

Majesty do represent it as a Grievance to remove the Court house being so near the Center of the County where it now stands or to build another in any other part of the County whatsoever . . .³⁸

This protest was quite as unavailing as the first, for at the June Court following the justices adjourned for one hour to the new courthouse at Joppa, apparently to inspect the progress of the work because at the same court they agreed with Colonel Maxwell that certain minor sections of the building contract might well be disregarded.³⁹

The issue was finally settled at the October 1712 Session of the General Assembly. As a desperate measure Colegate and three other delegates from Baltimore County petitioned the house to forbid the establishment of the county seat at Joppa, but no action was taken on this proposal.⁴⁰ On the contrary, an Act was passed fixing the courthouse at Joppa.⁴¹ Then the Lower House adopted an ordinance—a most unusual action—requiring that Colonel Maxwell come to the General Assembly prepared to defend his contract and that in the meanwhile no more tobacco be levied to pay him and that, finally,

all persons whatsoever within the said County do forbear and desist from raising promoting or prosecuting any Heats, Debates, Reflections or Disturbances among the inhabitants of that County touching the late dissatisfactions relating to the said Court House whereof all Persons are to take notice and conform themselves to this Ordinance on Pain of incurring the Displeasure of this Assembly and being prosecuted according to Law.⁴²

This ordinance was “distinctly and Openly read” at the November Court of Baltimore County much to the satisfaction no doubt of Colonel Maxwell.⁴³ Then, on October 31, 1713, Colonel Maxwell appeared before the Upper House to justify his contract. Nothing was found wrong with it and the justices of the county were empowered to pay the contractual price.⁴⁴ The Grand Jury at November Court 1713 then agreed that “Colonel James Maxwell ought to have his Pay for the building of the Court house levied if finished according to Contract.”⁴⁵ And thus, after so spirited a contest, the county seat was moved one mile and on the other shore of the Gunpowder.

The first regular session of court to be held at Joppa was that of June 1713, although at least part of the session of June of the year before was held in that town but probably not at the new courthouse.⁴⁶ From then until the departure of the county government to Baltimore some fifty years later, only one further difficulty arose. In 1724, when the town of Joppa was to be laid out again in lots, it was discovered that Colonel Maxwell had neglected to convey the land on which the courthouse and prison stood. Now Maxwell was dead and his son and heir, a minor; it became necessary, therefore, for the title to be made good by an Act of Assembly.⁴⁷

Twenty-five years later, the press of business demanded that the courthouse be enlarged. It was also so very much “out of repair as to endanger the records remaining there.” The remedy was an Act of Assembly providing for repairing and enlarging through a levy of 40,000 pounds of tobacco.⁴⁸ We cannot be sure that the word “remaining” in the act should be given much weight, but in this case it may have been meaningful because we know that already by 1736, in addition to whatever volumes were also lost, a legislative committee reported that “from the year 1665 to 1708 they find no original Papers.”⁴⁹

³⁸ *Ibid.*, f. 288.

³⁹ *Ibid.*, ff. 313, 315.

⁴⁰ *Arch. of Md.*, XXIX, 97.

⁴¹ Ch. 19, Acts of 1712.

⁴² *Arch. of Md.*, XXIX, 193.

⁴³ *Liber I. S. No. B., Part II*, f. 333.

⁴⁴ *Arch. of Md.*, XXIX, 214-15.

⁴⁵ *Liber I. S. No. B., Part II*, f. 443.

⁴⁶ *Arch. of Md.*, XXIX, 239.

⁴⁷ Ch. 16, Acts of 1724.

⁴⁸ Ch. 4, Acts of 1749.

⁴⁹ *Arch. of Md.*, XXXIX, 395.