

A C T S

OF THE

General Assembly of Pennsylvania.

Passed at a Session which commenced October 14th, 1751,
and ended August 18th, 1752.

1752.

JAMES HAMILTON, LIEUTENANT GOVERNOR.

CHAPTER CCCXCII.

An ACT for erecting part of the counties of Philadelphia, Chester, and Lancaster, into a separate county.

WHEREAS a great number of the back inhabitants of the county of Philadelphia, and the adjacent parts of the counties of Chester and Lancaster, by their petition, have humbly represented to the Governor and Assembly of this province, their remote situation from their respective county towns, where the Courts of Justice and public offices are kept, whereby they are frequently put to extraordinary expense of money, and loss of time, in their long journies thither, as parties in causes, witnesses, jurymen, &c. For remedying which inconveniences, and relief of the inhabitants in those remote parts in the premises : *Be it enacted*, That all and singular the lands, lying within the province of Pennsylvania aforesaid, within the metes and bounds as is herein after described, be erected into a county, and the same are hereby erected into a county, named and henceforth to be called Berks ; bounded as follows, by a line, at the distance of ten superficial miles south-west from the western bank of the river Schuylkill, opposite to the mouth of a creek, called Monocasy, to be run north-west to the extremity of the province, and south-east, until it shall intersect the line of Chester county, then on one straight line, crossing the river Schuylkill aforesaid, to the upper or north-westward line of M'Cull's manor, then along the said line to the extremity thereof, and continuing the same course, to

Boundaries
of the county
of Berks.

the line dividing Philadelphia and Bucks counties, then along the said line north-west, to the extent of the county aforesaid. 1752.

II. *And be it further enacted*, That the inhabitants of the said county shall, at all times hereafter, have and enjoy all and singular the jurisdictions, powers, rights, liberties and privileges whatsoever, which the inhabitants of any other county within the said province do, may, or ought to enjoy, by any charter of privileges, or the laws of this province, or by any other ways or means whatsoever, excepting only in the number of Representatives to serve in General Assembly of this province, in which case it is *provided and further enacted*, That until it shall be otherwise ordered by the Governor and Assembly of this province, the freemen and inhabitants of the said county, qualified by the laws of this province to elect, shall annually meet at the town of Reading, near the river Schuylkill, in the said county, at the same time the inhabitants of the other counties of this province shall meet for like purposes, and there proceed to choose Inspectors, and to elect one Representative, or Delegate, to serve them in Assembly, in the same manner as by the charter and laws of this province is directed in respect to other counties; which said Representative when so chosen, shall be a member of the General Assembly of the province of Pennsylvania, and sit and act as such, as fully and freely as any of the Representatives for the other counties within this province do, may, can, or ought to do.

The inhabitants thereof to elect one Representative in Assembly.

IV. *And be it further enacted* That the Justices of the Supreme Court of this province shall have like powers, jurisdictions and authorities, within the said county of Berks, as by law they are vested with, and entitled unto, in the other counties within the province aforesaid; and are hereby authorised and empowered, from time to time, to deliver the gaols of the said county of capital or other offenders, in like manner as they are authorised to do in other the counties aforesaid.

V. *And be it further enacted*, That there shall be a competent number of Justices nominated and authorised by the Governor for the time being, by commissions under the broad seal of the province; which said Justices, or any three of them, shall and may hold Courts of General Quarter Sessions of the Peace and Gaol Delivery, and County Courts for holding of Pleas; and shall have all and singular the powers, rights, jurisdictions and authorities to all intents and purposes, as other the Justices of Courts of General Quarter Sessions, and Justices of the County Courts for holding of Pleas, in the other counties aforesaid, may, can, or ought to have, in their respective counties; which said courts shall sit and be held for the said county of Berks, on the third day of the week, commonly called Tuesday, next after the courts held for the county of Lancaster, in every of the months called May, August, November and February, in every year, at some proper place within the said county, until a court-house shall be built; and when the same is built and erected in the county aforesaid, the said several courts shall then be holden and kept at the said court-house, on the days before mentioned. And the election of a Representative to serve in General Assembly, Assessors, and all other officers of the said county, who are or shall be appointed to be annually elected, shall be made and elected at or near

Jurisdiction of the Supreme Court and County Court established.

1752. the said court-house, at the same time, and in the same manner, as by the charter of privileges, and laws of the province aforesaid, is directed to be done in the other counties within this province. And it shall and may be lawful for the freemen of the said county, for the first year, to choose three Commissioners for raising county rates and levies for the said county.

Passed 11th March, 1752.—Recorded A. vol. III. page 279. (u)

(u) The sections omitted in this act are occasional and obsolete. The taxes already laid, to be paid to the treasurers of Philadelphia, Chester and Lancaster. Trustees appointed for building a court-house and prison. The taxes therefor, how to be assessed and collected. Suits commenced in the original counties to be prosecuted to judgment, &c. Collector of excise appointed—Sheriff and coroner of Philadelphia to officiate in Berks until the first election in Berks. The boundary line to be run within six months by persons appointed for that purpose.

By a supplement passed February 18th, 1769, (chap. 593,) commissioners were appointed to run the lines between the counties of Lancaster, Cumberland and Berks, and between the counties of Northampton and Berks.

Part of Berks taken into the county of Northumberland, March 21st, 1772, (chap. 644.)

April 17th, 1795, commissioners appointed to run the lines between Northumberland and Berks, (chap. 1837.)

By the last enumeration, the county of Berks contained seven thousand five hundred and eighty taxables; and by act of assembly of March 21st, 1808, (chap. 2931,) apportioning the representation, sends five members to the house of representatives, and two members to the senate.

By an act passed September 21st,

1789, (chap. 926,) the county of Berks was divided into five election districts.

September 30th, 1791, (chap. 1579,) Union, Caernarvon, and Robeson townships, erected into a district.

March 19th, 1794, (chap. 1710,) the townships of Colebrookdale, Earl district, and Hereford, are erected into the 7th district.

Two additional districts established by an act passed April 1st, 1797, (chap. 1937.)

Another district established by act of February, 27th, 1798, (chap. 1953.)

Greenwich and Albany townships erected into a district, April 8th, 1799, (chap. 2050.)

Mahontongo township erected into a district, February 5th, 1802, (chap. 2225.)

Bethel township erected into a district, March 16th, 1803, (chap. 2337.)

Tulpehocken township erected into a district, April 4th, 1809.

By the judiciary act of February 24th, 1806, the counties of Berks, Northampton and Wayne compose the third district. The courts are held on the first Mondays of January, April, August and November. The term continues two weeks.

Berks county is part of the Lancaster district of the Supreme Court, by act of March 11th, 1809.

Reading erected into a borough, September 12th, 1783, (chap. 1020.)

CHAPTER CCCXCIII.

An ACT for erecting the northwest part of Bucks into a separate county.

WHEREAS a great number of the inhabitants of the upper parts of the county of Bucks, by their petition, have humbly represented to the governor and assembly of this province the great hardships they lay under, by being so remote from the present seat of judicature, and the public offices, that the necessary means to be used for obtaining justice is attended with so much difficulty and expense, that many forego their right, rather than attempt the recovery of it under such circumstances, while others, sensible of these difficulties, commit great villainies with impunity. For remedying