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SECRETARY

STATE OF MARYLAND

DEPARTMENT OF GENERAL SERVICES

HALL OF RECORDS

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EDWARD C. PAPERFUSE
STATE ARCHIVIST AND
COMMISSIONER OF LAND PATENTS
GREGORY A. STIVERSON
ASSISTANT ARCHIVIST

Hall of Records Commission
Agenda Item 10-Attachments
June 27, 1977

The condition of the historical records now in the Baltimore City Archives recently has been a matter of public concern, as witnessed by the attached two articles by Sun reporter Tracey Rozhon. Under the provisions of Article 54, Sections 3, 7, and 8, it would seem that the Hall of Records Commission has both a legal and moral obligation to do what it can do to prevent the loss through neglect or other means of historically important public records in the State including the records now housed in the Baltimore City Archives.

I would like to recommend to the Commission that the Commission request the transfer to its custody, the Baltimore County records now in the City Archives and offer to help the City establish a suitable archival program for its permanently valuable historical records. A draft of a letter to Mayor Schaefer to this effect is attached for the consideration of the Commission.



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Proposed Draft
of a letter to Mayor Schaefer
RE: Baltimore City Archives

The Honorable William Donald Schaefer
Mayor of the City of Baltimore
City Hall, Room 250
Baltimore, Maryland 21202

Dear Mayor Schaefer:

Since 1935 the Hall of Records Commission of the State of Maryland has been concerned with the care and preservation of the historical records of Maryland. In accord with the spirit and intent of Article 54 of The Annotated Code of Maryland the Commission, now a part of the Department of General Services, would like to offer what aid it can to the City of Baltimore to preserve and make more accessible to the public the historical records of Baltimore County and City now stored in the City Archives warehouse at 211 East Pleasant Street.

To alleviate your need for space and to bring together in one repository the historical records of Baltimore County, the Hall of Records Commission would like to request the transfer to the State Archives in Annapolis the records of Baltimore County itemized on the enclosed sheet.

With respect to the City's permanently valuable historical records remaining in the City Archives, once the Baltimore County records have been removed, the City has a number of alternatives available to it under the provisions of Article 54 of The Annotated Code. For example, it could request that the Hall of Records assume responsibility for its permanently valuable records to ensure that they received the proper care and inventory control they deserve. It could also ask for the assistance of the Hall of Records in preparing a master plan for the archives of the City which would explore the options and costs of maintaining a City Archives.

Whatever the City should choose to do with its own historical records, you should be assured that the Hall of Records Commission is writing to provide whatever assistance it can within the limits of the resources at its command.

Sincerely yours,

Edward C. Papanfuse
State Archivist and
Secretary to the Hall of Records Commission

ECP:st
Enclosures

Records of Baltimore County Court and
Baltimore City Courts that are listed
as being at Baltimore City Archives and
which should be transferred to the Hall
of Records.

Court Records 1729-1892 26 file drawers
Court Proceedings, 1729-1851
Papers filed for recording, 1737-1892

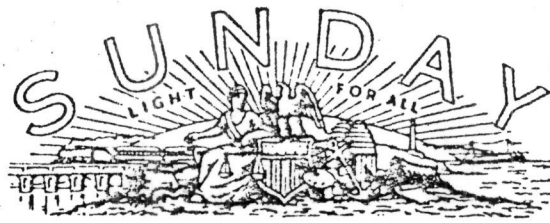
| | | <u>VOLUMES</u> |
|---------------------------|-----------|----------------|
| Subpeona Docket | 1806-51 | 47 |
| Judgment Docket | 1811-57 | 115 |
| Magistrates Docket | 1805-62 | 38 |
| Original Docket | 1783-1873 | 62 |
| Appeal Docket | 1798-1841 | 34 |
| Trial Docket | 1810-39 | 26 |
| Criminal Docket | 1790-1848 | 14 |
| Insolvent Docket | 1818-25 | 12 |
| Rule Day Docket | 1858-72 | 40 |
| Judgments, Index | 1851-93 | 25 |
| Court Docket (Sup. Ct.) | 1887-1904 | 17 |
| Removal Docket | 1821-68 | 27 |
| Releases to Trustees | 1851-89 | 1 |
| Court Docket (Orphas Ct.) | 1830-45 | 2 |
| Magistrates Commissions | 1853-72 | 4 |
| Ordinary Licenses | 1809-42 | 9 |
| Manumissions | 1806-64 | 6 |
| Court Docket | 1829-41 | 1 |
| Insolvent Trustees | 1842-49 | 1 |
| Court Docket (Crim. Ct.) | 1935-45 | 1 |
| Non Est Docket | 1930-38 | 1 |
| Magistrates Appeal Docket | 1931-41 | 1 |

| | | |
|------------------------------|---------|---|
| Judicial Docket (City Court) | 1929 | 1 |
| Court Docket (City Ct.) | 1929 | 2 |
| Certificates of Freedom | 1829-61 | 3 |

Records that may have been created by or filed with Baltimore City and Baltimore County Courts or Baltimore City municipal agencies which perhaps should also be transferred.

| | | <u>VOLUMES</u> |
|-------------------------------|-----------------|----------------|
| Jury Lists | 1882-1917 | 150 |
| Registry of Voters | 1838-39 | 38 |
| | 1882-89 | 57 |
| Poll Books | 1813-89 | ? |
| Surveyors Field Books & Plats | c. 1796-c. 1860 | ? |

THE SUNDAY SUN



BALTIMORE, SUNDAY, OCTOBER 24, 1976

Renovation losses turning up

Experts miss City Hall 'junk'

By TRACIE ROZHON

Receipts and records of "significant historical value" lie stuffed in 40 shopping bags strewn around the living room of Arthur G. (Whitey) Mansberger, an Edgemere junk dealer, who says he bought them for \$50 from the demolition foreman on the City Hall renovation project.

The old City Hall's bronze doorknobs, specially cast with the city seal, reportedly have been spotted at flea markets.

Other elaborately carved window and door fittings—which were not specifically mentioned in the items to be saved—were appropriated by the contractor, who polished them up and put them on a board for decoration in his office.

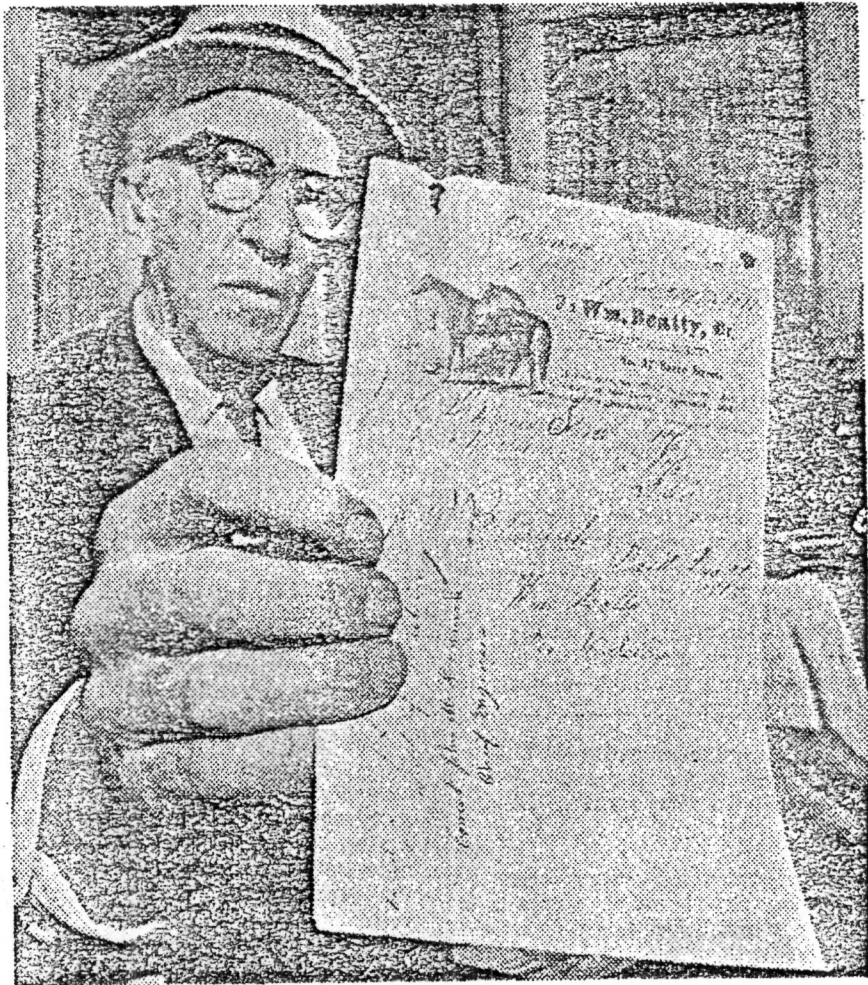
Various objects, including a half dozen marble fireplaces and fireplace parts such as keystones, may be missing from storage and are believed to have been sold.

The records and artifacts are among the objects pirated or thrown out during the City Hall renovation process—without consultation with state and city historians—in the midst of a tight renovation timetable.

"When the City Hall was vacated, there were piles of old correspondence—I don't think anyone could go through all those documents. . . and there was not one anybody considered of historical significance," said William Myers, the local architect for the project. "I mean there were no declarations of war against Annapolis. These things were considered trash and were simply swept up and burned."

Nevertheless, Mr. Myers himself saved "three or four boxes" of the old papers, not because they were "important" but because they were "interesting."

Edward R. Oppel, chief of the city construction bureau and the official in charge of the project, makes much the same argument. See CITY HALL, A8, Col. 1



Sunpapers photo—William H. Mortimer

Arthur G. (Whitey) Mansberger, an Edgemere junk dealer, holds up 1885 bill from a Barre street horseshoer, one of many old city documents he said he purchased at City Hall. "Them city officials don't care about historical stuff," Mr. Mansberger said.

Historical experts lament not viewing City Hall papers before disposal

CITY HALL, from A1
 argument. "Everything had to be out of there," he said, adding that he, too, had salvaged something—an old log of immigrants arriving in the city—that was destined for the dump.

Despite a personal interest by many of the participants in the project in the old papers and artifacts, no one ever called in city or state preservation representatives to appraise the items.

• The Maryland Historical Society, located in Baltimore, was never consulted, according to P. William Filby, president of the society and a professional appraiser. After some of the papers were described, he exclaimed: "Oh, it's really too good, isn't it? Real history." He added Mr. Oppel's log of immigrants was one of the most valuable finds: "With the interest in genealogy what it is today, the thing is worth gold..."

• Neither was Wilbur H. Hunter, Jr., curator of the Peale Museum of the City of Baltimore. Besides being an expert on

Baltimore history, Mr. Hunter chaired a commission in 1964 that was charged with reporting on the feasibility of renovating the old hall, now being accomplished at a cost of \$9.8 million.

• In April, 1975, the city began a "salvage depot" for the disposal of furnishing, shutters and old fireplaces from city-owned buildings that were being torn down or renewed. But the salvage depot was never asked if it wanted any of the things—mainly because by the time it opened, the contractor had already signed a contract giving him legal right to anything not spelled out for use in the renovation.

• Edward C. Papenfuse, curator of the state Hall of Records in Annapolis, heard about the records at Mr. Mansberger's and sent an appraiser to the junk dealer's to do a "rudimentary appraisal" of the old papers.

"A fair portion appeared to have significant historical value," Mr. Papenfuse said, later adding that the rest were prob-

ably of "marginal" historical value.

"I would think that before the materials were thrown out, they should have been offered to an historian," he said. "They should have been regularly appraised to gauge their value."

By law, the state records keeper has no legal jurisdiction over city records. For Mr. Papenfuse to do a full appraisal of the records, he would have had to be asked by the city.

Mr. Hunter said he would have told city officials—if they had asked—the same thing he tells private citizens: "You want it thrown away, fine. But let us take it and go through it, and then we'll throw away what we don't want. Let an expert decide."

Persons connected with preservation in Maryland lament the lack of a city archival center and Mr. Papenfuse said that, with some encouragement from the city, he would be glad to push for establishment of a city archive financed by the state and operated by professional archivists.

Now, the city archives are stored in a big wooden-floored warehouse on Pleasant street. The proprietor, Frank Poole, stresses he is not an archivist and admits the old records are crumbling and all out of order.

"We were beginning to get them in a little bit of order and then we had to move [out of the old City Hall] and now they're back in hysterical order again," he said, with a laugh. According to City Hall officials, the records were "literally moved in wheelbarrows."

Since his find, the Edgemere junk dealer said he received a telephone inquiry from the Smithsonian Institution in Washington as well as the call from the state Hall of Records.

"Them city officials don't care about historical stuff," he said. "All they care about is money and having bingo games and giving kiddy parties in that plaza across from City Hall. And you can quote me on that."

Nevertheless, it appears there is some

money to be made on the things that were thrown away or lifted.

Mr. Mansberger, who said he bought the 40 full shopping bags from the demolition foreman for a total of \$50, is reluctant to divulge his technique for marketing the papers.

But he said he had sold some in Pennsylvania and was trying out a few in a Broadway antique shop to gauge the market. For the run-of-the-mill stuff, he asks "about \$5" apiece. Another source said that Mr. Mansberger was planning to auction much of the material at the Harris Auction Gallery on Howard street. Mr. Mansberger hedged on the question but finally admitted such an arrangement would suit him.

As he pulled various colored papers out of his bag, the 81-year-old Mr. Mansberger grew more excited.

"Look," he said. "City Hall bought five yards of black material when Robert E. Lee died. The City of Baltimore threw a party for General Grant at the old Barney Hotel. It cost \$643 and \$50 of that was for

coach hire. These stamps helped pay for the Civil War, and these were when the bought substitutes to fight for 'em.

"Here's another one—the man who picked up the dead cats and dogs from the streets also picked up the dead bodies and took 'em to Potters Field. He was paid \$ for an adult, \$2 for an infant or a stillborn..."

According to Mr. Oppel, the responsibility for the papers and documents has been delegated to Leon Rubenstein, the head of the city's legislative reference department.

But Mr. Rubenstein vehemently denied any knowledge of the papers. He said that to dispose of such city records he and four other men—including Mr. Hunter and Mr. Poole—would have to sign an official form.

Mr. Oppel said he had heard stories of stolen fireplaces and other artifacts but has been unable to track down the source. In a job of this magnitude, he explained, it is possible that a certain number of small objects disappeared.

A 12 •

THE EVENING SUN

BALTIMORE, MONDAY, OCTOBER 25, 1976

The Junkman Cometh, Prospereth

When an old building is about to go down (or to be rehabilitated), here and there around Baltimore familiar figures stir. Not ragpickers, because they are able and willing to pay for the documents and artifacts, the antiques or collectibles or souvenir material, that they obtain from the premises, usually after talking to whoever is in charge. Whitey Mansberger, for one, is skilled alike at obtaining such things and at passing them on, by resale, to the many dealers and collectors at today's innumerable markets and sales. During the renovation of City Hall, it transpires, Mr. Mansberger knew how to go by the Do Not Enter signs, find the right foreman to talk to, load 40 shopping bags with records and objects, and walk out again, carrying a receipt.

How thickly can irony be spread? The whole point of spending \$8.5 million on City Hall is preservation. In the process, the city

has let go of hundreds of dollars worth of things which, in the building as it was, at least stayed there. Trying to find where the fault lies, and who should have vetted the terms of the renovation contract and then the material disposed of, Tracie Rozhon of *The Sun* lists half a dozen names of qualified officials, but finds none taking full responsibility. Perhaps what was lacking was initiative — Arthur G. Mansberger, self-employed, has more of it than all the watchdog officials and payroll historians put together.

Admittedly, there are thousands of Baltimoreans to whom old is ugly and new is beautiful, and some of them work for the city government — the shame of Cedar Avenue Bridge lingers. Admittedly, you can't preserve everything, and a cubic foot of municipal tax returns can be a concentrate of dullness, and the fact that City Hall itself will now endure for generations to come matters more than who has custody of some of its 1875 doorknobs. Still and all, Mayor Schaefer maybe ought to keep his hands in his pockets, next time a prime old government structure undergoes renovation. Otherwise, they'll be smoothly sliding the shirt right off his back.

THE SUN

Tuesday, March 1, 1977

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City documents sold for \$1,400

By TRACIE ROZHON

Arthur G. (Whitey) Mansberger, the resourceful Edgemere junk dealer who bought shopping bags full of historical City Hall documents a few hours before they were to be tossed on the garbage heap, has pulled off another coup.

Mr. Mansberger, who has a reputation for buying items for little and selling them at substantial profits, tried to sell the documents back to Mayor Schaefer, but when he heard the city was preparing to offer him \$100—double what he paid—he quietly sold them to a friend for \$1,400.

Yesterday, city officials were not aware of the sale and, at typical bureaucratic pace, were painstakingly gathering the signatures of experts for a report to the Mayor.

The signatures were those of the members of a special Records Disposal Committee.

The memorandum, signed by the five city officials who comprise the committee, concludes: "The Peale Museum has lots of similar bills. We would be glad to have more as gifts, but would not spend any substantial money for them. In short, the value of the records shown to us . . . is minimal."

Although the officials were apathetic about the documents, their new owner is not.

George Boyd, who runs a messenger service from an old funeral establishment on Wolfe street, is fascinated by his purchase and has enlisted the help of his secretary to sort through the 30-odd shopping bags full of papers.

"I really get a kick out of it," Mr. Boyd said yesterday. "I'm a history buff—I'm originally from St. Louis—but I love Baltimore. The harbor is my favorite.

"You have to sit there and read all the stuff," he continued. "I found one talking about supplies for the fire boat. It was

signed by Samuel Kirk. Another one's signed by Robert Garrett. Here's one from 1878, they must have had a winter just like this one. The ice boat—that's what they called ice breakers then, I guess—was in and out all the time. See all the receipts for the food.

"It gives you a good insight into what was happening."

Mr. Boyd has a couple of ideas what he will do with the papers, but nothing is definite.

He says he is not a rich man and is paying Mr. Mansberger the money in installments. He plans to sell some of the documents, possibly at the annual Fells Point festival, to recoup part of the outlay.

"And then I'd like to give some away," Mr. Boyd said. "My secretary belongs to an improvement association over by the Hollins Market, and we've turned up some stuff on the neighborhood. If we run a cross stuff on other neighborhoods, I just might give it to them.

"There's enough stuff, like a lot of transportation vouchers and I just might sell those," Mr. Boyd explained. "I'd make enough if I sold them for maybe a buck apiece."

Mr. Boyd says he understands why city officials might be reluctant to buy the records back from Mr. Mansberger.

"The papers should have never gotten away," their new owner said. "But I can see why the Mayor would like to forget about the whole thing now. . . . For me, it's wonderful."

Mr. Mansberger, a gruff bespectacled 81-year-old gentleman who often sports an old straw skimmer hat, said he may give the city a few of the documents he did not sell.

After an article in *The Sun* detailed Mr. Mansberger's find, he was telephoned by Leon A. Rubenstein, head keeper of the city's legislative records. Mr. Rubenstein,

chairman of the Records Disposal Committee, brought its members to look at some of the old documents, stored in Mr. Mansberger's warehouse on Pratt street.

Besides Mr. Rubenstein, the committee consists of Wilbur H. Hunter, director of the Peale Museum; Morgan H. Pritchett, head of the Maryland Room in the Enoch Pratt Library; Frank Poole, keeper of the city archives, and representatives from the city solicitor's office, the auditor's office and the city treasurer's office.

After their perusal, Mr. Rubenstein said the committee had placed the docu-

See DOCUMENTS, C2, C4

ments' value at no more than \$100.

Mr. Mansberger said he also put in an appearance at the formal dedication of the \$9.8 million restoration of City Hall. That day, the junk dealer said he told the Mayor—who was wearing the costume of Mayor Joshua Vansant, who dedicated the City Hall more than 100 years ago—that he had papers with Mr. Vansant's signatures on them.

Mr. Mansberger said he brought some of the papers to the Mayor and never received an answer.

THE ANNOTATED CODE
OF THE PUBLIC GENERAL LAWS
OF MARYLAND
1957

Prepared by the Editorial Staff of the Publishers

Under the Supervision of

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HRC Agenda Item 10

Annotated Code of Maryland

ARTICLE 54.

HALL OF RECORDS.

Hall of Records Commission

Sec.

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2. Supervision and control of Hall of Records; Archivist and other employees; "Land Commissioner" to mean "Archivist."
3. Collection of old records, documents, etc.
4. Seal; rules for governance; acquisitions by gift or purchase.
5. Transfer of certain papers, records and documents.
6. Custody of records of defunct State agencies, etc.
7. Officials authorized to turn over certain records.
8. Destruction of certain records not accepted by Commission; lists thereof.
9. What constitute records under § 8.
10. Programs of record management; retention schedules; duties of Commission.
11. Photographs and other reproductions of records.

Land Patents

12. Purpose of subtitle; rights under existing patents not affected.
13. Definitions, interpretation, construction and severability.
14. Designation of Commissioner; seal; powers and duties of Commissioner generally; nature of proceedings for issuance of patents; summons; perjury; employees.
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16. Proceeding to obtain patent commenced by filing application for war-

Sec.

- rant; certain forms of warrant abolished; contents, signing and verification of application; effect of certain interests; death and substitution of applicant; attorney.
17. Filing and priority of application; contents of warrant; notice of issuance of warrant.
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20. Filing of certificates and plats; correction and amendment thereof; valuation of vacant land.
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22. Objections to issuance of patents.
23. Hearings generally.
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- 45-47. [Repealed].
48. Patent not to affect riparian rights, nor issue for land covered by navigable waters.
- 49-52. [Repealed].
53. Copies of record books prior to 1787.

HALL OF RECORDS COMMISSION

§ 1. Membership.

There is hereby created as part of the Department of General Services a Commission to be known as the Hall of Records Commission, which shall be composed of the Secretary of General Services, the State Comptroller, the Chief Judge of the Court of Appeals, the president of the Johns Hopkins University, the president of St. John's College, the president of the

Maryland Historical Society and the president of the board of trustees of the Peabody Institute of Baltimore. The members of said Commission shall serve without compensation. (An. Code, 1951, art. 41, § 148; 1939, art. 41, § 123; 1935, ch. 18, § 87A; 1967, ch. 344, § 4; 1970, ch. 97, § 6.)

Effect of amendment.—The 1970 amendment added “as part of the Department of General Services” and substituted “Secretary of General Services” for “Governor of Maryland.”

§ 2. Supervision and control of Hall of Records; Archivist and other employees; “Land Commissioner” to mean “Archivist.”

(a) *Supervision and control of Hall of Records building.*—The Commission shall have supervision and control of the Hall of Records building and shall have authority to equip and furnish the said building and to preserve and repair the records, documents and archives placed under its supervision, the cost of same to be paid for out of any funds which may hereafter be appropriated for that purpose.

(b) *Archivist and other employees.*—The Commission shall appoint a competent, qualified person, to be known as Archivist, who shall have charge of the active management of the building and its contents; provided that the Commission shall allot and designate a portion of the building for the use of the Land Office. The Commission shall employ such assistants, clerks and other employees as may be necessary for the work of collecting, repairing, indexing, copying, filing and preserving the records, documents, papers, books and other data under the jurisdiction and supervision of the Commission. The Archivist, his assistants, clerks and other employees shall receive such salary or compensation as may be recommended by the Commission and provided in the budget.

(c) *Meaning of “Commissioner of the Land Office” or “Land Commissioner.”*—The words “Commissioner of the Land Office” or “Land Commissioner” as used in this Code shall be construed to mean the Archivist appointed pursuant to subsection (b). (An. Code, 1951, art. 41, § 149; 1939, art. 41, § 124; 1935, ch. 18, § 87B; 1936, Sp. Sess., ch. 81; 1967, ch. 344, §§ 2, 4.)

Works Board not required to use facilities for Land Office in Hall of Records indefinitely.—While this section required the Records Commission to furnish office space for the Land Office in the Hall of Records, so long as the Works Board de-

sired the Land Office to remain in that location, there is absolutely nothing in this statute which requires the Board to use such facilities indefinitely. *Magruder v. Hall of Records Comm'n*, 221 Md. 1, 155 A.2d 899 (1959).

§ 3. Collection of old records, documents, etc.

It shall be the duty of the Commission to have collected old court records, official documents, records, reports, old newspapers, church records, private papers and other historical data pertaining to the history of the Province and State of Maryland from the earliest times, and to have said documents, records and material properly repaired, filed, indexed, preserved and, when deemed desirable, copied and/or edited and pub-

lished; to encourage historical investigation and research in the history of the State. All papers, records, relics and other memorials connected with the early history of Maryland not required for the necessary operations of any other office, shall be under the supervision of and belong to said Commission. (An. Code, 1951, art. 41, § 150; 1939, art. 41, § 125; 1935, ch. 18, § 87C; 1967, ch. 344, § 4.)

§ 4. Seal; rules for governance; acquisitions by gift or purchase.

The Commission shall have power and authority to adopt a seal for its official use and business, to adopt rules for its own governance and to determine the type and character of records, documents, publications and other data which it will accept or receive for safekeeping.

The Commission shall have power to acquire by gift, or to purchase with any funds appropriated or given to it for that purpose, any records, documents, publications or other material which it may deem worthy of preservation. (An. Code, 1951, art. 41, § 151; 1939, art. 41, § 126; 1935, ch. 18, § 87D; 1967, ch. 344, § 4.)

§ 5. Transfer of certain papers, records and documents.

(a) *Papers, records and documents made prior to 1788.* — Papers, records and documents, now in the courthouses of this State, which were made prior to April 28th 1788, the date of the adoption of the Constitution of the United States by the State of Maryland, shall be transferred as soon as practicable after June 1, 1945, to the Hall of Records Commission, which is hereby made the official custodian of such papers, records and documents, with full power to certify the same as provided in § 7. Every clerk of court, register of wills, or other public official, now having custody of said papers, records and documents, is hereby directed to transfer the same to said Hall of Records Commission and upon making such transfer, every such clerk, register of wills or other official is hereby relieved from any duties or responsibilities in connection therewith.

(b) *Records, etc., formerly in custody of Commissioner of Land Office.* — The Hall of Records Commission shall also be the official custodian of all records of the court of chancery, including all ante-Revolution papers formerly in that office, and all other records, books, relics and memorials formerly in the custody of the Commissioner of the Land Office, except warrants, surveys, caveats, patents, and other records relating to proceedings for the issuance of patents. Copies of all items so transferred may be made and certified with the same effect as provided in subsection (a). (An. Code, 1951, art. 41, § 152; 1945, ch. 248; 1967, ch. 344, §§ 2, 4; 1968, ch. 43.)

§ 6. Custody of records of defunct State agencies, etc.

The records of all State agencies, boards and commissions which hereafter are abolished or otherwise cease to function shall be transferred

to the custody of the Hall of Records Commission unless otherwise directed by law. (1956, ch. 79; 1967, ch. 344, § 4.)

§ 7. Officials authorized to turn over certain records.

Every State, county, city, town or other public official in the State in custody of public records or documents is hereby authorized and empowered, in his discretion, to turn over to the Commission and deposit for preservation any original papers, official books, records, documents, files, newspapers, printed books, or portraits, not in current use in his office, and when so surrendered, and accepted by the Commission, copies may be made and certified under the seal of the Commission upon application of any person, which certification shall have the same force and effect as if made by the officer originally in charge of same, and the Commission shall charge for such copies the same fees as such office is allowed by law to charge, which fees shall be accounted for and paid into the State treasury.

Whenever any land records of any court have been turned over to the Commission and deposited with it for preservation and so accepted by it, the Commission is hereby authorized and directed upon the written application of the clerk of the circuit court for any county or the clerk of the Superior Court of Baltimore City and with the written approval of a judge of said court, to make photostatic or photographic reproductions of such land records, the expense thereof to be borne by the Commission; and such photostatic or photographic reproductions, when so made and certified under the seal of the Commissioner, shall be deposited by the Commission in the office of the clerk of the court making said application and said reproduced land records when so deposited shall be entitled to the same legal force and effect as the original land records from which such reproductions were made. (An. Code, 1951, art. 41, § 153; 1939, art. 41, § 127; 1935, ch. 18, § 87E; 1945, ch. 896; 1967, ch. 344, § 4.)

Cross references. — As to deposit of county code with Hall of Records Commission, see article 25, § 32A. As to deposit of copy of municipal code with Hall of Records Commission, see article 23A, § 8B. As to filing with Hall of Records copies of reports of State officers, boards, etc., see article 40, § 53.

§ 8. Destruction of certain records not accepted by Commission; lists thereof.

If the Commission shall decline to accept any original papers, official books, records, documents or files offered to it under the provisions of § 7, then the custodian thereof, with the written approval of the Board of Public Works, is authorized and empowered to destroy the same. After such records are destroyed, the custodian thereof shall file with the Hall of Records a list of all papers, books, documents and files destroyed and a certificate of destruction. Such lists shall be retained in the custody of the Archivist and shall be available at reasonable times to inspection by the members of the public. Nothing in this section shall authorize the

destruction of (a) papers, books, documents or files which have been in custody for a period of less than three years or such other period as may be expressly prescribed by statute, (b) public records expressly required by statute to be maintained permanently, except in those cases where the original record has been photographed, photocopied, or microphotographed in accordance with the provisions of § 11 of this article, provided that the copy or reproduction of the original record be available upon request in the same manner as the original record, (c) permanent books of account, (d) the records of any court of record in this State, (e) the land records recorded by the respective clerks of the circuit court for the several counties and the clerk of the Superior Court of Baltimore City; but old records of which accurate transcriptions have been made and placed in use, under the terms of Article 26, § 17, and the "housekeeping" records or the records of internal management of the offices of clerks of court and registers of wills shall not be considered "records of a court" for the purpose of this section and §§ 9 and 10 and shall be subject to disposal as described above, provided, however, that the books, accounts, and records pertaining to the financial operations of any agency or department, officers, boards and commissions of the State of Maryland, and of all the clerks of courts, registers of wills, and all collectors of the State taxes of the State of Maryland, including the City of Baltimore, insofar as they affect the collection of State taxes, shall not be destroyed until such time as the requirements of Article 19, §§ 29 to 34, inclusive, relating to the audit of such books, accounts and records by the State Auditor, shall have been complied with. (An. Code, 1951, art. 41, § 154; 1941, ch. 825; 1949, ch. 755, § 127A; 1953, ch. 437; 1956, ch. 82; 1967, ch. 344, § 4; 1968, ch. 43.)

§ 9. What constitute records under § 8.

For the purposes of § 8, the following types of material shall not be considered "records": printed books, magazines, newspapers and other library or museum materials made or acquired for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, stocks of publications, acceptances or refusals of invitations or engagements and other personal business of public officers. From time to time the Hall of Records Commission may further designate categories which may be included within the definition of "nonrecord material." And such nonrecord materials may be disposed of by the custodian when he shall deem them to be no longer necessary for the operation of his office. (An. Code, 1951, art. 41, § 155; 1949, ch. 755, § 127B; 1967, ch. 344, § 4; 1968, ch. 43.)

§ 10. Programs of record management; retention schedules; duties of Commission.

(a) *Programs and schedules.*—It shall be the duty of each State agency to develop a continuing program for the economical and efficient manage-

ment of its records, including the establishment and/or revision of record retention schedules, in order to insure prompt and orderly disposal of records not required by the operations of the agency. Prior to becoming operative all such retention schedules must receive the approval of the Hall of Records Commission, but schedules providing for the destruction of records must also receive the written approval of the Board of Public Works.

(b) *Duties of Commission.*—It shall be the duty of the Hall of Records Commission to further the aforesaid program; to inspect the records and records management practices of all State agencies, boards and commissions; to review proposals for the purchase or rental of record equipment, storage space and services, including the microfilming and photocopying of records, and to make recommendations thereon to the Department of Budget and Procurement or to the Board of Public Works, as appropriate. (An. Code, 1951, art. 41, § 156; 1949, ch. 755, § 127C; 1953, ch. 436; 1967, ch. 344, § 4.)

§ 11. Photographs and other reproductions of records.

(a) *In general.*—Whenever any agency, department, board, or commission of the State of Maryland or of any county or incorporated municipality thereof shall have photographed, photocopied, or microphotographed all or any part of the records kept by it or under its control in a manner and on film or paper that complies with the standard of quality approved for permanent photographic records by the Hall of Records Commission, and whenever such photographs, photocopies, or microphotographs shall be placed in adequately accessible containers and provision made for preserving, examining, and using the same in a manner approved by the Hall of Records Commission, the head of such agency, department, board, or commission may, with the approval of the Archivist of the Hall of Records under the provisions of § 8, of this subtitle, cause the original records from which the photographs, photocopies, or microphotographs have been made, or any part thereof, to be disposed of as the law provides.

(b) *Effect of originals; admission in evidence.*—Photographs, photocopies, or microphotographs of any records photographed, photocopied, or microphotographed as herein provided shall have the same force and effect as the originals thereof would have had, and shall be treated as originals for the purpose of their admissibility in evidence. Certified or authenticated copies of such photographs, photocopies, or microphotographs or enlargements thereof shall be admitted in evidence equally with the original photographs, photocopies, or microphotographs. (An. Code, 1951, art. 41, § 157; 1949, ch. 518, § 127D; 1967, ch. 344, § 4; 1968, ch. 43.)

**THE ANNOTATED CODE
OF THE PUBLIC GENERAL LAWS
OF MARYLAND**

1957

1976 Cumulative Supplement

Prepared by the Editorial Staff of the Publishers

Under the Supervision of

W. M. WILLSON, J. H. VAUGHAN AND A. D. KOWALSKY

Consultant

CARL N. EVERSTINE

Director, State Department of Legislative Reference

VOLUME 5B

**Place in Pocket of Corresponding Volume of Main Set.
This Supersedes Previous Supplement, Which
May Be Retained for Reference Purposes.**

Effective Date of Statutes

See Md. Const., Article XVI, § 2

THE MICHIE COMPANY

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1976

HALL OF RECORDS
ANNAPOLIS, MARYLAND

Annotated Code of Maryland

1976 Cumulative Supplement

ARTICLE 54.

HALL OF RECORDS.

| Sec. | Hall of Records Commission | Sec. | Land Patents |
|------|----------------------------|------|--------------|
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| 1. Membership; expenses. | |
| 8. Destruction of certain records not accepted by Commission; lists thereof. | |

HALL OF RECORDS COMMISSION

§ 1. Membership; expenses.

There is hereby created as part of the Department of General Services a Commission to be known as the Hall of Records Commission, which shall be composed of the Secretary of General Services, the State Comptroller, the Chief Judge of the Court of Appeals, the president of the Johns Hopkins University, the president of St. John's College, the president of the Maryland Historical Society and the president of the board of trustees of the Peabody Institute of Baltimore. The members of said Commission shall serve without compensation, but shall be reimbursed for expenses incurred while actually engaged in the performance of their duties in accordance with the standard travel regulations. (An. Code, 1951, art. 41, § 148; 1939, art. 41, § 123; 1935, ch. 18, § 87A; 1967, ch. 344, § 4; 1970, ch. 97, § 6; 1975, ch. 721, § 2.)

Effect of amendment.

The 1975 amendment, effective July 1, 1975, added at the end of the last sentence the language following "compensation."

§ 8. Destruction of certain records not accepted by Commission; lists thereof.

If the Commission shall decline to accept any original papers, official books, records, documents or files offered to it under the provisions of § 7, then the custodian thereof, with the written approval of the Board of Public Works, is authorized and empowered to destroy the same. After such records are destroyed, the custodian thereof shall file with the Hall of Records a list of all papers, books, documents and files destroyed and a certificate of destruction. Such lists shall be retained in the custody of the Archivist and shall be available

at reasonable times to inspection by the members of the public. Nothing in this section shall authorize the destruction of (a) papers, books, documents or files which have been in custody for a period of less than three years or such other period as may be expressly prescribed by statute, (b) public records expressly required by statute to be maintained permanently, except in those cases where the original record has been photographed, photocopied, or microphotographed in accordance with the provisions of § 11 of this article, provided that the copy or reproduction of the original record be available upon request in the same manner as the original record, (c) permanent books of account, (d) the records of any court of record in this State, except as provided for in § 1-605 (d-3) and § 2-206 of the Courts Article of the Code, (e) the land records recorded by the respective clerks of the circuit court for the several counties and the clerk of the Superior Court of Baltimore City; but old records of which accurate transcriptions have been made and placed in use, under the terms of Article 26, § 17, and the "housekeeping" records or the records of internal management of the offices of clerks of court and registers of wills shall not be considered "records of a court" for the purpose of this section and §§ 9 and 10 and shall be subject to disposal as described above, provided, however, that the books, accounts, and records pertaining to the financial operations of any agency or department, officers, boards and commissions of the State of Maryland, and of all the clerks of courts, registers of wills, and all collectors of the State taxes of the State of Maryland, including the City of Baltimore, insofar as they affect the collection of State taxes, shall not be destroyed until such time as the requirements of Article 40, §§ 61A to 61E, inclusive, relating to the audit of such books, accounts and records by the State Auditor, shall have been complied with. (An. Code, 1951, art. 41, § 154; 1941, ch. 825; 1949, ch. 755, § 127A; 1953, ch. 437; 1956, ch. 82; 1967, ch. 344, § 4; 1968, ch. 43; 1972, ch. 247, § 2; ch. 486, § 2; ch. 676, § 2; 1973, ch. 27; 1974, ch. 865, § 10.)

Effect of amendments. — Chapters 486 and 676, Acts 1972, both effective July 1, 1972, made the same changes. Each added the exception in item (d) in the fourth sentence and substituted "Article 40, §§ 61A to 61E" for "Article 19, §§ 29 to 34" near the end of the section.

The 1973 amendment, approved Apr. 10, 1973, and effective from date of passage, eliminated "except as provided for in § 150 of Article 26 of this Code" which had been added immediately

preceding the semicolon in the fourth sentence by ch. 247, Acts 1972, and added "and § 150 of Article 26" in item (d) in that sentence.

The 1974 amendment, effective July 1, 1974, substituted "§ 1-605 (d-3) and § 2-206 of the Courts Article of the Code" for "§ 1A of Article 17 and § 150 of Article 26 of this Code" in item (d) in the fourth sentence.

Editor's note. — Article 26, § 17, referred to above, was repealed by Acts 1973, ch. 172, § 1.

LAND PATENTS

§§ 12-53. Land patents.

Repealed by Acts 1972, ch. 349, § 1, effective January 1, 1973.

Cross reference. — For new sections containing provisions similar to those of the repealed sections, see RP, §§ 13-101 to 13-119.

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A SERIES SUMMARY GUIDE TO THE
PUBLIC RECORDS OF BALTIMORE CITY

PATRICIA M. VANORNY



STATE OF MARYLAND
DEPARTMENT OF GENERAL SERVICES
HALL OF RECORDS
P.O. BOX 828
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A SERIES SUMMARY GUIDE TO THE PUBLIC RECORDS OF BALTIMORE CITY

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BY

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COUNTY AND MUNICIPAL RECORDS PROGRAM

State of Maryland
Department of General Services
Hall of Records
P.O. Box 828
Annapolis, Md. 21404

FOREWORD

The following categorical listing of public records relating to Baltimore City does not purport to be complete, nor does it more than briefly hint at the administrative history of the city so essential to beneficial use of the extant materials. This effort at describing Baltimore City records is merely a temporary measure designed to alert interested researchers to a wealth of materials currently accessible. Entries are arranged within rough topical categories designed to group related series that may be among the records of several different agencies, some of which may no longer exist or whose functions have changed substantially over the years. An example of the latter is the equity jurisdiction of the Baltimore City Superior Court, which it inherited from the Baltimore County Court in 1851 and lost in 1867.

Since publication of this Series Summary Guide in the fall 1975 Maryland Historical Magazine an additional 6,000 cubic feet of Baltimore City Circuit Court, Criminal Court, City Court, Court of Common Pleas and Register of Wills' Office have been inventoried and transferred to the Hall of Records. Users of this Guide are cautioned to ignore the location CH for the records of these agencies and to consult first with the Hall of Records (Baltimore Exchange 269-3915) before visiting the Court House. In the near future the Hall of Records will publish a comprehensive Guide to its extensive holdings of city-related state records modeled on the Historical Records Survey Guides of the late 1930s and early 1940s. Records will be described by series and agency, with a history of each agency's functions and, wherever necessary, an analysis of each series. Topic indexes will bring together related series much as the following Guide has done. In the meantime researchers are urged to visit the Hall of Records where they will be ably assisted by knowledgeable professional staff and can consult our preliminary inventories and shelf lists.

As a recent editorial in the Baltimore Evening Sun pointed out the City of Baltimore could take better care of its permanently valuable municipal records. If the city does not have the means to develop a strong archival program on its own, then Article 54 of the Annotated Code of Maryland provides an alternative whereby the City can bring its permanently valuable historical records into the State's cost-efficient system of descriptive and reference control. The details of where the records would be housed once the Hall of Records assumed responsibility for them would have to be worked out with the city, although if micro-filming of major series as the need arises is a requisite component of the State Archives assuming responsibility for the municipal archives, the actual location of the original records should be of minor concern. By utilizing the Hall of Records Microfilm Loan Program well-inventoried and filmed series could circulate to any of the many educational institutions in Baltimore City, to City Offices and elsewhere, wherever research needs dictated. In May of 1967 in a memorandum to the Director of Finance of Baltimore City, a management analyst provided a long range view of the records management function in the city in which he commented favorably on the archival program of the State and suggested that the city consider utilizing the State program. Perhaps now, a decade later, is the time to explore further his recommendations.

January 10, 1977

Edward C. Papenfuss
State Archivist and
Commissioner of Land Patents

The categories of public records are noted and described alphabetically; under each is an alphabetical list of series titles with brief comments about the contents and available indexes. Following the title is the name of the agency or agencies, if known, that generated the record, date span for the series, quantity of material, and current location for which are used the following abbreviations: BCA—Baltimore City Archives in Baltimore, CH—Courthouse in Baltimore, HR—Hall of Records in Annapolis. Unless stated otherwise, indexes are located with the records. For further information about the public records of Baltimore City visit or write the Maryland Hall of Records, Box 828, Annapolis, Maryland 21404, which is open from 8:30 A.M. to 4:30 P.M., Monday through Saturday. For records at the courthouse the researcher should contact the individual court. The City Archives, 211 E. Pleasant St., is open from 8:30 A.M. to 4:00 P.M., Monday through Friday.

CITY ADMINISTRATIVE RECORDS

The City of Baltimore dates from 1729 when the General Assembly provided for the town to be laid out and for commissioners to govern it. By 1796 the town had grown populous enough for its residents to petition for and obtain a city charter that provided for a mayor and council which began functioning in 1797. From this basic structure has evolved the present system of departments, commissions, and bureaus.³⁰ The various functions of these agencies are indicated by the records they generate. Some are included under this general heading of ADMINISTRATIVE RECORDS, others in more specialized categories such as *Tax Records*.

Appointments, Mayor, 1797-1864, 3 vols., BCA. Record of municipal officers appointed by the Mayor.

City Papers, 1756-1938, 135 file drawers, BCA. Records of several different agencies that have been grouped together: Proceedings of Special Commissioners for paving and leveling streets and building and repairing bridges, 1783-97; reports of Port Wardens, Harbor Board, and Harbor Master, 1789-1938; market house licenses and rents, 1791-1938; petitions, correspondence, committee reports, messages, ordinances, and resolutions of the City Council, 1797-1938; proceedings of the City Commissioners and Department of Public Works on paving streets, establishing grades, maintaining bridges, and building sewers, 1797-1938, including opening and closing of streets, 1797-1841; correspondence and reports of the City Register, 1797-1938; correspondence and reports of the Board of Health and Health Commissioner, 1797-1882; reports of commodity inspectors, 1797-1850; correspondence of the Mayor, 1800-1938; legal opinions of the City Solicitor, 1815-36; ships' passenger lists, 1833-66; appointments and bonds of officials, 1829-1904; proceedings of Commissioners for Opening Streets, 1852-1938; reports, contracts, and correspondence of the Water Board, 1854-1938; bounty applications and payments, enlistment certificates, muster rolls, and discharges, 1861-67; insurance policies, 1872-91; reports and corre-

30. Scharf, *History of Baltimore City and County*, pp. 167-68, 170-72.

charters and amendments with the clerk of the Superior Court.³² Previously the General Assembly had incorporated all institutions except churches whose charters were recorded in the county courts. No separate series of these early church incorporations is extant for Baltimore City.

Agency Record, Superior Court, 1922-, c. 2 vols., CH. Certificates of corporations operated by agents or under a trade name. Separate volume index of firms and agents.

Charter Record, Superior Court, 1852-, c. 410 vols., CH. Charters, amendments, dissolutions, and mergers. Indexed by organization. Separate volume indexes.

Charters, Superior Court, 1928-60, 148 cu. ft., HR; 1961-, CH. Original papers recorded in Charter Record. Earlier papers in *Court Records*.

Co-partnership and Dissolution, Superior Court, 1904-, c. 2 vols., CH. Agreements, amendments, and dissolutions. Indexed by partnership. Other records in *Court Records*.

COURT RECORDS—ADMINISTRATIVE

The court system for Baltimore City has undergone considerable expansion and reorganization as case loads increased. At first the Baltimore County Court conducted all types of cases. By 1789 criminal cases were being tried in the Court of Oyer and Terminer and Gaol Delivery which was replaced by the Baltimore City Court in 1817. The Constitution of 1851 established an independent judicial system for the city, which by 1888 was expanded to six courts. The Superior Court, Court of Common Pleas, both established in 1851, and City Court, created in 1867, have civil jurisdiction; the Criminal Court, created in 1851, criminal jurisdiction; and the Circuit Court and Circuit Court No. 2, organized in 1853 and 1888 respectively, equity jurisdiction. Besides hearing cases the judges of each court must attend to administrative duties such as establishing rules of practice and appointing and qualifying court officials. Since 1867 the Supreme Bench, composed of all city court judges, has performed these functions for the six courts.³³ The administrative records of the Court of Oyer and Terminer and Baltimore City Court are found in *Criminal Docket and Minutes*.

Bond Record, Superior Court, 1936-, c. 11 vols., CH. Bonds of elected and appointed officials. Indexed by name.

Commissions, Superior Court, 1878-93, 1 vol., HR.; 1894-, c. 9 vols., CH. Commissions issued by the governor. Indexed by name.

Constables Commissions, Superior Court, 1892-1907, 1 vol., HR. Commissions and bonds of constables. Indexed.

32. Joseph G. Blandi, *Maryland Business Corporations, 1783-1852* (Baltimore, 1934), pp. 10-13.

33. Morris L. Radoff, Gust Skordas, and Phebe R. Jacobsen. *The County Courthouses and Records of Maryland. Part Two: The Records* (Annapolis, 1963), pp. 2-3; G. Kenneth Reiblich, *A Study of Judicial Administration in the State of Maryland* (Baltimore, 1929), pp. 44-45; Chap. 193, Acts of 1816.

court minutes and criminal proceedings. After 1817 full recording was required only when the decree related to the title or sale of land or when requested by one of the litigants. The papers, however, were usually retained because of possible appeals. During the colonial period, civil jurisdiction was also vested in the Provincial Court, a centralized court for the entire province of Maryland. It was succeeded by the General Court, a state court which existed from 1776 to 1805.³⁴

Appeal Docket, City Court, 1867-, c. 45 vols., CH. Brief entries of appeals from lower courts, licensing and regulatory boards, and municipal agencies.

Cases Instituted, Baltimore County Court, Superior Court, 1817-1924, 140 vols., HR; 1925-, c. 115 vols., CH; Court of Common Pleas, 1852-, c. 185 vols., CH; City Court, 1867-, c. 150 vols., CH. Docket entries for all cases. Indexed by defendant. Separate volume indexes of defendants for Court of Common Pleas and City Court. Records prior to 1817 in *Court Docket*.

City Appeal Docket, Baltimore County Court, 1829-46, 4 vols., HR. Brief entries of appeals from justices of the peace in Baltimore City.

Court Docket, Baltimore County Court, 1757-1816, 47 vols., HR. Brief entries for all cases. Indexed by defendant. Later records in *Cases Instituted*.

Court Papers, Baltimore County Court, Superior Court, 1819-c. 1940, 930 cu. ft., HR; c. 1940-, c. 350 file drawers, CH. Original papers filed in all types of civil proceedings. Arranged by box or document file number prior to 1946, thereafter by case number. Other records in *Court Records*.

Court Papers, Baltimore County Court, Court of Common Pleas, 1831-, c. 1,200 cu. ft., CH. Includes insolvencies and receiverships. Arranged alphabetically by defendant, 1831-1911, and by case number thereafter.

Court Papers, City Court, 1867-, c. 3,500 cu. ft., CH. Arranged chronologically.

Dockets and Minutes, Provincial Court, General Court of the Western Shore, 1758-1805, 53 vols., HR. Brief entries for all cases. Contains court minutes.

Ejectment Record, City Court, 1870-, 12 vols., CH; Court of Common Pleas, 1872-, 1 vol., CH. Proceedings in ejectment for trespass, recorded only when requested by the plaintiff. Indexed by plaintiff and defendant.

Execution Docket, Court of Common Pleas, 1851-, 10 vols., CH; City Court, 1868-, 13 vols., CH. Brief entries of executions on judgments. Indexed by defendant.

Insolvency Papers, Baltimore County Court, 1841-50, 12 cu. ft., HR. Papers filed in insolvency proceedings.

Insolvent Docket, Baltimore County Court, Court of Common Pleas, 1843-98, 6 vols., CH. Brief entries for insolvent cases. Indexed by defendant.

34. Radoff, Skordas, and Jacobsen, *County Courthouses*, pp. 2, 10-11.

Police Report, Criminal Court, 1899-1971, c. 65 vols., CH. Dockets of cases heard by Police Magistrates. Indexed by defendant.

Proceedings, Court of Oyer and Terminer and Gaol Delivery, 1807-1808, 1 vol., HR. Record of trials.

COURT RECORDS—EQUITY

Equity proceedings, instituted to obtain remedial justice, are based on legal doctrines and rules developed to supplement the somewhat more rigid civil common law system. The cases involve disputes over settlement of a decedent's estate, petitions to divide or sell real property, divorces, foreclosures of mortgages, trust estates, conflicts over ownership of personal and real property, and adoptions. The records and papers consist of bills of complaint, answers, petitions, exhibits, testimony, reports, and decrees. The Chancery Court, a provincial and then state court which ceased existence in 1853, conducted most equity proceedings prior to 1814 when county courts were given concurrent jurisdiction.³⁵ Although the Superior Court heard no new cases after 1867, it retained authority to complete those already docketed.

Chancery Docket, Chancery Court, 1784-1851, 37 vols., HR; Baltimore County Court, Superior Court, 1815-67 (1906), 13 vols., HR. Brief entries for all cases. Indexed by defendant. Separate volume indexes of defendants for County and Superior Courts.

Chancery Papers, Chancery Court, 1785-1853, c. 200 cu. ft., HR; Baltimore County Court, Superior Court, 1833-67 (1906), 144 cu. ft., HR. Original papers, some of which are unrecorded. For Chancery Court card index of plaintiffs, defendants, and tract names; papers of County and Superior Courts indexed in *Chancery Docket*.

Chancery Papers, Circuit Court, 1853-, c. 4,500 cu. ft., CH; Circuit Court No. 2, 1888-, c. 1,700 cu. ft., HR; c. 1946-, c. 500 cu. ft., CH. Papers filed in all types of cases. Arranged by case number.

Chancery Record, Chancery Court, 1668-1853, 180 vols., HR; Baltimore County Court, Superior Court, 1815-67 (1906), 85 vols., HR. Record of proceedings. Chancery Court records indexed by plaintiff; card index of plaintiffs, defendants, other involved persons, and tract names. Indexed by plaintiff and defendant for County and Superior Courts.

Chancery Record, Circuit Court, 1853-, c. 1,680 vols., CH; Circuit Court No. 2, 1888-, c. 1,235 vols., CH. Record of proceedings. Separate volume indexes of defendants.

Chancery Record, Divorces, Circuit Court, 1908-, c. 50 vols., CH; Circuit Court No. 2, 1908-, c. 50 vols., CH. Indexed by plaintiff and defendant. Earlier records in *Chancery Record*.

35. *Ibid.*, p. 2.

period was accomplished through a grant of citizenship from Lord Baltimore or the governor, acts of the General Assembly, or through the Provincial Court. From 1779 to 1789, state law provided for naturalization through county courts or the General Court. Since then procedures have been governed by federal law, but administered through local courts until 1933 when transferred to the Federal District Court of Baltimore. For Baltimore City specifically this meant the Baltimore City Court and Baltimore County Court, 1789-1851, all civil and criminal courts, 1851-1906, and Court of Common Pleas, 1906-33.³⁷ Besides the records listed below, others prior to 1851 are contained in *Provincial Court Judgments, Judgments and Dockets and Minutes* of the General Court, *Minutes* of the Baltimore County Court, and *Criminal Docket and Minutes* of the Baltimore City Court; a card index of names is located at HR.

Application for Naturalization, Superior Court, Court of Common Pleas, City Court, 1896-1906, 9 vols., HR. Applications for naturalization. Card index.

Declaration of Intention, Superior Court, Court of Common Pleas, City Court, 1852-1933, 37 vols., HR. Declarations of intent to become citizens. Card index.

Military Naturalization, Court of Common Pleas, 1872-1900, 1 vol., HR. Certificates of naturalization of aliens serving in the U.S. military. Card index.

Military Petition for Naturalization, Court of Common Pleas, 1918-24, 10 vols., HR. Petitions and proceedings for citizenship of aliens serving in the U.S. military. Separate volume index.

Naturalization Docket, Baltimore County Court, 1796-1851, 1 vol., HR. Brief entries showing date and place of declaration. Card index.

Naturalization Record, Baltimore County Court, Baltimore City Court, Superior Court, Criminal Court, City Court, Court of Common Pleas, 1832-1906, 24 vols., HR. Certificates of naturalization. Card index. Other records in *Court Records*.

Naturalization Record and Petition, Court of Common Pleas, 1906-29, 42 vols., HR. Petitions and proceedings for citizenship. Card index.

Naturalization Record of Minors, Baltimore County Court, Baltimore City Court, Superior Court, Criminal Court, City Court, Court of Common Pleas, 1827-1906, 27 vols., HR. Certificates of naturalization of aliens who arrived as minors. Card index.

Petition for Naturalization, Superior Court, Court of Common Pleas, 1900-1933, 4 vols., HR. Applications for naturalization. Card index.

Ships Passenger Lists, U.S. Collector of Customs, Port of Baltimore, 1820-1909, National Archives. Other records in *City Papers*.

JAIL RECORDS

When the Baltimore City Jail was first built, it was under the jurisdiction of the Baltimore County sheriff and housed both county and city prisoners. In 1827

37. Radoff, Skordas, and Jacobsen, *County Courthouses*, pp. 12-13.

before leaving the state temporarily. Records of these actions are listed with *Court Records*.

Certificates of Freedom, Baltimore County Court, 1829-61, 3 vols., BCA. Certificates issued for freed Negroes; shows former master and name, sex, and physical description of the Negro. Other records in *Court Records*.

Manumissions, Baltimore County Court, 1806-1864, 6 vols., BCA. Record of slaves set free by their owners. Earlier records in *Chattel Records* and *Land Records*; others in *Court Records*.

PERSONAL PROPERTY RECORDS

Records pertaining to personal property, mostly bills of sale, chattel mortgages, conditional contracts of sale, and liens, were filed with the clerk of the Baltimore County Court and since 1851 with the Superior Court. Since 1939 the Circuit Court has handled some liens. Most records of personal property are maintained for only a specified period of time and then destroyed. The only exceptions have been a few early records, several of the twentieth century which contain mortgages where real property was used as security for small loans, and liens.

Boat Lien Docket, Superior Court, 1910-39, 1 vol., HR. Claims due for labor and materials used in construction of boats. Indexed by lienee.

Chattel Record, Baltimore County Court, 1750-1814, 3 vols., HR; Superior Court, 1920-38, c. 600 vols., CH. Bills of sale and chattel mortgages. Earliest volumes also contain cattle marks, freight rates, bonds of officials, indentures, and manumissions. Other early records in *Court Records* and *Land Records*.

Mechanics Lien Docket, Superior Court, 1906-39, 3 vols., CH; Circuit Court, 1939-, c. 5 vols., CH. Claims due for labor and materials in construction of buildings. Indexed by lienee. Separate volume indexes of lienor.

PORT RECORDS

The Port of Baltimore comes under the jurisdiction of federal, state, and municipal agencies. Prior to 1780, when a separate district was created for Baltimore, ships bound for that port were entered and cleared in Annapolis. Until the United States Customs Service was created in 1789, the provincial and then state Naval Officer collected customs duties and registered ships. The municipal government's role in regard to the port has consisted of maintaining navigation of the basin, river, and harbor, controlling construction and repair of wharves, and supervising city-owned piers, wharves, and docks.⁴⁰ The annual reports of the Port Wardens, Harbor Board, and Harbor Master are listed with *City Papers*.

40. "Customs' First 175 years." *Baltimore*, (July 1964), Vertical File, Hall of Records; Hall of Records Commission, *Catalogue of Archival Material* (Annapolis, 1942), p. 56; Thomas, *City Government*, pp. 14, 42.

handle routine business. This centralized system, resulting in the creation of duplicate records, was abolished in 1776 and replaced in 1777 with an Orphans Court in each county. In 1851 a separate court was established for Baltimore City.⁴¹

Accounts of Sale, Baltimore County and City Orphans Courts, 1780-, c. 185 vols., CH; 1780-1970, 109 reels of microfilm, HR. Sales of personal property. Indexed by decedent. Separate volume indexes, 1780-1899, HR; 1900-, CH; 1780-1960, microfilm, HR.

Administration Accounts, Deputy Commissary, Baltimore County and City Orphans Courts, 1674-1852, 58 vols., HR; 1852-, c. 450 vols., CH; 1674-1971, 281 reels of microfilm, HR. Accounts of administrators and executors. Includes distributions. Indexed by decedent. Separate volume indexes, 1684-1848, HR; 1848-, CH; 1674-1968, microfilm, HR.

Administration Accounts, Original, Deputy Commissary, Baltimore County Orphans Court, 1674-1788, 25 boxes, HR. Card index of decedents.

Administration Bonds, Deputy Commissary, Baltimore County and City Orphans Courts, 1667-1852, 20 vols. and 9 reels of microfilm, HR; 1852-, c. 200 vols., CH. Bonds of administrators and executors. Indexed by decedent.

Administration Docket, Baltimore County and City Orphans Courts, 1777-, c. 85 vols., CH; 1777-1950, 32 reels of microfilm, HR. Brief record of papers filed for each estate. Indexed by decedent. Separate volume index, 1777-1851, HR.

Annual Valuations, Baltimore County and City Orphans Courts, 1825-1904, 1 vol., HR. Reports on the annual value of real estate belonging to minors. Indexed by decedent. Earlier records in *Orphans Court Proceedings*.

Appeals and Issues, Baltimore County and City Orphans Courts, 1825-84, 8 vols., HR. Appeals from decisions of the Orphans Court and issues sent to a court of law for trial. Earlier records in *Orphans Court Proceedings*.

Court Docket, Baltimore County and City Orphans Courts, 1804-51, 54 vols., HR; 1851-, c. 75 vols., CH. Brief entries of court hearings. Indexed by administrator or executor until 1876, thereafter by decedent. Separate volume indexes of decedents, 1908-.

Guardian Accounts, Baltimore County and City Orphans Courts, 1786-1851, 25 vols., HR; 1851-, c. 110 vols., CH; 1786-1850, 11 reels of microfilm, HR. Accounts of guardians. Indexed by ward. Separate volume indexes of wards, CH.

Guardian Bonds, Baltimore County and City Orphans Courts, 1777-1852, 11 vols., and 4 reels of microfilm, HR; 1852-, c. 35 vols., CH. Bonds of guardians. Indexed by ward.

41. Radoff, Skordas, and Jacobsen, *County Courthouses*, pp. 7, 17-19. The records of the Prerogative Court, excluded from this listing, are enumerated in Elisabeth Hartsook and Gust Skordas, *Land Office and Prerogative Court Records of Colonial Maryland* (Annapolis, 1946; reprinted, 1967).

rights-of-way, commissions to reestablish boundaries, and plats. Many plats actually originated as part of another series of records, but became separated because of their size. Although normally recorded in the county court, land transactions could be filed with the Provincial Court until 1776, with the General Court from 1776 to 1805, and from 1805 to 1861 with the Court of Appeals. In 1851 the Superior Court assumed responsibility from the Baltimore County Court for recording land records in Baltimore City. Original surveys and grants of tracts on which Baltimore City was subsequently laid out are found in the records of the Land Office through which people acquired vacant land first from Lord Baltimore, and after the Revolution, from the state of Maryland.⁴²

Baltimore City Plats, 1788-1875, 251 flds., HR. Surveys of tracts and lots in civil and equity cases of the Baltimore County Court, 1802-51, and Superior Court, 1860-75. Surveys of roads and streets, 1788-1830.

Baltimore City Plats, Copies, 1729-1829, 40 flds., HR. Copies of surveys of tracts, lots, and streets, including the first survey of the city in 1729.

Baltimore County Certificates of Survey, Land Office, 1704-, 25 cu. ft., HR. Original returns of the surveyor, showing metes and bounds and including plats.

Block Books, Superior Court, 1851-, c. 1,500 vols., CH; 1851-1959, 278 reels of microfilm, HR. Summary of property transactions, arranged by block number and listed chronologically. Gives references to *Land Records*.

Bouldins Field Books, c. 1796-c. 1855, c. 20 vols., BCA. Survey and plats done by John and Alexander J. Bouldin for Baltimore County and City Courts.

City Hall Construction, 1868-75, 2 file drawers, BCA. Papers pertaining to the building of city hall.

Commission Docket, Baltimore County Court, Superior Court, 1821-1922, 1 vol., HR. Commissions to divide estates, condemn land, divide the city into wards, open roads, and perpetuate boundaries. Indexed by parties involved and commissioners. Other records in *Court Records*.

Deeds, Provincial Court, General Court of the Western Shore, Court of Appeals, 1658-1861, 34 vols., HR. Deeds, mortgages, releases, assignments, powers of attorney, and agreements; also civil and criminal proceedings, 1658-1679. Separate volume indexes of grantors, grantees, and tracts.

Land Records, Baltimore County Court, Superior Court, 1659-1800, 116 vols., HR; 1800-, c. 15,000 vols., CH; 1659-, c. 4,800 reels of microfilm, HR. Deeds, mortgages, releases, leases, assignments, powers of attorney, agreements, rights-of-way, and land commissions. Records of the seventeenth and eighteenth centuries contain bills of sale, chattel mortgages, depositions, manumissions, notices of strays, and cattle marks. Separate indexes of grantors and grantees, 1659-1800, HR; 1800-, CH; 1659-1849, microfilm, HR.

42. *Catalogue of Archival Material*, pp. 44, 49; Reiblich, *Judicial Administration*, p. 46.

the only extant tax records for Baltimore, based on taxable persons in a household, are dated 1737 and 1773 and are to be found among *City Papers*.

Assessment of 1783, Baltimore County, 1783, Maryland Historical Society; photostats and 1 reel of microfilm, HR. Reproduced in *Maryland Tax List, 1783: Baltimore County* (Philadelphia: Rhistoric Publications, 1970). State assessment on real and personal property, as provided by Chapter 6, Acts of November 1782. Card index of names, tracts, and lots, HR.

Assessment Record, Commissioners of the Tax for Baltimore City, Appeal Tax Court, Department of Assessments, 1799-1936, c. 1,750 vols., BCA; 1799-1856, 1936-57, 38 reels of microfilm, BCA; 1813, 3 vols., HR. Assessment of personal and real property. Arranged by ward and precinct.

Federal Direct Tax of 1798, Baltimore City, 1798, 8 vols., Maryland Historical Society, 2 reels of microfilm, HR. Federal assessment on lands, buildings, wharves, and slaves.

Field Book, Appeal Tax Court, 1838-98, c. 490 vols., BCA. Evaluations made by tax assessors in the field.

Tax Sales, City Collector, 1842-1936, 21 vols., BCA. Record of property sold for nonpayment of taxes.

VITAL RECORDS

Vital records refer to births, marriages, and deaths. Marriage licenses, first required in 1777, were issued by the Baltimore County Court until 1851 when the Court of Common Pleas assumed the function. Until 1941 licenses were unnecessary if marriage banns were used. The registration of births and deaths in Baltimore City began in 1875 when the Bureau of Vital Statistics, later renamed the Office of Vital Records, was established under the city Board of Health. Since 1972 the Division of Vital Records of the State Department of Health and Mental Hygiene has recorded births and deaths for the city.⁴⁴

Birth Records, City Bureau of Vital Statistics, City Office of Vital Records, Department of Health and Mental Hygiene, Division of Vital Records, 1875-. Gives date and place of birth, name and sex of the child, and names of parents. Indexed by child.

Death Records, City Bureau of Vital Statistics, City Office of Vital Records, Department of Health and Mental Hygiene, Division of Vital Records, 1875-. Gives date, place and cause of death and name, sex, age, occupation, and residence of the deceased. Index by decedent.

Marriage Licenses, Baltimore County Court, 8 vols., HR; Court of Common Pleas, 1851-65, 1 vol., CH; 1851-65, 1 reel of microfilm, HR. Gives date issued,

44. *Ibid.*, p. 85; Radoff, Skordas, and Jacobsen, *County Courthouses*, pp. 3, 13-14. The address for obtaining birth and death records is Division of Vital Records, 201 West Preston Street, Baltimore, Maryland 21201.