

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