v Apple, appeal re: debt for wheels and axle	1841 Oct 29
	7377.F.20	Carpenter v Davis, appeal re: rent debt	1841 Nov 15
	7377.F.21	Gilbert v Meredith, re: slander	1841 Nov 15
	7377.F.22	Erwin v Sherry, re: debt	1841 Dec
	7377.F.23	Arnold v Phipps, judgment re: debt	1841 Dec
	7377.F.81	Jones v Jones, testimonies re: divorce	1844 May
	7378.F.14	Engard & Fitch & Winder, bond and warrant, indenture	1845 Oct 11
	7379.F.26	Estate of Mary Harrison, details of the accounting	1851 Mar 1
	7380.F.45	Ninth Presbyterian Church v Steele et al., re: stock company	1858 Jun 7
	7381.F.54	Congregation Rhodef Sholem v Hamerschlag, re: pew rent	1862 Mar 11