

# FREDERICK COUNTY

All that part of Maryland and more, now found in Garrett, Allegany, Washington, Montgomery, Frederick and Prince George's County, had, since 1698, been included in Prince George's County. This unwieldy arrangement survived intact, however inconvenient, until 1748 when Frederick County was created.<sup>1</sup> The new county was formed simply by cutting off all this immense area from the mother county, leaving to Prince George's approximately the area and boundaries which it has today. By the time the erecting act had come to a vote in the General Assembly it was possible to designate the county seat as a place to be chosen by a group of commissioners named in the act "in or adjoining to Frederick-Town." The only rival which appears in the Proceedings was "on the land of Thomas Lemar," but this rival seems not to have been formidable.<sup>2</sup>

## First Courthouse at Frederick

The Commissioners for building a courthouse and prison were instructed to purchase three acres of ground and construct the two buildings for a sum not to exceed £300 current money. They were either hesitant to begin under these conditions or they were divided among themselves about the site, for the land on which the courthouse was built was not conveyed to them until May 10, 1750.<sup>3</sup> According to J. Thomas Scharf, the exterior of the courthouse was completed by November 24, 1750.<sup>4</sup> This conclusion is no doubt derived from two entries in the Minutes of the Court. At the November Court of 1749, "Joseph Hardman Bricklayer and John Shelman Carpenter in Court here engage themselves to build the Hull of a Court House in Frederick Town . . . ." <sup>5</sup> At November Court, 1750, we are told that "The Justices of the Court here having viewed the Court house lately erected in Frederick Town, approve of the Same, and Joseph Hardman, one of the Undertakers thereof obliges himself to point the Gavel end and fill up the Scaffold Holes." <sup>6</sup> On the same day, a commission was appointed by the court "to contract with any person or persons towards finishing the Court house of the County." <sup>7</sup>

Unfortunately, work on the court's permanent home seems to have lagged after so bright a beginning. When the General Assembly met in the autumn of 1753, the interior was still unfinished, and an act was passed to provide the additional sum of £210 current money to get it done.<sup>8</sup> But a restriction was placed on the use of this money—one hundred and ten pounds had to be paid to Thomas Bradford, joiner of Frederick Town "for the work done by him in and about the said Court house." The date for completion of the courthouse, which is generally accepted, is 1756; and a delay of one year is attributed to the fact that General Braddock impressed some of the workmen when he passed through Frederick in 1755. But of this there seems to be no solid evidence. During this long if undetermined building period, the court made itself snugly at home, first, at the "Dutch Meeting Place," and then at Mrs. Charlton's Tavern.<sup>9</sup>

<sup>1</sup> Ch. 15, Acts of 1748.

<sup>2</sup> *Arch. of Md.*, XLVI, 91. A good account of the circumstances surrounding the formation of the new county as well as a sketch of the history of Frederick Town, laid out only a few years earlier, is found in Edward S. Delaplaine, *The Origin of Frederick County*, Washington, 1949.

<sup>3</sup> The purchase was made from Daniel Dulany and the price was £18 current money. Frederick County *Land Record, Liber B*, f. 267, *Ms.* For this reference and other material concerning

the courthouses of Frederick County the writer is indebted to Charles McC. Mathias, Jr., "Court Square, Frederick," *Md. Hist. Mag.*, XLVII, 110-20.

<sup>4</sup> *History of Western Maryland*, I, 424.

<sup>5</sup> *Judgment Record, 1748-1750*, pp. 249-50, *Ms.*

<sup>6</sup> *Judgment Record, 1751*, p. 176, *Ms.*

<sup>7</sup> *Ibid.*, p. 177.

<sup>8</sup> Ch. 30, Acts of 1753.

<sup>9</sup> Scharf, *op. cit.*, p. 424.