

A C T S

OF THE

General Assembly of Pennsylvania.

Passed at a Session, which commenced October 14th, 1748.
and ended August 19th, 1749.

1749.

GEORGE THOMAS, LIEUTENANT-GOVERNOR.

CHAPTER CCCLXXVII.

An ACT for erecting part of the province of Pennsylvania, westward of Susquehanna, and south-eastward of the South Mountain, into a county.

WHEREAS a great number of the inhabitants of the western part of Lancaster county have, by their petition, humbly represented to the Governor and Assembly of this province, the great hardships they lie under, by being at so great a distance from the borough of Lancaster, where the Courts of Justice are held, and the public offices are kept, and how hard and difficult it is for the sober and quiet part of the inhabitants of that part of the county to secure themselves against thefts and abuses, frequently committed amongst them by idle and dissolute persons, who resort to the remote parts of the province, and, by reason of the great distance from the court or prison, frequently find means of making their escapes: For remedying of which inconveniences, and relief of the inhabitants in the premises, *Be it enacted*, That all and singular the lands, lying within the province of Pennsylvania aforesaid, to the westward of the river Susquehanna, and southward and eastward of the South Mountain, be erected into a county; and the same is hereby erected into a county, named, and henceforth to be called York; bounded northward and westward by a line, to be run from the said river Susquehanna along the ridge of the said South Mountain, until it shall intersect the Maryland line, southward by the said Maryland line, and eastward by the said river Susquehanna.

Boundaries
of the county
of York.
Post, pa. 206.

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 or near the place where the court house is intended to be built for 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 two Representatives, or Delegates, 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 two Representatives, when so chosen, shall be members 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.

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The inhabitants to elect two Representatives 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 counties of Lancaster and York, as by law they are vested with, and entitled unto, in the other counties within the province aforesaid; and are hereby authorized and empowered from time to time, to deliver the gaols of the said counties of capital or other offenders, in like manner as they are authorized to do in other the counties aforesaid.

Jurisdiction of the Supreme Court established.

V. And be it further enacted, That there shall be a competent number of Justices nominated and authorized 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 York on the last third day of the week, commonly called Tuesday, in every of the months called April, July, October, and January, 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 Representatives 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 the said court house, at the same time, and in the same manner, as by the charter of privileges,

County Courts established.

1749. and laws of the province aforesaid, is directed to be done in the other counties within this province. And it shall 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 19th August, 1749.—Recorded A. vol. III. page 177. (m)

(m) Eight sections of this act are omitted, being merely occasional, and long obsolete. They provided for the collection of the taxes assessed in the county of Lancaster, before its division—the appointment of trustees for building a court-house and prison, and assessing and levying taxes for that purpose—for continuing the suits previously commenced in Lancaster county—for the appointment of a collector of excise, &c.—and that the Sheriff and Coroner of Lancaster county should continue to officiate in the county of York, until the like officers were elected in the new county.

The county of Cumberland was erected, January 27th, 1749-50, (chap. 380.) And February 9th, 1750-51, (post. chap. 387,) an act was passed for explaining the boundary line between the counties of York and Cumberland, as follows: "From the mouth of Yellow Breeches Creek, at Susquehanna, up the several courses thereof to the mouth of Dogwood Run, and from thence on one continued straight line to be run to the ridge of mountains, called the South Mountain, and from thence along the ridge of the South Mountain to the Maryland line."

The county of Adams was taken from York county, January 22d, 1800, (post. chap. 2086.) "Beginning in the line of Cumberland county where the road from *Carlisle* to Baltimore leads through *Trent's* gap, (in the South Mountain,) thence along the said road to *Binder's*; thence a straight line to *Conewago* creek opposite to the mouth of *Abbot's* Run; thence along the line of *Berwick* and *Paradise* townships, until it strikes the line of *Manheim* township; thence along the line of *Manheim* and *Berwick* westwardly, until it strikes the road leading from *Oxford* to *Hanover*; and from thence a due South course until it strikes the *Maryland* line; thence along the *Maryland* line to the line of *Franklin* county; thence along the line of *Franklin* and *Cumberland* counties to the place of beginning." *Franklin* was

erected September 9th, 1784, and was bounded by the old *York* line on the *South Mountain*.

By the last enumeration, the county of *York* agreeable to the foregoing boundaries, contained five thousand five hundred and sixty-two taxables; and with the county of *Adams*, eight thousand three hundred and three taxables; and by the act of Assembly of March 21st, 1808, (chap. 2931,) apportioning the representation, the county of *York* sends four members to the House of Representatives; and with the county of *Adams*, forming a Senatorial district, two members to the Senate.

By the act of September, 1785, (chap. 1164,) the county of *York* was divided into five election districts. September 7th, 1789, *Newberry* township was taken from the fifth, and annexed to the first election district at *York*, (chap. 1417.)

Some of those election districts having fallen into the county of *Adams*, by an act of February 10th, 1801, (chap. 2167,) the second, third and fifth districts were altered and re-established.

By act of February 13th, 1802, (chap. 2230,) the 6th, 7th, 8th, and 9th districts were established.

Three new districts were added, by act of March 31st, 1806, (chap. 2715.)

April 11th, 1807, (chap. 2856,) alterations were made in the place of holding the elections for the third and tenth districts.

By the Judiciary act of February 24th, 1806, the counties of *York*, *Lancaster*, and *Dauphin*, compose the second district. And the courts of *York* are held on the first Mondays in January, April, August and November. The term continues two weeks.

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

The town of *York* was incorporated by act of September 24th, 1807, (post. chap. 1304.)