

OUT  
OF  
THE  
PAST

*Prince Georgians  
and  
Their Land*

by

R. LEE VAN HORN

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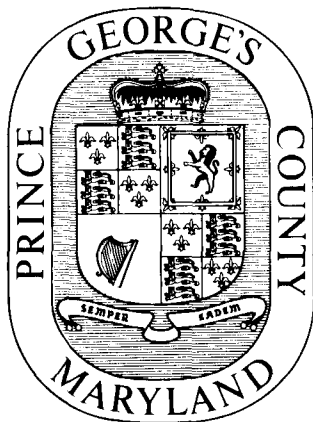
R. LEE VAN HORN

Member, Maryland House of Delegates, 1914-1918

Clerk, Board of Prince George's County Commissioners, 1954-1958

Master for Juvenile Causes, Prince George's County, 1958-1966

Historian, Prince George's County Historical Society



Prince George's County Historical Society  
Riverdale, Maryland

1976

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Prince George's County Historical Society  
Post Office Box 14  
Riverdale, Maryland 20840

Printed by  
Twentieth Century Printing Company  
406 West Redwood Street  
Baltimore, Maryland 21201

## THE PRINCE GEORGE'S COUNTY HISTORICAL SOCIETY, INC.

Frederick S. De Marr, President

The Prince George's County Historical Society, Inc., organized in September of 1952, is dedicated to the concept that the historical background of our County justifies an active organization to record, preserve and protect that illustrious heritage for posterity.

The Society meets regularly to hear distinguished speakers who have researched the County's past. It encourages further research and documentation in appropriate fields. It stimulates projects of historical research, and provides a concerned forum and authoritative voice on matters of county history, past, present or future. Each month the Society sends to all its members a small publication entitled *News and Notes* which contains Society news, programs, announcements of coming events, a list of new members and contributors, a book review, and articles relating to the County's past. An outstanding annual event is the St. George's Day dinner on or about April 23 at which persons or organizations who have made a significant contribution towards the preservation of our County's heritage are recognized.

By the Publications Committee

Mrs. Elizabeth P. Van Horn, Honorary Member

Mrs. Anthony L. Rollo

Mr. Frank F. White, Jr.

Mr. Paul T. Lanham, Chairman



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## R. LEE VAN HORN

By

J. Edwin Hutchinson

*Master for Juvenile Causes, Prince George's County*

Memorial tribute presented at the Circuit Court of Prince George's County by Committee on Memorials, Prince George's County Bar Association, 1973. Amended version reprinted with the permission of Mr. Hutchinson.

Your Honors, at this time I would like to address the Court regarding Mr. R. Lee Van Horn. I am sure that there was no one in this courtroom or in this courthouse that didn't know Mr. Van Horn. He was a long-time resident of Prince George's County. He was born in Washington, D. C. on June 15, 1889. His family moved to Prince George's County and took up residence in the Town of Brentwood. There he attended public schools in Prince George's County and later went on to Emerson Institute. He received his law training at Georgetown Law School in Washington, D. C., received his degree and passed the Maryland Bar in 1911. The same year in which he passed the bar he was elected to a term in the Maryland Legislature.

Mr. Van Horn, while in law school and after graduation from the same, was associated in the law offices of J. Enos Ray, a very prominent attorney in Prince George's County at that time. Mr. Ray was also very active in politics and I think he also was instrumental in getting Mr. Van Horn interested in politics.

On December 29, 1915 Mr. Van Horn married his lovely wife, whose maiden name was Elizabeth Parker, and she came from a family that resided in the town of Beltsville up the boulevard from here quite a distance.

Mr. Van Horn was elected to a second term in the Maryland Legislature in 1915 and shortly after this time he went to work as an attorney for the Pullman Company and was so engaged for a number of years until he retired from that company's employ. He also served two years as Clerk to the Board of



HOME OF R. LEE VAN HORN  
Prospect Hill Road, Glenn Dale, Maryland

County Commissioners for Prince George's County, Maryland, and then retired from that position.

In December of 1958, Mr. Van Horn was appointed by the judges of this court as the first Master for Juvenile Causes in this county. He served with honor and distinction in that position until December 31, 1966 and again he was retired. This time, he told me, he really meant to stay retired and he was going to go to work on his history of Prince George's County. This I know was really a part of him. He loved to talk about it and he was engaged in it for thousands of hours. He spent many days traveling between his home over here in Glenn Dale to Baltimore City, Annapolis, and the Library of Congress in Washington, D. C. He studied all the books and records he could find in any courthouse in the State of Maryland, I believe, and actually went back as far as the seventeenth century in search of facts to report in his history. He once said, "I have read everything and anything that has ever been written by anyone in authority on Maryland history," and I believe that is true.

Mr. Van Horn enjoyed relating stories of some of the incidents he had come upon in his research. One of his favorites was the story of the bombardment of Fort McHenry by the British Fleet in the War of 1812, which we all know was the setting and the inspiration for Francis Scott Key writing our National Anthem. Before his death he had compiled all or nearly all of the information for the publishing of this history of Prince George's County, and the same is now in the process of being published and should be forthcoming in the near future.

Mr. Van Horn died on December 18, 1972 and was buried in the cemetery of the Holy Trinity Episcopal Church in Collington, Maryland. He left his very lovely wife, Mrs. Elizabeth Van Horn, one daughter Mrs. Betty Sharp, two sons Robert P. Van Horn and John M. Van Horn, along with ten grandchildren and two great grandchildren.

I am very pleased to be able to tell you these things about Mr. Van Horn today because, as everybody connected with the Court knows, Mr. Van Horn and I worked together in Juvenile Court for about eight years before he retired and I found him always to be a truly fine Christian gentleman, well thought of by his friends in the legal profession as well as in the political realm, and he was respected by everyone who knew of him because of his honesty, his frankness and his helpfulness to all those with whom he came in contact.

If it please the Court, I move that these remarks be transcribed and placed with the records of this Court and that a copy of the same be mailed to the family of Mr. Van Horn.

*(Concluding remarks by Judge Ralph W. Powers)*

All of the judges are very grateful to the Prince George's County Bar Association and to the members of the Committee on Memorials for

presenting these memorials today and making the arrangements for this ceremony.

We are also very highly pleased to be participating in the perpetuation of a tradition that has gone on in this court for well over a hundred years, and that is that we pause from the usual adversary matters that are taking place in the courtrooms of this courthouse to honor our departed brothers and pay tribute to their memories.

The Court, all of whose members have enjoyed a pleasant personal relationship and a very fine professional relationship with those who have been memorialized today, will direct that the memorials be spread upon the permanent records of this court and that copies be sent to the families of those who are being honored today.

Starting with the most senior one who was memorialized today, Judge Ogle Marbury, there are some of us who had cases with him, against him and before him, and on through the others, Mr. Mallonee, Mr. Cullins and Mr. Van Horn, we all will miss them very much and we are proud of what they have done to maintain the standards of the Bar of Prince George's County.

So Mr. Bailiff, in Honor of our departed brothers you may announce the adjournment of this court.

## INTRODUCTION: JUDGE VAN HORN'S METHODOLOGY

By Frank F. White, Jr.

The passing, on December 18, 1972, of Robert Lee Van Horn, affectionately called by everyone who knew him "The Judge" not only robbed Prince George's County, Maryland, of one of its most distinguished public servants and one of its best-loved citizens, but also of a charming individual who possessed a priceless recollection of all sorts of interesting data about his home county. For some years the Judge had been assembling a mountain of information for a history of Prince George's County, but advancing years together with failing health prevented him from completing his proposed book. He could only complete his narrative to the early summer of 1861. How much richer we would all have been had he been able to write about the period after the Civil War. He was not only an active participant in the bench and bar in his home county for most of the first half of the twentieth century, but he had also compiled a vast assortment of anecdotes and stories during those years, all of which he dearly loved to tell. The publication of all, or at least a small portion of the stories about this later period would have added immeasurably to our knowledge. We shall, however, be eternally in his debt for his collection of the stories contained within this book.

Judge Van Horn had completed a draft of his manuscript prior to his death. While he was still living, he had made some rather inconclusive plans for the publication of his book. For various reasons, however, these plans had failed to materialize. After his death, the project was suspended until Mrs. Van Horn requested the Prince George's County Historical Society to explore the possibilities of some type of publication. In response to her request, Frederick S. DeMarr, the Society's President, appointed a committee to study her proposal and to make a report on the feasibility of the publication of the Judge's manuscript. The committee, which consisted of Paul T. Lanham, Mrs. Anthony L. Rollo, and Frank White, recommended that the Society proceed with publication, and prepared suggestions as to financing, content, illustrations and the





R. LEE AND ELIZABETH P. VAN HORN

like. The Society concurred with the Committee's recommendations and after Mrs. Van Horn had approved, work on the book commenced in earnest.

Except for the necessary grammatical editing, together with the division of the manuscript into chapters and its preparation for printing, Lee Van Horn's book is being published substantially as he wrote it. However, the Committee had added a conclusion and an epilogue. In addition, the book is being further enriched by the addition of a biographical sketch of Lee Van Horn, a discussion of his methodology, numerous illustrations including a montage of Prince George's County Historical Road Markers, a bibliography of books and articles pertaining to the County, a list of the Court Records the Judge used, and a copy of the Martenet Map of 1861 which locates present-day roads. Finally, the book includes an index.

The Committee felt that this book should be Judge Van Horn's. Consequently, the members did not wish to alter it, since to have done so would have made the book the Committee's and not Lee Van Horn's. However, the Committee's additions should make this book increasingly valuable. Unfortunately, however, the Judge had done his research some years previously and, of necessity, his manuscript had been retyped several times. Since the manuscript had not been carefully proofread at the time, numerous errors have crept in. The Committee has attempted to correct many of these, but it did not and could not check every reference, since to have done so would have been a nearly impossible task. The reader, is advised that the manuscript does, indeed, contain numerous errors. The reader is warned of these, and when doubts arise, the finished product should be carefully compared with the original records which are readily available.

Judge Van Horn's legal training is easily apparent in his manuscript. He does not commence his narrative with Chapter 13 of the Acts of the May Session 1695 which created Prince George's County. Instead, he summarized the English legal background which was brought to the shores of the New World by the early settlers of Maryland. He then mentioned the historical background of the County between 1634 and 1695 with reference to events in Calvert, Charles, and St. Mary's counties, all of which had some effect on the early development of the County. He then considered the bench and bar activities, the types of cases presented, the significant events of each session of the governing body of the County and some discussion of road petitions, bridge authorizations, ferry and ordinary licenses, statistics as to offenses, land commissions, and the like.

The Van Horn history had originally begun as a project suggested by the Prince George's County Bar Association. Having rather incomplete records, the Association turned to Judge Van Horn for assistance in locating the names of all the attorneys who had ever been admitted to practice in the County. The Judge agreed to do so, and in order to accomplish this request, he had to study all the court records of the County in some depth. This was a super-

human task, and one which he could complete only the period up to the Civil War.

Judge Van Horn had been interested in the history of Prince George's County since his early manhood. That interest had begun, according to his own recollections, about 1907 when he took a trip to Piscataway and reflected upon the way of life which had changed but little since the area was first settled. The result was that he commenced filling the inevitable tablets of legal-size paper and those countless spiral-bound notebooks which contained all sorts of data about Prince George's County. His lifelong ambition materialized in the early 1960's when he began assembling all his notes and those which he would begin to take for the court records. He also began to read "anything that's ever been written by anybody in authority on Maryland history."

Lee Van Horn was still Master for Juvenile Causes in the County when he commenced his project in earnest. The sympathetic judges of the Circuit Court for Prince George's County relieved him of some of his duties in order to assist him. After he retired officially on December 31, 1966, the County's Information Office requested him to continue his research but to expand its scope. The Board of County Commissioners gave him a small grant to assist.

As Lee Van Horn began to compile his manuscript, one can notice his changes in emphasis. This stemmed partially from the initial incentive produced by the Prince George's County Bar Association's request and then one can note the trend to the adaptation of the manuscript to the County's informational purposes. As one reads the Van Horn history, one can enjoy with the Judge the little tidbits of interesting items which he encountered in his research. There are, for instance, evidences of human interest which he located among the minutes of the Court. One of the Judge's favorite stories dealt with purchases of a county resident at a village store shortly before his death. On every trip, the man quenched his thirst, but along with every bottle, he would buy, for example, a yard of ribbon, a pair of garters, combs, or cheese for his wife. "He never failed to return without a well-thought-out peace offering," commented the Judge. He has also included poems, articles relating to philosophy, unusual happenings, and vital statistics. All these interested him and these will be read and cherished because they were a part of him. The Judge also claimed that our ancestors were no paragons of virtue by any stretch of the imagination. His accounts of a particular session of the Court abound with numerous base born children, the sale of liquor without a license, the breach of the peace and countless other felonies.

The title for this book grew out of the column which Judge Van Horn regularly contributed to the *Prince George's Post* for several years. The column included such items as news appearing in the area's press, data from long out-of-print sources, and extracts from the Acts of the General Assembly. This material was to the Judge, "the material that helps one to understand Maryland's past." We shall always be indebted to him for making all these stories available to us, for very few of us have either the time, the inclination or

the know-how to undertake historical research. Hopefully, the column which is still well-remembered together with this book will serve as a monument to his interest in the County's past and whet some student's appetite for further research into hitherto obscure sources of the County history.

Between 1695 and 1861, the period covered by this book, the Judge made extensive use of general printed but older volumes relating to Maryland history. These included the *Archives of Maryland*, J. Thomas Scharf's three-volume *History of Maryland*, James McSherry's *History of Maryland*, John V. L. McMahon's *An Historical View of the Government of Maryland from its Colonization to the Present*, Newton Mereness' *Maryland as a Proprietary Province*, and many others. He also read quite thoroughly the articles in the *Maryland Historical Magazine* which were of interest to him. He examined the Minutes and Dockets of the County Court, the minutes of the Levy Court, and to a limited degree, the Minutes of the Board of County Commissioners. Finally, he extracted gems of information about Prince George's County from newspapers such as the *Maryland Gazette* and *Maryland Republican*, both of which were published in Annapolis, the *Baltimore Sun*, and the *National Intelligencer*, a Washington, D.C. newspaper. He commented many times while he was examining these papers that had he been living at the time the particular newspaper was published he would have known far more from its contents about all sorts of calamities in all corners of the globe than he would know about events in his home community. Quite possibly, our ancestors knew everything which was happening locally so that the papers had no need to publish those events.

Lee Van Horn made no attempt to study the County's land, probate, and church records for his book. This was not his purpose to have done so. Indeed, these last named sources would have provided additional data unobtainable elsewhere, but that task is now left to some future historian.

One can compare Lee Van Horn to the New England historian Cotton Mather. Both manifested an antiquarian's approach to history rather than that of the scholar's. Like Mather's, Van Horn's book is a collection of data loosely thrown together without much interpretation. Even so, this data offers hints and clues as to where one might look to find sources of information about Prince George's County which might otherwise have escaped his attention. Unfortunately, this book by Lee Van Horn will not be the official history of Prince George's County. In addition, his manuscript would in all likelihood, fail the test of twentieth century scholarship since he has not documented his sources or statements. His work does reflect a Victorian style of writing, a style which is somewhat foreign to us in the last half of the twentieth century. Even so, one can locate his original references with little or no difficulty.

Judge Van Horn's book can be read by genealogists and serious students alike. His bench and bar history of the County Court, in which he included the names of the justices of the County and Levy Courts, the clerk, the sheriff and the foreman of the jury will be of value to both these groups. He also included

the names of the road overseers, those licensed to operate ordinaries and the locality in which each was located, constables, election officials, and those who submitted petitions for land commissions and the relocation of certain roads. All these will be of interest to the legal historian. Of interest, too, are his discussions of welfare and welfare recipients, the grant of pensions, and the role of the governing body of the County in the support of the County's parishes. The last portion of his manuscript included declarations of intent and naturalizations, as well as various testimonials included in the Court's minutes.

This essay has no intentions of being either a eulogistic or a biographical one. Judge Hutchinson has ably provided information about the Judge's life in the *memorial minute* which he presented at the County Bar Association's memorial service. Some reminiscences about the Judge, however, are in order at this point. For many years, Judge Van Horn rode with me to and from Annapolis while he was working on his book. I would meet him at Burton Tidler's store on Defense Highway in Glenn Dale. The Judge was never late. His railroad training had taught him to be punctual. I would usually arrive on the scene just as the Judge and Mr. Tidler were in the midst of some interesting story. This story would always be so interesting that I was reluctant to leave for Annapolis until it had been completed even though the Judge feared we would be late and not find a parking place. Usually during those trips back and forth to Annapolis, we would invariably discuss the progress of this book, attempt to solve any problems which had arisen, and to locate some additional information about something which was of great interest to him. It was this association which enabled me to be most familiar with the Judge's method of operation and caused me to be the only one who could have written this methodology essay.

I learned a great deal about the Judge during these trips back and forth to Annapolis. Many of these biographical facts were not included by Judge Hutchinson in his memorial minute. Lee Van Horn was active in politics, in the affairs of the Democratic Party and its State Central Committee, and a close political friend and associate of the late Congressman Lansdale G. Sasser and numerous other politicians. While he was the Clerk to the Board of County Commissioners, he was instrumental in assisting in the development of the County's library system. He was also a member of the Lions Club, a fifty-year Mason, a director in several building and loan associations, a devout member of Holy Trinity Church, and for many years the Chairman of the County Bar Association's Committee on Memorials. The Prince George's County Historical Society of which he was a faithful and loyal member, recognized his avocation by electing him as its Historian, a position which he held until his death. It is in his memory that the Society is making Judge Van Horn's book available.

I had on several occasions asked the Judge about his ancestry and whether or not he was related to the Gabriel P. Van Horn of Vansville Election District.

Unfortunately, he had never been able to prove such relationship. He did state, however, that his father Robert A. Van Horn had been born in Anne Arundel County in 1861, but he had grown up in the Lanham area. The Judge's mother was Annie James Dodd. Because of his parents great admiration for the great Confederate general Robert E. Lee, the Judge was named for him.

The Judge had many friends especially in his later years while he was working on his book. Our progress from our parking area to the Hall of Records along College Avenue in Annapolis always assumed the proportions of a triumphal procession. He always had to stop and exchange a few pleasantries with all he met. The Judge loved animals and no trip was complete without some notice of a dog or a cat. Luncheon at the Royal Restaurant in Annapolis was always a noteworthy event. I can't forget how the waitresses helped him to celebrate his eightieth birthday by treating him to champagne, a birthday cake and kisses on the top of his bald head!

Over the years and since the Judge's passing, I have sincerely regretted that I had not known the Judge until late in his life. I regret, too, that I had never purchased a tape recorder while Lee Van Horn was still alive. During those trips to and from Annapolis had I been able to have recorded our conversations and his reminiscences, I would have had more than enough information to have written his second volume of the history of Prince George's County for him.

I conclude this essay on Judge Van Horn's methodology with a tribute from a man who had never met him until 1967. My colleague, Gilbert W. Roberts, a retired member of the staff of Hall of Records, wrote to me on June 4, 1975, his recollections of Judge Van Horn:

"There are comparatively few people whom one remembers always in a pleasant context. In my memory Judge Van Horn stands out in this respect. To be sure, our paths crossed only after he had retired, when the principal contests of life are hopefully past and one can look at the world somewhat more philosophically than previously. At any rate, there he would be, seated always in the same corner of the Search Room of the Maryland Hall of Records in Annapolis, behind a table piled high with the big tomes which contained the information for his research project. That the material was sometimes less than inspirational was attested to by Judge Van Horn's nodding head just before lunch time or late in the afternoon. Whenever he discovered an amusing item or some information of unusual interest he liked nothing better than to share it, summoning one of us to his table with a gesture and a sly smile, thus relieving the tedium of our day as well as of his.

"When no item of interest from his current research warranted a break in the monotony, 'The Judge' would recount some anecdote based upon earlier research or upon his fascinating experiences. I recall vividly one item which he passed on to me and which was the fruit of one of his earlier studies. Briefly, he had checked available statistics covering a period of over two hundred years and determined that the Annapolis area was one of the areas of the world least

susceptible to serious damage from such natural disasters as floods, windstorms and earthquakes! (He offered this bit of solace at a time when I had occasion to comment adversely on the Annapolis climate!)

“However, my fondest recollections of Judge Van Horn undoubtedly revolve about the memory of him seated in the Royal Restaurant on West Street in Annapolis reminiscing about his priceless and unique experiences gained as an official of the Pullman Car Company during the heyday of rail-roading. I shall always remember him as a true gentleman, dedicated, kindly and fun-loving who liked nothing more than to share his rich life with his fellow beings.”

For the convenience of researchers, I am including several appendices to this essay. The first is a bibliography of writings on Prince George’s County, nearly all of which Judge Van Horn had examined. I have also included a list of the articles which appeared in the *Maryland Historical Magazine* which related directly to the County. I realize that both of these lists may well be incomplete, but at least these are now available in one location for others to use to good advantage. Finally, I have prepared a checklist of the volumes of Prince George’s County Court Proceedings, Dockets and Minutes at the Hall of Records in Annapolis from which Lee Van Horn extracted his information. By the use of the checklist, the researcher can turn quickly to the proper volume of the Court Records and can check the source of the Judge’s statements very easily.

Many people have contributed to this book. The County Attorney’s Office in Prince George’s County has given permission to use the County’s Seal. William T. Pyles, Jr. contributed the photographs of the Prince George’s County Historical Road Markers with the key. Margaret and Charles Cook have contributed their vast knowledge of the County to the preparation of the overlay to the Simon J. Martenet Map of Prince George’s County originally compiled in 1861 and which locates present day roads. Frederick S. De Marr, the President of the Prince George’s County Historical Society and the members of the Van Horn Book Publication Committee, including Mrs. Van Horn have all played a most active role in this project. The Prince George’s County Historical and Cultural Trust, the present custodians of “The Planter’s Banner” allowed this to be photographed by the University of Maryland. Undoubtedly, we have forgotten someone, but the Committee is grateful to all who assisted in making Judge Van Horn’s research available and making the manuscript to be more meaningful to the older residents and newcomers to Prince George’s County alike.

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‘‘However, my fondest recollections of Judge Van Horn undoubtedly revolve about the memory of him seated in the Royal Restaurant on West Street in Annapolis reminiscing about his priceless and unique experiences gained as an official of the Pullman Car Company during the heyday of railroading. I shall always remember him as a true gentleman, dedicated, kindly and fun-loving who liked nothing more than to share his rich life with his fellow beings.’’

For the convenience of researchers, I am including several appendices to this essay. The first is a bibliography of writings on Prince George’s County, nearly all of which Judge Van Horn had examined. I have also included a list of the articles which appeared in the *Maryland Historical Magazine* which related directly to the County. I realize that both of these lists may well be incomplete, but at least these are now available in one location for others to use to good advantage. Finally, I have prepared a checklist of the volumes of Prince George’s County Court Proceedings, Dockets and Minutes at the Hall of Records in Annapolis from which Lee Van Horn extracted his information. By the use of the checklist, the researcher can turn quickly to the proper volume of the Court Records and can check the source of the Judge’s statements very easily.

Many people have contributed to this book. The County Attorney’s Office in Prince George’s County has given permission to use the County’s Seal. William T. Pyles, Jr. contributed the photographs of the Prince George’s County Historical Road Markers with the key. Margaret and Charles Cook have contributed their vast knowledge of the County to the preparation of the overlay to the Simon J. Martenet Map of Prince George’s County originally compiled in 1861 and which locates present day roads. Frederick S. De Marr, the President of the Prince George’s County Historical Society and the members of the Van Horn Book Publication Committee, including Mrs. Van Horn have all played a most active role in this project. The Prince George’s County Historical and Cultural Trust, the present custodians of ‘‘The Planter’s Banner’’ allowed this to be photographed by the University of Maryland. Undoubtedly, we have forgotten someone, but the Committee is grateful to all who assisted in making Judge Van Horn’s research available and making the manuscript to be more meaningful to the older residents and newcomers to Prince George’s County alike.

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		[See Land Records Liber C]	
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## CHAPTER I

### MARYLAND'S BRITISH BACKGROUND

The State of Maryland, with its varied forms of industry, its commerce with all the peoples of the earth, its farms, its orchards, its cities and its people, was, some 330 odd years ago, a scant colony of some 200 people living in a wilderness with only savages as neighbors.

We Marylanders have every reason to be proud of the history written by our people as they came down through those years to our time. Men and women have a strong force in their natures that pulls their interests backward to the beginning of the path along which those ahead of them in time have traveled. The house in which each of us was born, the very cradle in which each of us was rocked, and the ground over which we romped—all bring to us rich recollections of the past. In the presence of those memories, we stand to receive instruction and pleasure. Many other experiences have faded from our lives under the incessant assault of time, but those that I have just mentioned will always “flourish in eternal green.” And then too, if our lives have been records of improvement of intellect, of expanding virtue and honor, our contemplation of those beginnings brings to us a giant’s strength to help in removing the rough places and make green the bare spots along that path we shall walk in the evening of life. If this is true of peoples, why should it not also be true of nations and states?

The cradle of their beginnings, the scenes of their early struggles with hostile men and a begrudging nature, the scenes of their early enterprises, and all the history of their advancement to their present way of life—all bring memories filled with pleasure and instruction for us.

Carl Sandburg has so aptly said, “when a people of a state lose interest in their hard beginnings, decay sets in.”

I have always been interested in history and eager to listen as my elder contemporaries related in vivid detail happenings in which they had a part as far back in time as the Mexican War. The battles of the Civil War and incidents

associated with that conflict were told to me by neighbors who had fought on both sides. In the month of June, in the year 1907, during one of those mellow days that come along in this time of the year when nature has all atmospheric forces in perfect harmony, “-and all the air a solemn stillness holds”, I was so fortunate as to make a journey to the ancient village of Piscataway. That trip was made in an early Ford automobile, and, both going and returning, I passed very few automobiles but many ox-teams moving with the same rate of speed as did the Maryland colonists on their trips to and from St. Mary’s City many years ago. I traveled over country roads through a countryside of green meadows, patches of land prepared for cultivation, orchards, and gardens. The houses were mellow, homey, and gave evidence that there had been a great deal of living in them since the original occupants had been established in them some generations before.

Oh, Piscataway! In 1907, how rich you were in the lore of Maryland’s past! There was an historical story standing in every doorway, and if the portraits hanging on the walls of those homes might have spoken, what interesting stories they could have told about the people and the happenings in an earlier Maryland. Leaving this ancient village, I drove to the edge of a primal forest where I stopped to reflect. I meditated upon the people that had met the problems in their time and solved them and in so doing had laid the foundation of the State of Maryland. In the quiet of the place, I imagined I heard the voices of Fathers White and Altham admonishing the Indians to be attentive while they were told about the Lord Jesus Christ.

From that day in 1907 to this, the history of Maryland and the history of Prince George’s County have been of much interest to me. I have read the works of many historians, I have searched the Land, Probate, Court, Church, and Marriage records from the beginning of the county for information. I have read the newspapers published in the County and the State at the time when the events in which I was interested occurred. I have visited the ancient places that had been the center of interest in an earlier day and around which now cling memories of one, two, even three hundred years.

It is now my purpose to tell the story of Prince George’s County, Maryland, and it is my hope to tell it in such a manner as to arouse and hold the interest of the reader. This will be the story of those people who have gone ahead of us in time and left us such a rich heritage. When I began to consider the writing of a history of Prince George’s County, the extent and the problems of such an undertaking did not impress me with their vastness. It was my thinking that I should go backwards in time to Chapter 13 of the Acts of the Provincial Assembly of 1695, which was passed May 22, 1695, and here find a beginning for my story as this was the legislative enactment that established Prince George’s County.

One of the provisions of Chapter 13 of the Acts of the 1695 was that the new county was not to function as a unit of government until St. George’s Day, April 23, 1696. Those people who became citizens of Prince George’s

County on the day designated had been the day before citizens of Charles and Calvert Counties, and a few years earlier, citizens of St. Mary's County. Possibly some of them had been members of the original band of settlers that landed on St. Clement's Island on March 25, 1634, just sixty-two years before, and had been a part of all that had been done during those years.

So the beginning was not to be found in the Act of the Provincial Assembly which erected Prince George's County. No, it was much more ancient. So let us take another step backward. This is what I did, going back to the original Charter granted to Lord Baltimore by the English King, Charles I, on June 20, 1632. After further study, I realized that even here I had not discovered the headwaters of Maryland's and Prince George's County's beginnings. For in Section Four of that Chapter, I read: "All rights, jurisdictions, privileges, prerogatives, loyalties, liberties, immunities, and royal rights and temporal franchises whatsoever as well as by sea as by land within the region, island, islets and limits aforesaid to be had, exercised, used, and enjoyed as any Bishop of Durham within the Bishopric or County Palatine of Durham in our Kingdom of England ever heretofore hath had, held, used, or enjoyed or of right could or ought to have, held, used or enjoyed."

What was this Palatinate as an instrument of government? We are told that it was a crown fief whose lords were regal, inferior only to the King. Charlemagne was the first head of State to make use of this division of authority, and he and other Frankish Kings erected those units of administration in their empires to protect their far flung wild frontiers. The idea of the Palatinate was brought to England by William the Conqueror, and the county of Durham became a bishopric and Palatine along the border of Scotland and England. The Cathedral of Durham has been referred to many times as "Half Church and half fortress against the Scot."

At this point in our story, let us pause for some thought and determine what it is we are seeking. Is it not the moral force, the motive, the hope that prompted a few hundred men and women to sail the wild Atlantic in the winter season to establish new homes in a wilderness, hoping that freedom of conscience and political freedom might find the right climate in which to thrive?

Freedom, liberty, and the dignity of man are the slow growth of the ages and have always found a place for lodgement in the hearts and minds of the English people. From the most remote centuries, the blood of their martyrs has nurtured and watered their development.

This effort on my part is intended to be an account of the history of Prince George's County. But, in my search for the beginnings of this great county, I cannot resist taking a few minutes of the reader's time to pass on the results of my research in the history of human liberty and human dignity.

Let us go to England, for it is there on that little piece of land on the rim of the Arctic Circle with its hills, valleys, fens, bogs, and rivers when it was

inhabited by tribes of barbarous people in the pre-dawn of English history that we find the beginning. This land became known to the daring mariners, the Northmen, who came to its coasts to traffic with the natives in tin, wool, lumber, skins, lead, and a breed of hunting dogs that the Celts made use of in war. Through contact with these sea rovers, who believed that action and adventure gave great pleasure, they developed a sense of adventure and sailed the uncharted seas with abandon. It was in that wild land among those wild people that to be born free was to be a way of life.

Through this trading contact, Britain became known to the Roman Empire. During the Consulship of Pompey, Julius Caesar landed upon the shores of Britain with his legions. The little island in the seas became a province of the Roman Empire. In the last rays of the setting Roman sun, those invaders helped to fashion that England which was eventually to come forth a part of European civilization.

The Roman Legions made two more invasions of Britain: the one, was under the Emperor Claudius while the other was under Septimius Severus. Septimius Severus landed upon the shores of Britain in the year 208, with the imperial family and the entire Roman Court and, at once, an attempt was made to subjugate the whole island. At the time the Emperor was suffering with the gout to such an extent that riding was out of the question, and it was necessary that he be carried from place to place on a litter. His health continued to fail; and in the city of York, in the winter of the year 211, he died.

After the death of Septimius Severus, England became a melting pot for wild races of men fighting to rub off the edges of their barbarism, that all segments of their wild natures might fit together in unity of purpose. This was a most difficult undertaking, and that fighting and bleeding kept on until the year 449.

During this year there appeared, off the shores of the island of Thanet, long black boats navigated and manned by tall, strong, light haired men whose language did not contain the word 'fear'. Their leaders were Hengest and Horsa. Their God was Woden, and their prayer to him was: "Oh Woden, spare me a cow's death on a bed of straw; let me die in the heat of battle where the fighting is the fiercest."

These men came from the forests along the bleak shores of the North Sea, where they had been born free, as free as the wild beasts in their forests. Culture and comfort were unknown to them. They came to the island of Britain, bringing with them the amalgam that was eventually to form the base upon which all the wild tribes of Britain might become one people, and that people was to become the English race.

It is my purpose to review hurriedly and very briefly the next twelve hundred years; that is those years that passed between the landing of Hengest and Horsa on the gravel spit at Ebbsfleet until the sailing of the Maryland colonists. For a century after their landing, the Anglo-Saxons (Germanic stock) were known to the tribes on Britain as barbarians, wolves, dogs, and

whelps from the kennels of barbarism. It is worthy to take note that the new England was the only German nation that rose upon the wreck of Rome. In the countries of Spain, Gaul, and Italy, equally conquered by German peoples, religion, social life, and administrative order still remained Roman. In Britain alone, Rome died in the vague tradition of the past.

One hundred and forty-eight years after the conquest by the Germanic tribes, in the year 449, Saint Augustine, with his band of monks, landed upon the same gravel spit upon which Hengest and Horsa had landed. When Augustine came, there were few Christians in Britain. However, these men came teaching a doctrine that was to have more influence and effect, create more change in the lives of the people of the island of Britain than all the navies that ever sailed, all the armies that ever marched, and all the kings that ever ruled.

Come with me now to the late ninth century. We will skip over a few centuries of turbulence and anarchy to the time when we discover Alfred, the greatest of Saxon kings, sitting in the green fields of Winchester, with the blackened fields of Northumbria, Mercia, and Wessex around him. The memories of his own gaunt and hunted years haunt him while he translates the writings of the Roman philosopher, Boethius, from the Latin into his own Anglo-Saxon tongue.

Boethius had suffered at the hands of tyrants, had been condemned by courts of mockery and cast into prison, four hundred years before the time we discover Alfred translating his writings. While in the dank surroundings of a Roman prison, Boethius had written down his thoughts, which had dispelled the darkness of his surroundings and filled his mind with the light of eternal truth. This is what we discover Alfred reading:

“O maker of the starry world  
Who resting on thy everlasting throne  
Guidest all things their certain goal  
Yes, all but the ways of man:  
Keep them in check Thou wilt not.  
O Ruler of the world, Thou hast spat them out  
Why should the noxious consequences of sin  
Take hold upon the sinless?  
The pervert sits enthroned  
And Ruffians set their heels on the necks of Saints.”

Here was the fresh coal from the altar that Alfred was seeking; a coal from the altar that Isaiah had seen centuries before. With this fire of truth, Alfred aroused his people and drove Hastings and his Danish hordes from the British Isles, and England took another step forward in the direction of the Parliament of Man.



May we move on rapidly over the next three hundred years during which England suffered other invasions, the one from the Danes under Canute, and another from Normandy under William the Conqueror.

Let us stop for a few moments at the field of Runnymede. The time is June 15, 1215. What is happening there? King John and twenty-five barons, one of whom is Stephen Langton, Archbishop of Canterbury, have just affixed their seals to a document. It is the Magna Carta, or Great Charter, and it is no exaggeration to say that this document marked the greatest political epoch in the history of the human race.

Let us look back reverently through the centuries to this source of our constitutional law and to the days when our ancestors were laying the foundations of our civil liberty and political justice.

The first and foremost among the cardinal principles of Magna Carta was the idea that the individual man has natural rights against the government. The first chapter of the Magna Carta provided that the English Church should be free from interference on the part of the Crown, and that her rights should be entire and her liberties inviolable. Here we find the idea of the separation of Church and State.

Chapter 36 provided that the writ of inquisition should be freely granted and never denied, that to no one will we sell, to no one will we refuse or delay right or justice.

Chapter 39, the most famous, most important, and farthest reaching of the Great Charter provided that no freeman shall be taken or imprisoned or disseized or exiled or in any way destroyed unless he be immediately sent before a court of his peers for trial.

King John granted to the freemen of the kingdom "All the underwritten liberties to be had and held by them and their heirs of us and our heirs forever."

That ceremony must emphasize the great truth that everything which has power to win obedience and respect of men must have its roots deep in the past, and the more slowly institutions have grown, the more enduring they are likely to prove; and this meeting of Englishmen held on that June day, in 1215, in the field at Runnymede, served to perpetuate the fundamental principles of the liberties of Englishmen that were becoming hidden beneath the ruins of past centuries.

A speaker before the New York Constitutional Convention in session on June 16, 1915, in Albany, New York, had this to say: "Two hundred and eighteen years ago the royal governor of the Colony of New York told the legislature of the Colony: 'There are none of you but is big with the privileges of Magna Carta.' And Mr. President can it not be said with equal force and pride that there are not any Americans but are big with the privileges of Magna Carta. Long may that continue to be true: To provide that the spirit of

these privileges shall endure forever ; so long as it lies in human power it is the highest and noblest duty of every American Constitutional Convention.”

In the year 1396 we see the British Parliament declaring and enacting into law, with the consent of the then king of Great Britain, that the Great Charter of Liberties should be holden and kept in all points and if any statute be made to the contrary that it shall be holden to none.

Let us now pause in our search and take note that John Cabot, in the year 1497, discovered the North American continent and claimed it in the name of the British Crown. This event turned the minds of the men of Europe to this new discovery, and they began to build their hopes on the soil of that new land.

During the sixteenth century, several attempts were made by the English to colonize America, all of which came to naught.

With the dawn of the seventeenth century ominous clouds of strife gathered over England, and that little island became the scene of intense, bloody, cruel civil war and religious strife. Open warfare broke out between the Protestants and the Catholics. This strife began with the Reformation and the smoldering ashes were fanned into a flame of terrifying proportions in England in 1531 when Henry VIII and his Parliament rejected the claims of the Roman Catholic Church to jurisdiction over the English Church, and this conflict was not completely settled until the accession of William and Mary to the British throne in the year 1689.

During those trying years, the courage and love of freedom, natural to the English Commoners was maintained and preserved for future generations.

Henry VIII died in the year 1547. After a short reign by his son, Edward VI, whose mother was Jane Seymour, and another short reign by Mary Tudor, his daughter by Catherine of Aragon, Elizabeth, his daughter by Ann Boleyn, became Queen of England, in 1558. During the reign of Elizabeth, a reign of forty-five years, England was seeking a firm basis upon which to move forward. Religious and civil shackles were loosened somewhat; however, oppressive institutions made life a difficult experience for many. The arm of the civil power was there to repress the spirit of free inquiry and to trample in the dust the rights of conscience.

In a brief manner I have attempted to sketch the beginnings of Maryland; and I believe I have found the source in the growth of man's spirit to be free. It had its beginnings in the midst of baronical turbulence and anarchy that covered the face of England in the Middle Ages, when men died by the thousands in fratricidal strife.

We are now approaching one of the great years in history, the year 1603. A study of history discloses that ever so often, in the course of time, when the passions of men burst forth in their greatest intensity, having been fanned by the gales of personal interests, there arises in the center of the tempest, some

high land upon which men of good will may meet to seek a common understanding. Such a place in history was the year 1603.

On March 21, 1603, Elizabeth, Queen of England was confined to her bed. The next day, she named James VI of Scotland, the son of Mary, Queen of Scots, as her successor. Two days later, on March 24th, Queen Bess passed from this life.

#### 1603-1634

A religious war that had begun in Europe in 1546, and was still raging at the time James came to England, was destined to continue until the peace of Westphalia in 1648. Upon Elizabeth's death, the bigoted Catholics and the bigoted Protestants engaged in battle. That condition had been smoldering under the surface for years but had been held in check by the strong influence of an able Queen.

James Stuart left his native Scotland; and, traveling in a huge ornate coach, he came lumbering through the English countryside. The route of the trip was lined with his future subjects, and they became amazed with his appearance, that was so different from their ideas of kings as exemplified by the Tudors and their Courts. However, James, with his big head, his rickety legs, his goggle eyes, his want of personal dignity, his drunkenness, and his cowardice, was under it all a man of much natural ability and a ripe scholar. He had now come to London to occupy the throne of the ancient Saxon Kings, the Plantagenets and the Tudors.

James, having been raised in the Church of Scotland, gave hope to the Puritans. The services of the Church of England attracted him, and he seemed favorable to the Catholic princes. However, on February 22, 1604, James ordered all Catholic priests to be out of the realm by March 19th next or suffer a fine of twenty pounds per luna month. This method of levy made it possible to collect the penalty for thirteen months each year.

Bartholomew Gosnell had sailed along the coast of North America in the year 1602; and when he returned to England, he met John Smith, fresh from other adventures. The two of them urged the settlement of colonies on that part of the North American continent between the thirty-fourth and forty-fifth parallels. England was interested in the suggestions of those two men, for the eyes of the people were turned toward the West.

After the destruction of the invincible Spanish Armada by the British Navy with the aid of storms, in 1588, Drake, Frobisher, and Hawkyins cleared the seas of Spanish naval power, and British ships were going to the uttermost parts of the earth. The minds of men were stirred by the current tales of adventure, and their imaginations were stimulated by the magic of commerce. They began to plan to tap the untouched riches that awaited them in the land across the sea.

King James, being the scholar that he was, also became interested in what Gosnell and Smith were advocating; and, on April 10, 1606, he issued letters

patents to Sir Thomas Gates, Sir George Somers, Richard Hakluyt, and their associates, granting to them territory in America between the thirty-fourth and forty-fifth parallels with all the islands situated within one hundred miles from shore.

The London Company, comprised of fifty earls and barons, three hundred and fifty knights, six hundred gentlemen and merchants of the primest rank, became incorporated and was named in the original letters patent and became known as the Virginia Company. The adventurers that were being sent out were to settle on the North American continent between the thirty-fourth and forty-first parallels. A second company was also organized to be known as the Plymouth and Exeter Company. On December 19, 1606, the Virginia Company set sail in three ships with one hundred and five colonists aboard, destined for Roanoke, the scene of Raleigh's failure, but a storm drove them off course, and on April 26, 1607, they entered the Chesapeake Bay. A short time later they settled at Jamestown, one hundred and ten years after Cabot had discovered the North American continent.

In the year 1609, a new charter was granted to the Virginia Company. It granted rights and title to the territory north and south from Cape Comfort for a distance of two hundred miles in each direction. This charter was to replace the charter granted in 1606. Two years later, in the year 1611, another charter was granted to the Treasurer of the Company of Adventures of the City of London for the colony in Virginia, this to replace the charter granted in 1609. In 1623, Quo Warranto proceedings were instituted to revoke all charters, and the colony at Jamestown became a royal province under the supervision of a governor named by the King and sent out from England.

I cite these facts about the Virginia Colony as they form the basis of the controversy between Maryland and Virginia as to the legality of the Maryland Charter. These facts also were the basis upon which Claiborne contested with Lord Baltimore for the legal title to Kent Island.

When James I arrived in London in the year 1603, he brought with him the doctrine of the divine right of Kings. This theory of government was not to be accepted by his new subjects. Three hundred and eighty-eight years earlier, at Runnymede, Englishmen had executed the Magna Charta. Its terms invested all Englishmen with certain rights that were never to be denied them in the years ahead. They had grown big by virtue of those rights and were not disposed to suffer the loss of any of them to James.

James, by his order against the Catholics, was collecting thirty-six thousand pounds per year from the lay Catholics. In the year 1616, four thousand Catholics were granted freedom; and, in the year 1620, relaxation of the laws against Catholics was promised by James. This resulted in the persecution of Catholics by Puritans, Independents, and churchmen of other Protestant denominations.

In the early years of the seventeenth century, during the religious troubles of that time, there came to London an able young man who became attached to

the government and who was to play an important part in the settlement of the Maryland Colony. His name was George Calvert.

George Calvert was a worthy scion of a noble family in Flanders. He was born at Kipling, in Yorkshire, England, in the year 1580. His father was Leonard Calvert, and his mother, Alicia Crossland Calvert.

George's boyhood was spent amid some of the most stirring scenes of English history, and his imagination was set on fire with the stories told him about those daring sailors who sailed the Spanish Main with Drake.

George entered Trinity College at Oxford, and the degree of Bachelor of Arts was conferred on him in the year 1597. After graduation he traveled in Europe for a year, and upon his return to London he became Secretary to Sir Robert Cecil, one of Queen Elizabeth's ablest advisors. George Calvert married Ann, daughter of George Wynne of Hertfordshire on November 22, 1604. Ann died in the year 1622; and he later married Joan, whose surname no searcher, historian, or scholar has ever been able to discover.

Through the influence of Cecil, in the year 1619, he became one of the Secretaries of State, having had the honor of knighthood bestowed upon him in the year 1617.

In the House of Commons in the year 1620, he represented Yorkshire, and later he was chosen to represent Oxford University. As a member of the Commons, he always protected the interests of the King, and James did not fail to show his thanks for that loyalty.

On April 7, 1623, James granted George Calvert a charter to settle Avalon, situated in Newfoundland. This he surrendered two years later. The long bitter cold winters and the unfriendly soil made it unsuitable for the establishment of a permanent colony.

In 1624, George Calvert became a convert to the Roman Catholic religion, after which he presented his resignation to the King. Reluctantly, James accepted his resignation, but kept him as a member of his Privy Council for life, and soon after made him Lord Baltimore of Baltimore, in Ireland.

King James died on March 27, 1625, and was succeeded by his son Charles I. Charles had the same admiration for George Calvert as entertained by his father. Charles I was a firm advocate of the doctrine of the divine right of Kings, and, in 1629, he dissolved his third parliament and set out as absolute monarch for a period of eleven years. That aggravated the disturbed relations between the people and their king.

In the year 1629, George Calvert sailed to Virginia with the intention of settling in that colony, or more probably, to explore the uninhabited country surrounding it. He arrived at Jamestown on October 1, 1629, and was immediately tendered the oaths of allegiance and supremacy to which he refused to subscribe. He then set out to explore the Chesapeake Bay country and was pleased with the beautiful, well-watered and well-wooded country.

Returning to Jamestown, he arranged with the government of the Virginia Colony for his family to remain temporarily with the Virginians while he returned to England. Sometime later, George Calvert sent for his wife and children. On that return trip, the ship was lost and all aboard perished. Calvert lost a quantity of silver and gold plate which gave some support to the statement of historians that he had planned to settle in Virginia if those in that colony had been agreeable.

After George Calvert's return to England, he sought a new charter for the territory around the Chesapeake Bay between the thirty-fourth and forty-fifth parallels. This suggestion had been looked upon with favor by King James I, and Calvert soon received favorable consideration from Charles I.

It is believed that Charles instructed George Calvert to write his own charter, and that he did, omitting only the name of the colony. Charles suggested that the Queen's name be used as the name of the new land to which Calvert agreed; and Charles then wrote into the charter, "Terra Maria" or Mary's Land. Thus the new colony was named in honor of the Queen Henrietta Maria, daughter of Henry IV, King of France and sister of Louis XIII, also King of France.

Before the formalities attached to such a document had been completed and the Charter processed through the Great Seal, George Calvert died on April 15, 1632, at the age of fifty-two. He was buried in the Chancel of St. Dunstan's Church, situated in Fleet Street, London.

Caecilius Calvert, "treading in the steps of his father," was presented the charter for "Mary's Land" on June 20, 1632. Caecilius, the new Lord Baltimore, had married Ann Arundel, daughter of Thomas Earl Arundel, a Catholic nobleman.

*Among the provisions of the Maryland Charter, the following rights were granted by Charles and his successors to Caecilius Calvert and his heirs:*

1. All the land and waters and islands within ten marine leagues of the shore with mines and fisheries;
2. The authority to make all laws not impairing life, limb or property with the assent of the freeman;
3. To erect towns, to make ports of entry and departure and to pardon offenses;
4. To erect and found Churches and Chapels and have them consecrated according to the ecclesiastical laws of England; and have the patronage and advowsons thereof;
5. To call out and arm the whole population, to wage war, and to exercise martial law in case of insurrection;
6. To sell or rent land, and to levy duties and tolls on ships and merchandise.

Under the Maryland Charter, the adventurers were to remain English subjects, and they could inherit, purchase, and possess land in England. They

were also free to visit and trade in English ports and had the right to trade with Holland; rights which the Virginia colonists did not have.

The Charter for Maryland was fashioned after the Charter for Avalon with the exception that Avalon was held in knight's service and the Maryland Charter in free and common socage.

## CHAPTER 2

# COLONIAL MARYLAND

Cecil Calvert invested 40,000 pounds in the first trip to Maryland, furnishing and equipping two ships for the venture; one, the *Ark*, a ship of 300 tons; and the second, a pinnace, the *Dove* of 50 tons. The exact number of those on board has never been established. Letters of Cecil Calvert tell us that his two brothers, twenty other gentlemen of good fashion, and three hundred laboring men made up the party.

The company had planned to sail in September, in the year 1633, but difficulties delayed the sailing until 10 A.M., on November 22, 1633, from Cowes, England.

Lord Baltimore was most anxious that there should be no differences between the Catholics and the Protestants on the trip to America, and on the 13th day of November, 1633, he issued instructions to Leonard Calvert, Jerome Hawley, and Thomas Cornwallis as follows:

“His Lordship requires his said Governor and Commissioners that in their voyage to Maryland that they be very careful to preserve unity and peace amongst all the passengers on shipp-board, and that they suffer no scandall nor offence to be given to any of the Protestants, whereby any just complaint may hereafter be made by them in Virginia or in England, and for that end they cause all acts of the Romane Catholique Religion to be done as privately as maybe, and that they instruct all Roman Catholiques to be silent upon all occasions of discourse concerning matters of Religion: and that the said Governor and Commissioners treat the Protestants with as much mildness and favor as justice will permit. And this to be observed at land as well as at sea.”<sup>1</sup>

After the granting of the charter, Cecil Calvert began to seek adventurers willing to leave their homes and cross the sea and settle in Maryland, and in the year 1633, he had this to say about the new country: “There are various notable rivers. The chief of these they call the Attawomech (Potomac) a navigable river running eastward one hundred and forty miles, where there is

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<sup>1</sup> C. C. Hall—*Narratives of Early Maryland*, (New York, 1910), p. 16.



such a lucrative trade with the Indians that a certain merchant in the last year exported beaver skins to the value of 40,000 gold crown and the profit of the traffic is estimated at thirty fold.

“There are a great many hickory trees and oaks so straight and tall that beams sixty foot long and two and one-half feet wide can be made of them. The cypress trees also grow to a height of eighty feet before they have any branches and three men with arms extended can barely reach around their trunks.

“The nearest woods are full of horses and wild bulls and cows. Five or six hundred thousand of the skins of these animals are carried every year to Seville from that part of the Country which lies westward towards New Mexico.”

The story of the trip to Maryland as told by Father Andrew White, on board the *Ark* with the pilgrims in his report to the Society of Jesus in Rome, is the best account that has been found and I am going to give my readers a somewhat abridged account of it: This I have taken from C. C. Hall's *Narratives of Early Maryland*, beginning on page 29:

“On St. Cecilia's day, the 22 of November, 1633, with a gentle Northerne gale we set saile from the Cowes about 10 in the morning toward the needles, being rockes at the south end of Ile of Wight, till by default of winde we were forced to ankour at Yarmouth. . . . This was the 23rd of Novemb: on St. Clements day. . . .

All this Saturday and night following the winde served us so well that next day by 9 of Clocke we got beyond the westerne Cape of England, and so steered along not soe strongly as wee might because of our pinnance slow saileinge, whome we feared to leave behind, for fear she might meet with Turkes or some other pirates though we see none. By this meanes a faire shippe of London overtooke us of some 6000 tunne. Here we had a greate recreation to see that ship and ours runne for the fame with all the cloath they could make, an howers space with fair winde and weather, and pleasant sound of trumpetts, but ours gave the other a topsaile and yet held with her. This done we stroke one course of our sailes, and staid for our pinnance, which was farre short of us, and the *Draggon* for so she was called, runne from us out of sight that evening.

“Soe all Sunday and Monday 24th and 25th of Novemb: we sailed afore the winde till night, when the wind changed to Northwest so violent and tempestuous, as the *Dragon* was forced back to ffamouth, not able to keep the sea, being yet not to goe southwest but right south to Angola, and our pinnance mistrusting her strength came up to us to tell that is shee were in distresse shee would show two lights in her shroodes. Our Master was a very sufficient seaman, and shipp as strong as could be made of oake and iron, 400 tunne, Kingbuilt: making faire weather in great stormes. Now the master had his choise, whether he would return England as the *Draggon* did, or sail so close up to the winde, as if he should not hold it he must necessarily fall upon the Irish shoare, so enfamous for rockes of greatest danger: of these two, out

of a certaine hardinesse and desire to trie the goodnesse of his shipp, in which he had never beene at Sea afore, he resolved to keep the sea, with great danger, wanting Searoome. The winde grew still lower and lower, making a boysterous sea, and about midnight we espied our pinnance with her two lights, as she had forewarned us, in the shroodes from which time till six weekes, we never see her more, thinkeing shee had assuredly beene foundred and lost in those huge seas, but it happened otherwise, for before shee came to the Irish Channell, where we were now tossinge, shee returned for England, and entered into the Scilley Iles, whence afterward in the *Dragons* Company shee came to the long reach and Canarie Iles, God providing a convenient guard for that small vessell.

“This night thus frightfull being past, the winde came about to South west, full against us, though not very stronge, so that with many tackes about we scarce crept on our way, soe all the 26 27 28 dayes the wind altered little. On the 29th the windes were all day a gathering and toward night poured forth such a sea of winde as if they would have blowen our shipp under water at every blast. All next day being the blessed apostle St. Andrewes day, the like cloude gathered in fearfull manner, terrible to the beholders, so that ere it began to blow it seemed all the sprights and witches of Maryland were now set in battaile array against us. This evening the master saw the sunne fish to swim against the sunnes course, a thing evidently showing fearful stormes to come: about 10 in the night a black cloud shede a pittifull shower upon us, and presently such a furious winde followed as wee were able to beare noe cloath at all, and yet before we could take in our maine Course, which we onely carried, a furious impression of winde suddainely came, and splitt it from top to toae, and cast one part of it into the sea. This amazed the stoutest hearte, even of the sailours, who confessed they had seene ships cast away with lesse violence of weather, all the Catholiques fell to praier, confessions, and vowes, and then the helme being bound up, and ship left without saile or government to the windes and waves, floated at hull like a dish till god were pleased to take pittie upon her. Thus we were in feare of imminent death all this night never lookeing to see day in this world, till at length it pleased God to send some ease, and by little and little still more, till we were with milder weather freed from all those horrors. This deliverie in a manner assured us of Gods mercy towards us, and those infidells Conversion of Maryland, his holy Goodness be forever praised, Amen.

“From this time to our journeyes end about 3 monethes, we had not one howre of bad weather, but soe prosperous a navigation, as our mariners never saw so sweet a passage: when I say 3 months, I meane not we were so long at sea but reckon the time spent at Barbadoes and St. Christophers, for we were at sea only 7 weekes and 2 daies, which is held a speedy passage. . . . We sailed 3,000 miles in this reach in a sea of milke without any calme in the dead of winter, where we had every as hote, as the hottest day of summer in England, so that in summer tis intolerable for heat. . . . From our setting forth till

Christmas day our sicknesse onely sea-sicknesse, then indeed for the celebrity of the day wine being given over all the ship, it was soe immoderately taken as the next day 30 sickened of fevers, whereof about a dozen died. . . .”

Father White tells us that they arrived at Barbados on January 3rd, where they stayed until January 24th.

After leaving the Barbados, they arrived in Virginia on February 27th and left there on March 3rd. They came into the Chesapeake Bay at the mouth of Patomecke. According to Father White, “this bay is the most delightful water I ever saw between two sweet lands and at this time of the year is full of fish.”

They went ashore at St. Clement’s Island (now called Blackiston’s Island) on March 25, 1634.

The good father continues to tell us that “after they landed they took upon their shoulders a great cross which they had hewn out of a tree, and advancing in order to the appointed place, with the assistance of the Governor and his Associates and the other Catholics, they erected a trophy to Christ the Savior humbly reciting on their bended knees the Litanies of the Sacred Cross with great emotion.”

Father White had this to say about the natives he met in Southern Maryland: “They are very temperate from wines and hate waters, and will hardly taste them, save those whom our English have corrupted. For Chastity I never see any action in man or woman tending to so much as levity, and yet the poore soales are daily with us and bring us turkie, partridge, oisters, squirells as good as any rabbit, bread and the like, running to us with smiling countenance and will help us in fishing, fouling, hunting or wat we please.

“They hold it unlawful to have many wives, but all keep the rigour of conjugall faith to their husbands. The very aspect of a woman is modest and grave; they are generally so noble as you can do them no favor, but they will return it. There is small passion among them :

To avoid any occasion for dislike or color of wrong, the Colonists bought the area of thirty miles of ground for axes, hoes, cloth, and hatchets. The Colonists called this area Augusta Carolina.

It is pleasing to note that those pleasant friendly relations with the Indians were never broken: and that when in later years the Indians, being reduced in number and wasted by sickness, reported that they were unable through weakness and poverty to bring their annual gift, the Deputy Governors, Philip and William Calvert, promptly replied that they desired to continue in amity with them and would not scorn or cast off the meanest of them.

1634-1696

From that morning in late March, 1634, when Leonard Calvert and his band of pilgrims went ashore at St. Clement’s Island until April 23, 1696,

when the County of Prince George's began to function as a unit of government there is a space of sixty-two years. During those years Prince George's history was a part, first of the Maryland Province, then St. Mary's County, and later Calvert and Charles Counties.

I shall count those years as a part of Prince George's heritage, and briefly review with the reader some of the events that transpired and introduce to you some of the actors that played important roles in those years of the long, long ago.

## COURTS & ASSEMBLY

In the county of Durham, the freemen met in the capacity of a law court as well as a legislative assembly. So in Maryland, previous to the division of the Assembly into two houses, that body tried offenders charged with having committed any offense. After the division of the Assembly, the upper house became a high Court of Appeals. In 1638, the Governor became the Chief Justice; and the members of the Council, Associate Justices in what was called the County Court. In 1642, this Court was called the Provincial Court.

From 1642 until 1685, the Provincial Court had original jurisdiction anywhere in the Province and appellate jurisdiction from the county courts. The county courts system began to develop in Kent County with the appointment of Captain George Evelin. He was directed to choose six others to advise him and to appoint all of the officers necessary for the preservation of the peace, and to hold court as often as needed for trial of civil cases and criminal cases not extending to life or member. This occurred in 1637.

With the establishment of Anne Arundel County in 1650, Governor Stone, and seven associates were to constitute the Court. From this Court the aggrieved person was given the right to appeal to the Provincial Court if the value in question exceeded 20 pounds sterling, or 2000 pounds of tobacco. In 1685, Commander dropped and four of the seven associates named four as of the quorum and provided that four Justices, one of whom shall be of the quorum shall be necessary to hold court until 1661, the Governor acted as Chancellor. Until 1673, the Secretary of the Province was Judge of Probate. As of that date, probate matters were turned over to the Commissioner General, and the forms of the old ecclesiastical courts of England were used.

In 1678, the county courts were given jurisdiction over all cases of debt.

In 1681, theft of what did not exceed 1000 pounds of tobacco was made punishable by whipping and so came within the jurisdiction of the county courts.

In 1694, civil jurisdiction of county courts was increased to 10,000 pounds of tobacco or 50 pounds sterling.

Thomas, in his work *Chronicles of Early Maryland*, tells us that the judges of the county courts received as pay eighty pounds of tobacco per day for days

attending. He also says “that the jurisdiction of the County Courts shall extend over all such as have a double manner of living; that buy by the great and sell by the less; such as haunt taverns, and no man knoweth whereon they do live; such as sleep by day and watch by night, and fare well and have nothing.”

When Prince George’s County was launched on April 23, 1696, the County Court had two responsibilities—the judicial and the administrative, caring for all that the County Commissioners (and later the County Executive and Council) now have under their jurisdiction.

The Seventh Section of the Charter gave Lord Baltimore the authority to make laws for the government of the Province with the advice, assent, and approbation of the “Free men in the same: or the greater part of them or of their delegates, or the greater part of them whom we shall call together for the framing of laws as often as need shall require by the aforesaid Baron of Baltimore and his heirs and in the form which shall seem best to him or them.”

One year after landing, the General Assembly was called. No records of this session have been found, and that session has been declared as non existent. The second session and the first legal Assembly was called in 1637. The laws passed at this session were not approved by Lord Baltimore. However, it settled once and for all time the rights of Englishmen to make their laws, and confirmed Lord Baltimore’s contention that he alone had the authority to originate all laws.

McMahon, in his *History of Maryland* (Vol. One, page 222), has this to say: “The freemen of Maryland as they were called were emphatically so from their origin. They never permitted the proprietary to entrench upon what they considered to be their rights and the records of this period furnish many instances in which they opposed and defeated the designs of the Proprietaries”

At this point, the flame that was planted in the breasts of Englishmen at Runnymede, four hundred and twenty odd years before, was burning with ever increasing intensity as the years passed into eternity, the right of every British subject to participate in the enactment of the laws under which he is to live was to live forever.

The historian, J. Thomas Scharf tells us that 42 bills were passed in the session of 1638, but only the titles remain.

Let us return to the session for 1638 as this session passed acts confirming the election of the delegates and guidelines for the conduct of the Assembly’s business. Prior to this meeting there were no laws regulating elections. It was also established that twelve members were necessary for the Assembly to do business, and this same session set up Courts of Admiralty, Chancery,

County, Pretrial, and Justices of the Peace. Leonard Calvert called a session of the General Assembly to convene on February 25, 1639.

On June 23, 1642, Leonard Calvert ordered all colonists not to house Indians nor to provide them with guns, powder, or shot. Each was to keep sufficient guns, powder, and shot in each house to arm every one in the household able to bear arms. Fixed guns were to be carried to Church.

On December 29, 1646, a session of the General Assembly held at St. Inigoes made the first mention of the dividing of the Assembly into two houses. On April 2, 1649, the Toleration Act was passed in substantially the same language as used by Lord Baltimore in his instructions to the pilgrims when they sailed in 1633 and which has been quoted before in Father White's report of the trip.

In 1650, the General Assembly was officially divided into two houses, the Upper House consisting of the Governor's Council and the Lower House to be comprised of the freemen.

Also, at this session, Anne Arundel County was erected.

On October 20, 1654, the General Assembly met at Patuxent, and this session passed an Act of Religion that provided: "That none who profess and exercise the Papish Religion commonly known as the Roman Catholic Religion can be protected in the Province by the Laws of England formerly established and yet unrepealed by the Government of the Commonwealth."

At this session Patuxent County was erected. The name was later to be changed to Calvert County. On September 15, 1663, the office of Notary Public was established, and Hanna Lee's house in St. Mary's City was purchased for the State House.

On April 10, 1666, an act was passed prohibiting Sheriffs and Clerks of the Courts from acting as attorneys. On March 27, 1671, an act was passed encouraging the importation of Negroes and slaves into the province. On June 15, 1676, Ann Cawood, the widow of Stephen Cawood, lately slain in defense of the province, was granted a pension. This act granted the first pension in Maryland for a soldier's widow and his children.

On October 20, 1678, Edward Husbards was charged with attempting to poison members of the General Assembly by placing poison in a duck pie.

In December, 1682, Charles Calvert and William Penn met for a conference concerning the boundary between Maryland and Pennsylvania. They met in the home of Colonel Thomas Tailler in Anne Arundel County. Those present in addition to the principals were Philip Calvert, Thomas Tailler, Henry Coursey, Henry Darnall, William Digges, and William Stevens.

The Government moved to The Ridge in Anne Arundel County in 1683, but only one session was held at that place. It was then moved to Battle Creek

on the Patuxent River, and after three days the Provincial Court adjourned and all returned to St. Mary's City.

## WILLIAM CLAIBORNE

William Claiborne, who was to become a source of much annoyance to Lord Baltimore and the Maryland colony, came to the Virginia colony in 1621. He was chosen as a member of the Council of that colony in the year 1629.

He settled on Kent Island in 1631 with other adventurers and established a trading post with the Indians.

The Reverend Richard Jones, a clergyman of the Church of England, also came to Kent Island in 1631, and under the date 1632, William Claiborne's account books show entries for Bibles, books of prayers, and other expense items incident to a church.

Charles I had written into the Charter of the Maryland Colony that passed under the Great Seal of England, on June 20, 1632, the Latin phrase "Hactenus inculta" which translated meant "not been hitherto cultivated." That was intended to exclude the Virginia Colony according to Claiborne. Claiborne claimed Kent Island under the Virginia Charter of 1609.

However, I might add at this point, the Charter of 1609 was revoked in 1623, and Virginia became a Royal Colony under the supervision of a governor sent out by the King. This situation produced much trouble between Claiborne and the Maryland settlers.

On April 23, 1635, Claiborne, sailing the armed ship *Cocatrice*, met Captain Cornwallayes in command of the ships *St. Helen* and *St. Margaret* in the mouth of the Chesapeake Bay; and, after a short battle in which three men were killed, the *Cocatrice* surrendered.

In February, 1644, a rebellion occurred, at the head of which appeared Captain Richard Ingle, who not only forced the Honorable Leonard Calvert, brother of the Lord Caecilus and at that time Governor General, to fly for protection and aid into Virginia. The records and the Great Seal were seized and carried away. The government was not completely reestablished until the latter part of the year 1646. The Great Seal was not found, and in the interim, Claiborne and Ingle controlled the government of the Maryland Colony.

Messrs. Bennett and Claiborne returned to Maryland in June, 1652. On June 28, 1652, they issued a proclamation in which they declared that Captain Stone be Governor, and that Thomas Hatton, Robert Brooke, Captain John Price, Job Chandler, Colonel Francis Yardley, and Richard Preston be the Council for the Colony.

In the previous year the Commonwealth government issued a commission to Fuller and Claiborne to govern the colonies along the Chesapeake Bay.

The last heard of Claiborne was in 1658 when the government was restored to the Lord Proprietary, and he soon sank into that state "Where the wicked cease from trembling and the weary are at rest."

## GEORGE ALSOP

Little is known of Alsop, other than that he came to Maryland as a redemptioner and gave expression to the following thoughts in letters he wrote to people in London in or about the year 1666.

"Maryland drest in her green and fragrant mantle of the Spring. Neither do I think there is any place under the Heavenly altitude or that had footing or room upon the circular globe of this world that can parallel this fertile and pleasant piece of ground in its multiplicity or rather nature's extravagancy of a superabounding plenty. So that had nature made it her business on purpose to have found out a situation for the soul of profitable ingenuity, she could not have fitted herself better in the traverse of the whole Universe, nor in convenienter terms have told man, Dwell here, live plentifully, and be rich.

"He that desires to see the real platform of a quiet and sober Government Extant, Superiority with a meek and yet commanding power sitting at the Helme steering the actions of State quietly through the multitude and diversity of opiniousus waves that diversely meet, let him look on Maryland with eyes admiring, and he'll then judge her The Miracle of this Age.

"Here the Roman Catholic and the Protestant Episcopal, (whom the world would persuade have proclaimed open Wars irrevocably against each other) contrarywise concur in an unanimous parallel friendship, and inseparably love intayled unto one another, All inquisitions, Martydom, and Banishments are not so much as named but unexpressably abhorred by each other.

Tis said the Gods lower down the chain above,  
That tyes both Prince and subject up in love:  
And if this fiction of the Gods be true,  
Few, Maryland in this can boast but you;  
Live ever blest, and let those Clouds that do  
Eclipse most states, be always lights to you;  
And dwelling so, you may for ever be  
The only Emblem of Tranquility.

## THE CHURCH

To pinpoint the beginning of Christianity in England is as difficult as to locate the source of the English people's concept of human freedom. Both are to be found buried beneath the silt of forgotten centuries and are recorded in



legends, fables, and the folklore of an imaginative people just emerging from the darkness of barbarism, who made few records for those after them to read.

The most famous of those legends has been left to us by Alfred Lord Tennyson in his *Idylls of the King*, connecting the English Church with Joseph of Arimathaea:

“That Joseph came of old to Glastonbury and there the heaten prince Arviragas gave him an isle of marsh whereon to build; and there he built with wattles from the marsh a little lonely church in days of yore.”

Dr. M. W. Patterson in his *History of the Church of England* writes that the church in Britain, as elsewhere, followed in the wake of the Roman Empire, and a passage in Tertullian shows that Christianity was in Britain in the year 208.

There are a number of references by the Venerable Bede to the Church throughout those dark years between the 4th and 6th centuries. In the year 314 three British bishops attended the Council of Arles. In 590 Pope Gregory visited the Roman Market; and in 597 St. Augustine visited England. Augustine and his band of 40 monks arrived in England at Eastertide and June 1, 597 the Saxon King-Ethelbert of Kent was baptized at Canterbury as were many of his people; while St. Augustine and his band of monks in unison chanted the litany, “We beseech thee, O Lord, in all thy mercy, that thy fury and thy wrath maybe turned from this city and from thy whole house for we have sinned. Amen.”

From such beginnings, the Church in England has, like a mighty river, rolled down the ages, freshening the whole life of the English people at successive stages of its growth. In the providence of God she has been an honored instrument in his hands for the preservation and diffusion of truth written in his word, and sealed with the blood of martyrs since the days of St. Stephen.

She survived the upheavals of passion, hate, bigotry, and bloodshed in all those centuries of English history. On our trip from the darkness of early England to the later centuries, let us stop again at Runnymede. King John and the Barons have just finished signing the Magna Carta. Let us just glance at Chapter One which reads: “That the English Church should be free from interference on the part of the crown and that her rights should be entire and her liberties inviolable.” Let us now jump over four hundred and fifteen years to the time Charles II handed a document to Cecil Calvert, the second Lord Baltimore, and a group of men and women are preparing to sail to Maryland. We glance at this document and again we read in Section IV, “We grant unto the Baron of Baltimore the Patronages and the Advowsons of all churches within said region together with license and faculty of erecting and founding churches, chapels and places of worship in convenient and suitable places within the premises and of causing the same to be dedicated and consecrated according to the Ecclesiastical Laws of our Kingdom of England.”

With the band of pilgrims that came to Maryland there were men and women who were Catholics as well as Protestants. Maryland was established by Cecil Calvert, a member of the Roman Catholic Church, and it was to be a land of sanctuary for Roman Catholics and all others misused because of their religious faith.

Just how many of each religious faith comprised that band of Pilgrims that sailed from Cowes, England, is not known. Father White who sailed as one of this immortal band wrote that three fourths of them were heretics, meaning Protestants. Mereness in his work, *Maryland As A Proprietary Province*, writes that the band was made up of the Jesuit priests Andrew White, Thomas Copley, and John Altham, ninety freemen, and one hundred and thirty women, children, and servants, and that the majority of the freemen were Protestants.

On March 19, 1638, the Assembly passed an act entitled "An Act for Church Liberties," the first section of which read as follows: "Holy Church within this Province shall have all her rights, liberties and immunities safe, whole and inviolable in all things."

Tucked away among the faded and meagre records of the Church of England are two interesting items that occurred in those remote years when a few rugged and determined men and women were struggling with the wilderness and the Indians, endeavoring to plant English civilization in the Chesapeake Bay country. In this new land Thomas Gerard and his wife Susanna Snow were building a home. Thomas was a Roman Catholic and Susanna, a member of the Church of England.

That Susanna might worship God according to her conscience and after the manner of her fathers, Thomas built a chapel out of logs cut from the wilderness and conveyed it with 100 acres of land as a glebe to the Church of England. Thus, eight years after the Maryland pilgrims landed on the beach at St. Clements, we read of the first endowment to the Anglican Church in America.

In the year 1654, we read of the second endowment to the Church of England, and that was when William Marshall gave the milk and one-half of the male increase of three red heifers to be used for the maintenance of a minister of the Anglican faith in the neck of Wicomoco.

### *A VOICE CRYING IN THE WILDERNESS*

The Reverend Mr. Yeo, writing from Patuxent in the month of May, 1676, saw only fields of desolation and woe if we are to judge by his letter to the Archbishop of Canterbury, to whom he writes as follows:

"The Province of Maryland is in a deplorable condition for the want of an established Church ministry. Here are ten or twelve counties and in them at least 20,000 souls; and but three Protestant Ministers of the Church of

England. The priests are provided for and the Quakers take care of those that use speakers; but no care is taken to build up Churches in the Protestant religion. The Lord's day is profaned; Religion is despised and all notorious vices are committed; so that it has become a sodom of uncleanness and a pest house of iniquity.

As Lord Baltimore is lately gone to England I have made bold to address to your Grace to beg that your Grace would be pleased to solicit him for some established support for a Protestant Ministry."

Ten years later there arose in the Maryland wilderness a great woman of the Church of England. Mary Taney was the wife of Michael Taney, the Sheriff of Calvert County and an ancestress of Roger Brooke Taney, Chief Justice of the Supreme Court of the United States at the beginning of the Civil War. She wrote, in 1685, to Archbishop and the rest of the Bishops: "We are seized with the extreme horror when we think that for the want of the Gospel our children and posterity are in danger of being condemned to infidelity or to apostacy. We do not question God's care of us but think your Grace and the Reverend Bishops the proper instruments of so great a blessing to us. We are not I hope so foreign to your jurisdictions, but that we may be owned as your stray flock; however the Commission to go and baptize and teach all Nations is large enough. I question not that your Grace is sensible that without a temple it will be impracticable; neither can we expect a minister to hold out to ride ten miles in a morning; and before he can dine ten more, and from house to house in hot weather will dishearten a minister if not kill him. L500 or L600 for a church with some small encouragement for a minister will be extremely less charge than honor to his Majesty; and if I may in this case mention His Majesty's interest. One Church settled according to the Church of England which is the sum of our requests will prove a nursery of Religion and loyalty through the whole Province."

And so the lamentation of this zealous Church woman, to whose memory the Church in Maryland owes so much, goes to those in charge of the Anglican Church's affairs in England in much the same accents as the plaint of John Milton when he cried out to the ecclesiastical authorities some years before: "The hungry sheep look up but are not fed."

### *MARGARET BRENT*

In the year 1639, there arrived in the Maryland Colony, four members of the Brent family sisters Mary and Margaret, and brothers, Fulk and Giles. They enjoyed the friendship of Leonard Calvert and also Lord Baltimore. Many historians believe that those people were in someway related to Leonard Calvert by the marriage of a sister. They left in England sisters Catherine Elizabeth, Eleanor Jane, and Ann. It is thought that one of them may have been the wife of Leonard Calvert who never came to America. The true identity of his wife is still a mystery.

The residence of the Brent sisters in St. Mary's was known as St. Thomas, and was erected on what was known as St. Mary's Forest, containing seventy and one half acres. The stately house, surrounded by a grove of ancient trees, provided a home where generous hospitality was dispensed. The land was a special grant from Lord Baltimore to the Brent sisters.

Leonard Calvert died at St. Mary's on June 9, 1647, and in his last illness was cared for by Margaret and Mary Brent. Margaret was named the executrix of his noncupative will, and she also made an affidavit that on his death bed he had, by virtue of the powers conferred on him, appointed Thomas Greene as his successor.

That clever woman was prominent in the early life of the colony. She represented Lord Baltimore in various important matters of State and in all she displayed a marked talent. She enjoyed the distinction of having been the first woman in America to exercise the rights of an attorney-at-law. The records disclose several cases in which she appeared before courts in the role of an attorney. She was also a strong, perhaps the earliest advocate of women's suffrage. She demanded not only a seat in the General Assembly of Maryland, in her individual capacity, but also the second vote as the representative of the estate of Governor Leonard Calvert. Those sons of early Maryland could not understand such a proposition and denied it.

There has been much speculation by historians and others as to why Margaret Brent did not marry. The Provincial Court Records of 1658 give us a possible ray of light into the solution of that question. In that year, Margaret Brent testified in the matter of Thomas White, lately deceased, that "out of the tender love and affection he bore the petitioner intended if he had lived to marry her and did by his last Will and Testament give unto the said petitioner his whole estate which he was possessed of in his lifetime."

Margaret had moved to Westmoreland County, Virginia, in the year 1650, and there she took up several hundred acres as a plantation named "Peace". There she lived, and there she made her will in 1663, and there she died some ten years later.

### *ELIONOR HAWLEY*

Accompanying Leonard Calvert on the trip made by the first adventurers to Maryland were Fathers White and Altham, Thomas Cornwalleys, and Jerome Hawley. These men were Leonard Calvert's most trusted advisors during that trying trip, and they also kneeled with him at the foot of the rugged cross, freshly hewn from the forest on that March morning in 1634.

Andrews, in his history of Maryland, gives us the benefit of a letter written by Captain Cornwalleys relative to the wife of Jerome Hawley. The Captain informs us that "Jerome Hawley has two sources of joy: one his Church, the other his wife Elionor, who by her comportment in these difficult affairs of her

husband's hath manifested as much virtue and discretion as can be expected from her sex; and whose industrious housewifery has so adorned this desert; that should his discouragements force him to withdraw and take her with him, it would not a little put the glory of Maryland into an eclipse.''

Elionor Hawley and her ilk have been the force that has moved the human race from the rim of the desert forward through the wilderness, across the deserts and over the mountains to the ends sought out by the hopes of man. Elionor Hawley and her kind moved the poet to write these lines:

A man can build a castle with lofty walls and stout  
A man can build a palace and furnish it throughout  
A man can build a temple with a high and spacious dome  
But no man on this earth can build that place called home.  
No. That is an accomplishment that God has placed solely  
in the care of woman.

The true woman, such as Elionor Hawley and her sisters in spirit, have made homes for their men in the ages that are past and will in the centuries yet to come, with only the stars as a roof over their heads and the glowworm as a lamp unto their feet. They hold the lamp of hope high above the harm of contrary winds, and will continue to build that great, that wondrous, that holy place, called home.

## CHAPTER III

### PROPRIETARY GOVERNORS

*Leonard Calvert*: A brother of Lord Baltimore, he came with the first settlers on their voyage to America, landing at St. Clement's Island, on March 25, 1634. He had been appointed governor of the colony by the Lord Proprietary before the adventurers sailed from England.

Several times it became necessary for Leonard Calvert to be absent from St. Mary's for short periods of time; and upon those occasions he designated others to take charge for him: viz, John Lewger, 1637-38; Captain Thomas Cornwaleys, 1638 and 1641; and when he went to Europe in 1643-44, Giles Brent. In 1644, there was a revolution on Kent Island, and he was compelled to flee to Virginia for safety. There he remained until the trouble ceased in 1646. He then returned to St. Mary's and shaped the policies of the colony until his death at St. Mary's City on June 6, 1647.

*Richard Ingle*: After the battle of Marston Moor, on July 2, 1644, Richard Ingle and William Claiborne seized Kent Island, and during the years 1644-46 had control of the government of the colony.

*Thomas Greene*: Margaret and Mary Brent made affidavits that, before he died, Leonard Calvert told them that by virtue of the authority vested in him, he had named Thomas Greene as his successor. By virtue of this authority, Greene served as governor for a few months in the years 1647-48.

*Captain Hill*: When Leonard Calvert returned to the colony in 1646, Captain Hill was acting as governor. Hill had been appointed governor by the Council, which appointment was illegal. When confronted by Leonard Calvert, Hill immediately resigned. This occurred in 1646, after Hill had served only a few days.

*Captain William Stone*: Lord Baltimore appointed William Stone of Northampton County, Virginia, and a Protestant, as governor of the province. He succeeded Thomas Greene in the later part of 1648. With Stone's appointment, Lord Baltimore also forwarded a commission naming Thomas Greene, Captain John Price, Thomas Hatton (Secretary), John Pile, Captain

Robert Vaughn, and Robert Clark to be members of his Privy Council. Of these six men who served between 1648 and 1652, three were Catholics and Catholics and three, Protestants.

Charles II in exile in Holland in 1649, appointed Sir William Davenant as Lord Proprietary. Davenant collected a party of Frenchmen and set sail from France but was captured by a parliamentary cruiser in the English Channel. Following this, William was imprisoned in Cowes Castle. His life was spared by the intervention of the poet, John Milton, Cromwell's Secretary. (J. Thomas Scharf, *History of Maryland*, Vol. I).

Messrs. Bennett and Claiborne returned to Maryland in 1652, and on June 28th issued a proclamation in which it was declared that Captain Stone be governor and that Thomas Hatton, Robert Brooke, Captain John Price, Job Chandler, Colonel Francis Yardley, and Richard Preston be the Council of the Province. On July 22, 1654, Claiborne and Bennett, in the name of Oliver Cromwell, presented a commission naming Captain William Fuller, Richard Preston, William Durand, Edward Lloyd, Captain John Smith, Leonard Strong, John Lawson, John Hatch, Richard Wells, and Richard Ewen to a board of Parliamentary Commissioners to administer the government of the province. Governor Stone, on May 6, 1654, had named Cromwell protector for the colony.

Josias Fendall received a Commission from Lord Baltimore appointing him governor on July 10, 1656, and the Commission also named Captain William Stone, Thomas Gerard, Colonel John Price, John Chandler, and Luke Barber as members of his Lordship's Council.

On November 7, 1656, Cecil Calvert appointed Philip Calvert, his brother, Secretary of the Province and a member of the Council. On June 24, 1660, Philip Calvert was commissioned as governor by the Lord Proprietary, and with the Commission letters were sent from Charles II commanding all to honor him as governor.

Charles Calvert became governor in the latter part of the year 1661, succeeding his uncle, Philip Calvert. Charles served until the death of his father, Cecil Calvert on November 30, 1675, when he became Lord Proprietary.

In 1676, Jesse Wharton governed the province from June to October 7. He was succeeded by Thomas Notley, who served until his death in April, 1679.

Charles Calvert, Lord Proprietary, returned to the Province in January 1678-79, and named his infant son governor, but the duties were actually performed by the deputies. The deputies named in the Commission were George Talbot, Thomas Tailler, Colonel Wincent Lowe, Colonel William Stevens, Colonel William Burgess, Major Nicholas Sewell, and John Darnall. Most of them served the entire time with some few minor changes.

During the period of the Glorious Revolution, from 1688 until the trouble in 1689, William Joseph was named president of the Council of Deputies in a

Commission from the Lord Proprietary. This bellicose gentlemen was continuously admonishing the colonists about their dissolute ways of life. On November 1, 1688, at the opening of 37th session of the General Assembly, Mr. Joseph welcomed the freemen to St. Mary's with some very acrid remarks, and I quote from Riley's *History of the General Assembly of Maryland*: "Gentlemen: drunkenness, that beastly sin (to the shame of the guilty be it spoken) is but too common among the people of this Province — to the utter ruin, not only of their souls; for that drunkards shall not inherit the Kingdom of God; but, also of their children and families—against whom God, by his prophet Isaiah pronounceth woe; saying "Woe to the drunkards of Ephraim: Joseph declared it to be doubtless a sin of all sins the most dangerous for not content in its self it strangely leads us into almost all manner of sin and vice."

He then referred to the adulterer, "declaring that the land is full of them and expressed the wish that it were law now to make adultery punishable by death; for it was decreed that he that committed adultery with his neighbor's wife, that the adulterer and adultress shall surely be put to deth. Abominably and shameful it is for men, especially married men to keep whores and I hear some do not only abroad; but even at home under their wive's noses, where strumpets rule and the wives obey to the scandal of all honest and good men.

"Gentlemen by the way of advice, I suggest that before you begin to make laws; that you do not begin to break laws."

John Coode was the head of an association formed for the defense of the Protestant religion. This organization was formed in April, 1689, and in August of the same year Coode took possession of the government of the province. Later in the same year, Nehemiah Blackistone, president of the Protestant Associators was placed in charge of the government when Coode went to England and remained at the head of the government until the arrival of Sir Lionel Copley in early 1692.

Andrews, in his *History of Maryland*, states that Copley was an invalid from the beginning of his colonial career; and in a letter to the governor of New York, Copley wrote that he has been confined to his bed for seven weeks from an illness so severe he could not hold a pen.

Mrs. Copley died soon after his arrival "of a sharp and tedious fit of illness." Copley wrote to Sir Edmund Andros, Governor of Virginia that "he was left to the lamentable circumstances of a disconsolate widower." Mrs. Copley died on March 5, 1692, and Governor Copley, six months later on September 27, 1693. At that time, the year changed on March 25th.

Thomas, in his work, *Chronicles of Early Maryland* gives us an interesting account of the people, and I shall tell it verbatim: "The cases of Governor and Lady Copley furnish strong examples of efficiency in the art of embalming at that early period. Governor Copley died about six months after his wife as computed by the English system then in vogue the legal year beginning the



25th of March and yet for ten months after his death the bodies of both of them lay in the great house at Saint Mary's waiting orders to ship them to England. It was not until July, 1694 that the council ordered a vault to be built for their interment a ceremony which did not take place until the following October. It is further worthy of note that as late as 1790, when the only vault known to be at Saint Mary's, and hence presumably the Copley Vault was broken into and the remains of the woman there interred were found to be in a perfect state of preservation until exposed to the air when they crumbled into dust.'"

From the death of Sir Lionel Copley, on September 27, 1693, until the arrival of Sir Francis Nicholson in the Province, in 1694, the colony was governed by the following persons :

Upon the death of Copley, Sir Thomas Lawrence, his secretary assumed the government until the new governor arrived. The right of succession was with Francis Nicholson who at the time was in England. He had been commissioned Lieutenant Governor of Maryland in 1691.

Upon the death of Copley, Sir Edmond Andros, Governor of Virginia, came to Maryland to take over from Thomas Lawrence who had served a couple of weeks. Andros remained in Maryland about ten days before returning to Virginia, leaving the government with Colonel Nicholas Greenbury, he having been appointed president of the Council by Andros. Greenbury remained at head of the government for a short period of time, when Andros returned and assumed charge for a week or ten days, and he in turn turned the government over to Sir Thomas Lawrence appointing him President of the Council.

Sir Thomas Lawrence remained in charge until the arrival of Sir Francis Nicholson and served until 1699.

With the arrival of Governor Nicholson, matters began to change. He called the assembly into session in Anne Arundel Town, and at that session, held February 28, 1694, (O.S.-1695 N.S.), in the home of Major Edward Dorsey. It was decided to move the seat of government from St. Mary's to Anne Arundel Town. It was decided at this session to rename the town Annapolis, in honor of Princess Ann.

Arrangements were made to construct the public buildings, viz, a State House, school house, and parish church, and contract was made for the erection of these buildings with Casper August Herman, the third son of Augustine Herman of Bohemia Manor.

The State House was first called the Stadt House as a compliment to Dutch William of Orange.

In his *British Empire in America*, Oldmixon quotes an early visitor to Annapolis as saying: "There are indeed several places allotted for towns: but hitherto they are only titular ones, except Annapolis, where the Governor resides. Colonel Nicholson has done his endeavor to make a town of that

place. There are about forty swelling houses in it; seven or eight of which can afford a good lodging and accomodations for strangers. There is also a State House and a free school, built of brick which make a great show among a parcel of wooden houses; and a foundation of a church is laid, the only brick church in Maryland. They have two market days a week; and had Governor Nicholson continued a few months longer, he would have brought it to perfection.”

The following poem was printed by Jonas Green the editor of the *Maryland Gazette*, published in Annapolis, and, in my opinion, a very apt picture of life in those early days.

### ANNALS OF ANNAPOLIS

To try the cause, then fully bent,  
Up to Annapolis I went  
A city situate on a plain,  
Where scarce a house will keep out rain;  
The buildings framed with cypress rare,  
Resemble much our Southwick fair;  
But strangers there will scarcely meet  
With market place, exchange or street;  
And, if the truth I may report,  
It's not so large as Tottenham court - - -  
St. Mary's once was in repute,  
Now here the judges try the suit;  
And lawyers twice a year dispute - - -  
As oft the bench most gravely meet,  
Some to get drunk, and some to eat  
A swinging share of country treat;  
But as for justice, right or wrong,  
Not one amongst the numerous throng,  
Knows what it means, or has the heart  
To vindicate a stranger's part.

The curtain then came down on that little town of St. Mary's in the wilderness. It was the little town where the pilgrims to Maryland had hoped to build a home where human freedom and liberty of conscience might have grown into perfect flower, and where as McMahan so beautifully says it, and I quote from his *History of Maryland*: “They erected the first altar to religious liberty on this Continent; and the first fires kindled on it ascended to heaven amid the blessings of the savage. Should the memory of such a people pass away from their descendants as an idle dream?”

It is at this point that I shall discontinue my story of the province and from now on shall be concerned only with the history of Prince George's County. However, before I leave St. Mary's City, that forgotten child of time, I want

to pass on to you some thoughts to which Richard T. Merrick, son of Charles County, gave expression in the year 1884. Mr. Merrick was a very eminent lawyer of his generation and a member of the Defense Counsel for President Johnson and John Surratt in those troubled days. He was also a brother of George C. Merrick who was a Judge in the Circuit Court for Prince George's County and an uncle of George B. Merrick who was Police Magistrate in Prince George's County, both being residents of Upper Marlboro. To quote Richard Merrick, "The philosopher and the Statesman when tracing back the progress of the political systems of free men from the loftiest heights they shall ever reach, will always pause upon the banks of St. Mary's to contemplate one of the greatest epochs in history. It was there under the auspices of the founders of the State of Maryland, the injured freemen of England found a refuge from the depredations of Royal Power. It was there that the inherent rights of man found opportunity for growth to strength and vigor away from the depressing tyranny of Kings; it was there that the ancient privileges of the people that came down with succeeding generations of our fathers from the morning twilight of Anglo-Saxon history, struggling through the Centuries with varying fortunes at last found a home and a Country as all pervading as the atmosphere around them; it was there that these principals and rights first entered into the practical operations of government; it was there that was established the first State in America where the people were governed by laws made by themselves; it was there that was organized the first Civil government in the history of the Christian World that was administered under the glorious principle of American Liberty, the independence of Church and State in their relations to each other; it was there also that freedom of conscience in all of its breadth and fullness was first proclaimed to men as their inherent and inviolable right, in tones which sounding above the tempest of bigotry and persecution were to continue forever from age to age to gladden the world with the assurance of practical Christian Charity and, ultimately find expression in the political systems of every civilized people."

May I also leave with you a poem and a short article published in the *Baltimore Sun* under date of October 24, 1838 entitled:

### *SAINT MARY'S CITY*

This city, which has now existence in name only, was situated near the mouth of the Saint Mary's River, in Saint Mary's County in Maryland; and was not only the spot where the first settlers of Maryland landed, but was also the first place on this Continent where freedom of religion was tolerated; Where the Protestant and the Roman Catholic enjoying their own modes of worship lived in harmony together. A few old gravestones are now the remains

of this ancient city which at one time sent delegates to the General Assembly of Maryland.

The following thoughts were suggested by a recent visit to that interesting spot:

O quiet-solemn ground! move slow my feet,  
Nor break the silence of this calm retreat,  
Twas here the pilgrim breathed his freedom prayer  
And sang to him his pious choral air  
No sect with madden'd zeal, strove here to bind  
In fettered forms, the Christian freeman's mind  
Bright Angels guard and ever hover near  
This place where worship felt no more a fear,  
Shadows of the past, methinks now meet my eyes  
As winged they come from the eternal skies  
And softly whisper in my listening ear  
How lived, how died they, whist sojourners here  
How bowed they at primeval alters rear'd  
How God they loved, and as they loved fear'd.  
Saint Mary's City of the dead alone  
Thy altars mouldered and thy children gone  
Why tenants as thy peaceful-holy-ground-  
Unmarked-unknown but by the gloomy mound  
Doth Withering desolation spread so fast  
Her fierce destroying breath her whirlwind blast  
Can purity no refuge get? No shield?  
Or must she too partake of man's dread lot  
and yield?  
Yet peace! O lovely spot; thy tranquil rest  
But calls thee sacred, and thy people blest.

S.F.G.

## CHAPTER IV

### PRINCE GEORGE'S COUNTY IS ESTABLISHED

Let us make a short summary of some of the important happenings in the province between the years 1634 and 1696, when Prince George's County had not emerged from the province.

Orders in Council, passed in 1654 started Patuxent County on its course, the name Patuxent being changed to Calvert in the year 1658.

In the Act of 1658, and remodeled in 1661, the County Court assumed its final form which was to remain until changed by the amendment to the Constitution of 1776, proposed in Chapter LV of the Acts of 1804 and ratified in Session of the Legislature of 1805.

With the erection of the counties, the hundred's courts disappear.

By an Order of Council passed in 1658, Charles County became a county.

It is not known when Baltimore County began to function, but we do know that it was a county on January 12, 1659/60 as a writ was issued to the Sheriff of Baltimore County on that day.

An order passed in Council in 1661 gave us Talbot County, and another order passed in Council in 1666 erected Somerset County.

The date and manner of the origin of Dorchester County is not known, but we do know that it was functioning as a county on February 16, 1668/69, as a writ was issued to the Sheriff of Dorchester County on that date.

A proclamation by the governor in 1674 placed Cecil County in operation.

The jurisdiction of the county courts was enlarged in 1661 to include adjudication of all cases involving claims of not over 3000 lbs. of tobacco in civil cases, and criminal offenses where punishment did not extend to life. In 1678 its jurisdiction was enlarged to cover all debts.

Prince George's County was now about to come upon the scene, and a few comments on the legal and community life in the province at this time might not be amiss. Military features of the feudal system had disappeared, and the

tenure in Maryland was free and common socage, the obligations of which were fealty and rent. The proprietary originally granted two thousand acres of land to everyone who would take with him five men between the ages of sixteen and sixty into the province for the purposes of settlement. This practice ceased in the year 1683. It was the practice of Lord Baltimore to create manors consisting of a thousand or more acres. The erection of manors ceased in the year 1675, and at that time there were sixty manors.

When the General Assembly met in Annapolis Town on May 8, 1695, and adjourned on May 27, 1695, an act entitled Chapter 13 of the Acts of 1695 was passed. This Act was "An Act for the Division and regulating Severall Countys within this Province and Constituting a County by the name of 'Prince George's County' within the Same Province." This act provided, among other things, "that portions of Charles, Calvert, and Anne Arundel Counties shall become and are hereby Constituted, founded and shall be Denominated, Called and Known by the name of Prince George's County and shall from and after the said twenty-third day of April next ensuing, being St. George's Day, as aforesaid have and enjoy all other Rights, benefits and privileges Equal with the other Counties of this Province, such as sending Burgesses to Assemblys, having County Courts, Sheriffs, Justices and other officers and ministers requisite and necessary and as used in other Countys of this Province.

"That is to say Mr. Robert Mason and Mr. James Keech for St. Mary's County; Mr. John Bayne and Mr. James Bigger for Charles County; Mr. William Hutchison and Mr. Thomas Greenfield for Prince George's County are directed and required by this Act before the twenty-third day of next April to cause the two lines aforementioned, beginning at the head of Bird's Creek branch to the head of Indian Creek Branch and from the head of Mattawomen Branch to Swanson's Creek to be fully marked and lined by a double line of Marked Trees; and shall return a Certificate to each County concerned, that is to say St. Mary's, Charles and Prince George's County."

The revolution of 1688 brought William and Mary to the throne of England, and the Lord Proprietary was removed from his authority in the province. In the year 1692, Sir Lionel Copley arrived in the province and became the first royal governor, and divided the province into 30 parishes of the Church of England.

After the establishment of the royal governor, the Governor and Council became the Court of Appeals. Members of the Council were still permitted to be justices of the Provincial Court and the records disclose that after 1692, the governor was never Chief Judge of the Provincial Court.

In August 1695, William Cooper was appointed Clerk to the Court for Prince George's County. Cooper became ill and never entered upon his duties, dying in August of 1696.

Joshua Cecil was appointed to succeed him and served until 1698, and at this time Edward Willett was appointed.

On October 17, 1695, the House of Burgesses passed a resolution ordering that the church at Mt. Calvert, being likewise convenient for a county court house for the new county, to wit Prince George's County, serve and be used for that end, being a means to ease the aforesaid county of the charge of building a court house.

The first session of Prince George's County Court was held in St. Paul's Church in Charles Town on April 23, 1696. In November, 1696, the Court was moved to David Small's storehouse, since the Church was too open and cold.

On April 22, 1696, Governor Nicholson designated as justices for Prince George's County Court, Thomas Hollyday, William Hutchinson, William Barton, John White, Robert Bradley, William Tannyhill, David Small, and Robert Tyler, the first four being of the quorum.

A second commission from Governor Nicholson, dated June 4, 1697, named ten commissioners instead of eight. Hollyday, Barton, White, Bradley, and Tyler of the first eight were renamed, they being of the quorum, and the following five were added: John Smith, John Hawkins, Robert Wade, Samuel Magruder, and Thomas Sprigg.

Thomas Greenfield was named as the first sheriff on April 22, 1696, and he was succeeded by William Barton, appointed in November, 1698, but who did not qualify until June, 1699. One of the duties of the sheriff was to call together four or more justices with a clerk and to make public proclamation, giving notice to all freemen to appear at the designated time and place for the election of delegates to the General Assembly.

We must keep in mind that these justices served both as judges of the County Court and also as a Board of County Commissioners or Managers. So one of the first acts of this body was to divide the County into "hundreds," viz: Mattapony, Mt. Calvert, Collington, Patuxent, Piscattoway, and New Scotland, and they also appointed a constable for each hundred, and "to have the same power in each hundred as a Constable hath in a hundred or precinct in England by the laws and customs of England."

The Governor's commission, dated April 22, 1696, authorized the eight justices names, jointly and severally:

A. To keep the king's peace in Prince George's County.

B. To keep or cause to be kept all laws and orders for the good and conservation of the peace and for the quiet rule and government of the people.

C. To punish and chastise any offending in said county against the form of the laws of the province or any of them in accordance with such laws. This

commission authorized four or more of the justices (of whom a justice of the quorum was always to be one to inquire by the oaths of good and lawful men, now known as the Grand Jury) to judge all felonies, witchcrafts, enchantments, sorceries, magic art, trespasses, forestallings, engrossings, and extortions whatsoever, and all singular or other misdeeds, excepting matters relating to title to land. This authority did not give authority to take life or member. The justices sent the prisoners with their indictments to the next Provincial Court to be tried there.

In a number of cases the County Court assigned auditors to audit and adjust accounts between the parties and make report to the Court at the next term. The basis for this authority was in a resolution of the House of Delegates passed May 29, 1697, and approved by the Governor and Council, and reads as follows: "Resolved that the several Courts of Law where the suits are hanging appoint auditors and have the power to fine them for contempt and when the Bill of Costs is taxes such auditors wages to be therein ascertained and allowed at the discretion of the Justices of the Court." Those assigned as auditors in the beginning of our County Court were: Robert Bradley, John White, James Stoddart, William Barton, Thomas Hollyday, William Hutchinson, Samuel Magruder, David Small, William Wilkinson, Richard Marsham, Nicholas Sporne, Christopher Baines, and Paul Bussey.

I am confident that all of us who love our country, its institutions, and its history will be pleased to know something of those justices that started the County on its way through the centuries that April morning in 1696. This information I am happy to be able to furnish you.

Thomas Hollyday was named Chief Justice. He came to the Province from Virginia in 1679 and settled in Calvert County which later became Prince George's County. He was a planter, merchant, and, prior to the formation of Prince George's County, a Commissioner and Captain of the Militia in Calvert County. He was also a vestryman for St. Paul's Parish from 1692-1703. He died in 1703.

William Hutchinson was born in England, came to the Province, and became deputy surveyor for St. Mary's and Charles Counties. He represented Charles County in the House of Delegates from 1694-1695 and Prince George's County from 1696-1700. He was vestryman for Piscattoway Parish at the time of his death in 1711.

William Barton lived in the portion of Charles County that became Prince George's County and upon the formation of Prince George's County was nominated Major of the County Militia and elected to the House of Delegates. In June, 1699, he became Sheriff of Prince George's County, resigning his seat in the House of Delegates. He was a planter and an Indian trader and also served as vestryman for St. Paul's Parish, dying in 1706.



John White was a justice in Calvert County prior to the formation of Prince George's County. In 1696, he became one of the coroners for Prince George's County. He also was a member of the committee to deal with the Piscattoway and Accokick Indians, a member of the House of Delegates from 1698-1704, a planter, and a merchant. He died in 1705.

Robert Bradley was a merchant, ship owner, and factor for Edward Dudley, Carlton Company, London merchants. He became a member of the House of Delegates in 1702 and Speaker of the House for the Session of 1707, and died in 1724.

William Tannyhill was a justice in Charles County before the formation of Prince George's County. He and Colonel John Addison were charged with paying off the rangers in 1699. He was a planter and a vestryman of Piscattoway Parish from 1694 through 1718. He died in 1732.

David Small was a merchant, a factor for Jackson & Company, London Merchants, operated a sloop, and was engaged in land transactions.

Robert Tyler was a member of the House of Delegates from 1704 through 1716, a planter, and a dealer with the Piscattoway Indians. He was also a vestryman for Queen Anne Parish from 1706-1733.

John Smith, one of the first Justices, moved to Calvert County in 1700 and was elected a member of the House of Delegates in 1701.

John Hawkins lived near Piscattoway Fort, carried on a trade with the Indians, and was a member of the committee dealing with the Piscattoway and Accokick Indians. In 1700 Hawkins and William Hutchinson were charged with obtaining the return of the Piscattoway Indians to the province. He was a vestryman of Piscattoway Parish and he died in 1705.

Robert Wade was Captain of the Prince George's County Militia and a member of the House of Delegates from 1704-1707. He was also one of the commissioners to lay out ports and towns. A vestryman of St. Paul's Parish, he was apparently married to the daughter of Colonel Ninian Beall, the largest land owner in Prince George's County at that time. Robert Wade was born in the year 1661 and died in 1711.

Thomas Sprigg, Jr., was a major in the Prince George's County Militia, a planter, member of the Committee for Indian affairs, and, in 1697, appointed as one of the members of the Grand Jury. From 1712 through 1715, he represented Prince George's County in the House of Delegates. His father had been Sheriff of Calvert County and Chief Justice of the Calvert County Court. He was born in 1670 and died in 1733.

James Stoddart was a planter on the eastern branch of the Potomac and was engaged in trading with the Indians. He was a vestryman of Piscattoway Parish and a member of the House of Delegates in 1714. In 1697 the Indians murdered a Negro of Stoddarts, against whom it was believed they had some grudges on account of trade. This murder led in part to the withdrawal of the

Piscataways to Virginia. Stoddart was appointed to resurvey the town of Annapolis. He was born in 1670 and died in 1738.

On April 23, 1696, Joshua Cecil and Thomas Hughes were sworn in as attorneys and admitted to practice. On June 22, 1696, William Bladen, William Stone, John Meriton, Christopher Gregory, Richard Kilburn, Cleborn Lomax, Stephen Blatchford, and James Cranford took the oath and were admitted to practice as attorneys at law. Henry Bonner was admitted in November, 1693; Edward Battson in August, 1697, and Josias Towgood in October, 1699. All became active Attorneys at Law.

Thomas Addison was sworn in as Surveyor for Prince George's County.

Under date of July 25, 1696, an order was passed by the Court, reading as follows: "Ordered by the Court July 25, 1696, that the Sheriff Greenfield do cause all the shingles and lumber to be removed out of the old Church and the same to be swept clean, and that he also provide a table and forms for the Commissioners of this County to hold Court in the 25th day of August next."

A jury consisting of Hugh Riley, John Browne, John Cozens, William Selby, Archibald Edmonston, James Moore, Edward Willett, William Rothery, John Chitt, Joseph West, and Francis Marbury was impanelled on June 22, 1697. It is here we come in contact with the name of Marbury, a name to be in the forefront of the county's history through the years ahead.

Brushing away the dust of centuries, we may read the account of the unfolding of our county in its beginnings. From the records of our County Court we are able to trace the planning of those developments. Under date of June 27, 1697, this contract was formed:

"Mutual Agreement between the Justices of Prince George's County and Robert Brothers, Carpenter.

"I, Robert Brothers, doe agree with the Justices of Prince George's County that hee is to build a five and thirty foot house in length and twenty-two feet wide to be a Substantiall framed house with locus or cedar grunsells, the remainder of the frame to be of oak, with two doors in the front with folding shutters between the doors, two transum windows of six lights each to be set on each side of the place of Judicatory and the lower room to be in the same forme and method as Calvert County Court House . . . only the place of Judicatory to be one foot one halfe higher then Calvert County Court house is to build an office in the same forme as the Calvert County Office, the Buigness of the houses only excepted the stares and Upper room to be in the same manner and forme as Calvert County Courthouse is in the difference of the buigness of houses (excepted) to be well lathed and plaistered above stairs and below with one large window at each Gable End of the Upper Room instead of the Dorment window in the Calvert County Court House with Rales, banisters, forms and tables in the place of Judicatory in the Clerk's office and in the Upper Room as in the Calvert County Courthouse. In consideration of

which the said Justices do agree to give the said Robert Brothers agrees with the said Justices and the said Justices agree to give the said Robert Brothers fifty thousand pounds of tobacco, twenty-five thousand to be paid the next levy, the other moyety the next year following. The said house to be built at Charles Town in the place appointed by the Justices of the said Court and to finish the same between this day and twenty-fifth day of December next. Glazing and plaistering only (excepted) in forfeiture of one hundred thousand pounds of tobacco.

“Witness Thomas Greenfield, Edward Batson and Joshua Cecil.

“Thomas Hollyday for the Court, Robert Brothers.”

Under date of June 9, 1697, the House of Delegates passed a resolution reading as follows:

“Resolved by the House that the severall ministers inducted into any parish or parishes within the severall Counties of this Province attend at the Court House of each respective County and there read prayers each morning during the continuance of the County Court before the Court be called or the Commissioners proceed to do any business, and if there be more ministers than one in the County that they take their turns and read prayers one in one Court and the other in another. William Bladen, Clerk to the House of Delegates.”

Under date of January 23, 1699, we read an Order of Court worded as follows: “By reason of the behement couldness of the weather it is ordered that the Court be adjourned till the third Tuesday in February next and then meet and set.”

Turning the pages of these records of that far distant time, we are impressed with the great faith of those men and women who undertook to build a nation in the forests and along the Chesapeake Bay and its tributaries.

Under date of August 22, 1699, Edward Willett, Clerk for the Prince George's County Clerk, reads the following Proclamation in Open Court:

“By His Excellency, the Captain Generall, a Proclamation.

“For as much as Divine Providence hath lately visited these parts in a very particular manner by causing a most terrible and dreadful stroak of lightening and thunder to fall upon the State House, the Assembly sitting therein which fired the roof thereof highly endangering the Records lodged in the said House and not only so but further visiting our sins struck dead Mr. James Crandford, one of the delegates for Calvert County and grievously wounded and hurt divers others (viz): Lt. Col. Hanson, Mr. Thomas Hicks and Mr. George Ashman, but in as much as it pleased Allmighty God in his infinite mercy farr beyond our deserts to withhold and restreine the violence and distruction thereof to the end therefore that our sincere and devout thanks and acknowledgement of such his Gracious Mercy may be duly rendered, I do by and with the advice of his Majesties Honorable Councill proclame, publish to

and Command all and singular his Majesties good subjects, the inhabitants of this Province, that they religiously sett apart and observe the 27th day of August next ensuing as a day of Thanksgiving for such the great Mercy of Almighty God in vouchsafing so signall a deliverence and that the said day with the duty thereof may be the more religiously and decently observed upon this occasion I do in his Majesty's name strictly charge and command the several Ministers of the respective parishes in the several Counties of this Province to perform divine service on that day and that your several Parishoners attend the service and duty and that they obsteine from all bodily labor upon that day as they will answer the Contrary at their perill and to the end that all persons may have due notice hereof I do hereby Command the several Sheriffs to publish my proclamation in all Churches, Chapels, Court Houses and all other public places of meeting within the respective Counties. Given at the Towne of Annapolis under the broad Seal of the Province this 20th day of July in the eleventh Reigne of our Sovereigne, Lord William the third of England, etc. Anno Domini 1699. Nathaniell Blackiston, Captain Generall. True Copy per William Bladen, Clerk to Councill.'

On November 28, 1699, Henry Bonner was sworn in as Clerk.

On November 28, 1699, Thomas Swaringan and Humphrey, soldiers in the garrison under the command of Colonel Ninian Beall, filed a petition with the Court asking to be relieved of unjust taxation of 133 pounds of tobacco.

Court convened at Charlestown March 26, 1700. Henry Bonner resigned as Clerk and Edward Willett was appointed in his stead.

On June 25, 1700, Cornelius White took the oath prescribed by Parliament and was admitted to practice law.

John Haddock was admitted to practice law on June 24, 1701.

The Court met in Charlestown through the years 1700, 1701, and 1702 and the dockets show civil suits and criminal cases in which the offences are bastardy, giving birth to a base born child, hog stealing, profanity, assault, desecrating the sabbath, drunkenness, etc.

Reading the records of our county's early history will reveal to us that welfare is not an institution of recent creation. All through those early records we come across petitions filed by the old, infirm, and unfortunate asking for help from the State and setting forth the following reasons:

- “Grown very ancient and infirm”
- “In a miserable and indigent condition”
- “In a distempered condition”
- “On account of his great age and passed laboring for a livlyhood”
- “Being much afflicted with sickness”
- “Ailing with an odious distemper called the Country distemper”
- “In a miserable and sickly condition”
- “Is a poor languishing person”

“In sickly and indigent circumstances”

“In a poorly and helpless condition”

“Is a man so ancient that he has passed his labors”

and many, many other reasons through the years.

At the session of court held in Charlestown on June 23, 1702, a proclamation was received from Nathaniel Blackiston proclaiming that Princess Anne was Queen of England and all members of the Court took the Oath of Allegiance. A commission was also received from the new Queen appointing the same justices and commissioners now serving to their respective offices. Josiah Wilson was commissioned High Sheriff for Prince George's County.

At the session of the Court held August 25, 1702, a commission was received from Queen Anne naming Thomas Hollyday, William Hutchinson, William Barton, John White, Robert Bradley, Robert Tyler, William Tannyhill, John Hawkins, Robert Wade, Samuel Magruder, Thomas Sprigg, Jr., and James Stoddart, Justices for Prince George's County Court. Any four were authorized to hold court provided a member of the quorum be one of the four. Thomas Hollyday, William Hutchinson, William Barton, John White, Robert Bradley and Robert Tyler were named members of the quorum. Henry Bonner was commissioned Clerk, Edward Willett, Deputy Clerk, and Josiah Wilson, Sheriff, at this session of the Court; and William Hand, Joshua Cecil and Cornelius White were admitted to practice law.

Prince George's County began to function as a county on April 23, 1696, and at the session of the General Assembly held May 26 through June 11, 1697, a year later, Colonel Ninian Beall and William Hatton appeared as Delegates representing our county in the House of Delegates. Colonel John Addison was and had been for some years past a member of the Governor's Council. At the session of the General Assembly, on March 10, 1697/98, through April 4, 1698 the Prince George Representatives were Colonel Ninian Beall, John White, and William Barton. Barton was excused on account of illness.

At the session of the General Assembly held between October 20 and November 12, 1698, John Wright was added to the three aforementioned.

July 11, 1699, the Committee of the House certified that Thomas Greenfield had been duly elected to represent Prince George's County in the House of Delegates.

At this session of the General Assembly, an Act was passed authorizing the Commissioners of the County Courts to raise money to defray the necessary charges of their counties.

In the session of the General Assembly held between April 26 and May 9, 1700, Prince George's County was represented by William Hutchinson,

Colonel Ninian Beall, John Wright, and Thomas Greenfield in the House of Delegates.

In the session held May 8 to 17, 1701, Robert Bradley took the place of Ninian Beall.

In the session of the General Assembly March 16, 1701/02 until March 25, 1702, the following Act was passed.

“An Act for the establishment of Religious Worship in the Province according to the Church of England; and for the maintenance of Ministers. Each taxable to be taxed forty pounds of tobacco for the support of the Minister. Two Vestryman to be chosen each year, and the Vestry shall be at least six in number.”

It was the custom for the governor to prorogue the sessions of the General Assembly often for many sessions, and the members served from session to session.

On May 24, 1704, a Writ of Election was issued out of the High Court of Chancery, being the first since Prince George's County joined the counties in 1696, and at the session of the General Assembly held September 5-October 3, 1704, the delegates to the General Assembly from Prince George's County were: William Barton, Robert Tyler, Samuel Magruder, and Thomas Greenfield. At this session was passed an act empowering the commissioners or justices to levy and raise tobacco to defray the necessary charges of their counties and parishes. The act provided and directed the County Clerk to refer his account book to the governor before March 10th, September 26 at this session an Act provided that each taxable was to be taxed forty pounds of tobacco for the support of the Church of England. This session also provided that four members of the House of Delegates be elected and that the Sheriff summon four members of the Court, who were to make proclamation setting out the date when all freemen possessing 50 acres of land or fifty pounds of tangible property should assemble at Marlborough Town and elect the Delegates.

On December 9, 1704, the General Assembly passed an act for the division of St. Paul's Parish in Prince George's County. The act reads as follows: “Whereas the Parishioners of St. Paul's Parish in Prince George's County have humbly shown to this General Assembly that their Parish being more in length than fifty miles and incapable of being supplied by one Minister and that the great number of the inhabitants will afford a comfortable maintenance for two Ministers have therefore supplicated that the said parish may be divided into two parishes.

“Be it therefore enacted by the Queen's most excellent majesty by and with the advise of her Majesty's Governor and Council and the Assembly of this Province and the authority of the same that the said Parish be divided, and is and shall forever hereafter be divided and the division all lines begin and shall

be adjudged and taken to begin with the dividing branches of the Patuxent River and to run with the Western Branch to a branch called Cabben Branch by the plantation of a certain Edward Willett, and so with the said Cabben Branch to the head thereof and the southern most part to be adjudged St. Paul's Parish.

“And be it further enacted by the authority advise and consent of the said St. Paul's Parish be it further bounded and divided by the ridge between the Puttuxent and Potomac, and the eastern side of the said ridge and the Northermost of the Western Branch and Cabben Branch be adjudged to be a new and distinct Parish to be called by the name of Queen Anne Parish and may elect and choose proper officials and have and enjoy all the advantages, priviledges and benefits of a complete and entire parish. Any former Act, Law, Division or Ordinance to the contrary notwithstanding, consented to by the House of Delegates, Council, and John Seymour, Governor, December 9, 1704.”

## CHAPTER 5

### COUNTY COURTS AT WORK

The County Court continued to meet at Charlestown through the years 1703 to 1706, the business being routine and nothing of any unusual consequence happening during that period.

At the session of the County Court held at Charlestown on November 26, 1706, the justices appearing were Robert Bradley, Robert Tyler, James Stoddart, William Tannyhill, Frederick Claudius, Alexander Magruder, and Francis Marbury.

At this session appeared the ancestors of two families that were destined to be active in the public business of the province and later of the State. One was Francis Marbury, the immigrant and founder of the Marbury family represented by the Honorable Charles C. Marbury, a retired Judge of the Court of Appeals. The other, Alexander Magruder accepted responsibility in this early day and established a family that has continued to be active to the present.

At this same session of the County Court, it was ordered that the road from Henry King's plantation and the road from Mount Calvert to Mr. Joshua Cecil's plantation be cleared.

At the June, 1707 session, Thomas Clagett and John Garrard [Gerrard] joined the Court.

Thomas Clagett began the career of a family that for generations was to be prominent in the financial, political, and religious life of the province.

At the session of the Court held November 25, 1707, William Stone was admitted to practice law. Also at this session Nicholas Sporne was granted a license to operate an ordinary in Marlborough Town.

At this session notice was given to all interested that the ship *United Britain* was anchored in the Patuxent River "and by God's Grace is bound for London and will accept tobacco for shipment to that port."

On January 27, 1707-08 the records showed Henry Bottelor as Sheriff.



August 22, 1710 tells us that the County Court was composed of James Stoddart, William Tannyhill, Major Thomas Sprigg, John Gerrard, Frederick Claudius, Thomas Clagett, and Philip Lee. Josiah Wilson was Sheriff and Edward Willett, Clerk, at the session held November 28, 1710. Richard Dallam was admitted to practice law.

At the session of the County Court held at Charlestown on March 27, 1711, John Bradford joined the membership of the Court.

At the session convened on August 28, 1711, Richard Dallam appeared as Clerk in lieu of Edward Willett.

Mary Boyd petitioned for a license to run an ordinary in Queen Anne Town, Joseph Belt, for a license to run an ordinary in Marlborough Town, and Catherine Roberson, for a license to run an ordinary in her dwelling house in Marlborough Town. All applications were granted.

At the session of the General Assembly held between April 2 and 19, 1706, an act was passed erecting ports and town in the province. In Prince George's County a port was to be established on the land of William Mills on the Patuxent River at Mattapony, another, on the land of Thomas Brooke at Mt. Calvert where the Court House now stands, another, at the upper landing in the Western Branch, commonly called Colonel Belt's Landing, another, at the upper landing of the Northern Branch, commonly called Anderson's Landing, and another, at Broad Creek in the Potomac River at the south side of said creek at Thomas Lewis's Landing. This act, after being passed by the House of Delegates and the Council, was signed by Governor John Seymour on April 19, 1706.

At this session of the General Assembly, held between March 26 and April 15, 1707, an act was passed directing that within Prince George's County, a town be erected on the south side of Piscataway Creek, at or near the head thereof. It was to contain forty or fifty acres of land at the discretion of the said Commissioners for Towns in said County. The three acres of land whereon George Harris, a merchant of Prince George's County, had built dwelling houses and storehouses should be adjudged accepted, reputed, and taken to be part of Nottingham Town.

At the session of the General Assembly held November 29 through December 15, 1708, the members being elected under a writ issued October, 1708, the delegates to the House of Delegates from Prince George's County were Robert Bradley, Robert Tyler, John Bradford, and Philip Lee. At this session, a petition was put before the House of Delegates by some of the inhabitants of Prince George's County praying liberty to bring a bill for the removal of the Court House from Charlestown to the Town of Marlborough. It was read and referred for consideration of the next session of the Assembly.

On August 26, 1706, one Thomas MacNamara appeared in the County Court as an attorney.

At the session of the House of Delegates held between October 25 and November 10, 1709, this same Thomas MacNamara offered a petition seeking to be restored to his right to practice law in the province. On June 22, 1714, the House of Delegates elected Thomas MacNamara its Clerk in place of Richard Dallam who had died. In Chapter 16 of the Acts of 1718, Thomas MacNamara was disabled to practice law. This Act, which was passed on May 7, 1718, recited the following: "He has been defended several times in this Province for misdeeds in his practice. He treats the Courts in an indecent manner when he pleads before them; he despises their authority and values himself as far superior. He has a revengeful temper as well as his methods of practicing upon many unthinking people by producing certificates and affidavits in his favor to better gain his points. Has an intolerable degree of pride and arrogance. He has even attacked the Governor.

"He came to the Province as a Papest, cursing his sacred Majesty, the King. He is barred from the practice of the law before any and all the Courts of Judicature and the Courts of this State."

Thomas MacNamara had earned a reputation in Southern Maryland for impetuous and unscrupulous conduct in court and out. MacNamara and William Stone warmed the March chill in the Prince George's County Court in 1706 with the exchanges that finally became too hot even for the tolerant justice presiding. Both were fined one hundred pounds of tobacco for giving one another abusive language before the Court.

On September 30, 1707, Governor John Seymour showed special interest in legal proceedings and was not willing to tolerate injustice. Reports of MacNamara's behavior reached the Provincial Council, so Governor Seymour issued a proclamation designed to eliminate the undesirables in the practice of the law. The proclamation was as follows: "Her Majesty's subjects of the Province suffer extremely by the Corruption, Ignorance and Extortion of several attorneys admitted to practice to the Provincial and County Courts without any qualification of Honesty, Experience or Learning in the laws to the great scandall of justice, the stirring up of vexations and litigious suits the multiplying them to the private lacre and gaine and that by senseless and insignificant brawles, repetitious and impertinent cavills the time of the Courts is consumed and taken for the most part in trifles."

This proclamation permitted attorneys to qualify by either of two methods. They could present evidence that they were members of the Inns of Court or Chancery in London, or they could submit to an examination by the Governor and Council.

In the afternoon following Governor Seymour's September 30, 1707 proclamation, four outstanding lawyers happened to be in Annapolis: William Bladen, Wornell Hunt, Robert Goldsborough, and Richard Dallam. They all

applied for certification and immediately received the right to practice. These men formed the first official Bar of Maryland.

The courts in the four southern Maryland counties met on the first Tuesday of each month at Seymour Town, now Leonardtown, the second Tuesday at Port Tobacco; the third Tuesday at the Court House in Calvert County; and the fourth Tuesday, at Charlestown in Prince George's County.

The Bar of Prince George's was the largest and the most distinguished in the Western Shore counties. There were a half dozen members known throughout the whole province: James Haddock, Joshua Cecel, William Stone, Richard Dallam, Thomas Boardley, Wornell Hunt, Thomas MacNamara, and Daniel Dulany.

On November 2, 1709, the House of Delegates passed a resolution that the House as an grievance that places of trust and profit, especially the Sheriff's Office, had been sold to such persons as would give the most money or tobacco for them. Since several persons had been commissioned that were very incapable and not qualified and of too mean capacity and estates to execute and perform their duty and office, the inhabitants thereby were much aggrieved and oppressed.

On October 26, 1711, the Council concurred with the House of Delegates and ordered the justices of Prince George's County not to continue further the ferry at Mt. Calvert at the expense of the county.

On October 31, 1711, the General Assembly ordered the Prince George's County Court not to presume to levy any tobacco for the keeping of the ferry at Mt. Calvert. It further ordered that Mr. Stoddart, Mr. Tanyhill, Dr. Claudius, and Mr. Clagett, the four justices that caused the ferry to be kept open contrary to the order of the House of Delegates, pay to the Clerk of the House of Delegates 500 pounds of tobacco.

On March 25, 1712, the Court was composed of James Stoddart, William Tanyhill, Thomas Sprigg, Frederick Claudius, John Gerrard, Phillip Lee, Thomas Clagett, and John Bradford. Henry Boteler was Sheriff and Robert Dalton, Clerk.

The Court also met on June 24, August 26, and November 24 during the year 1712. The criminal cases presented by the Grand Jury consisted of assault, bastardising, desecration of the Sabbath, drunkenness, and larceny of hogs and the like.

On March 25, 1713, the Court was again made up of James Stoddart, William Tanyhill, Frederick Claudius, Thomas Clagett, Thomas Sprigg, Phillip Lee, John Gerrard, and John Bradford. Henry Boteler remained Sheriff and Robert Dalton the Clerk.

During the year 1713, the Court met June 23, August 25, and November 24. The only change in the personnel was that Robert Hall became Clerk in lieu of Robert Dalton and Thomas Clagett, Sheriff, in lieu of Henry Boteler.

At the November term the Court appointed seven constables for the seven hundreds existing in the county. These were: Mattapony, Piscataway, Collington, Mt. Calvert, Western Branch, New Scotland, and Patuxent.

At this November session a license to operate an ordinary in Marlborough Town was granted to William Chillingworth, and one to Ruben Ross to operate the same facility in Queen Ann's Town. At this meeting it was also ordered that the road from Benjamin Hall's to Queen Anne's Town be repaired.

The Court was convened on March 23, 1713-14, the members being as follows: James Stoddard, William Tanyhill, John Gerrard, Thomas Sprigg, Frederick Claudius, Phillip Lee, and John Bradford. Robert Hall was Clerk and Thomas Clagett the Sheriff.

At these sessions of Court held at Charlestown, quite a number of women were presented to the Grand Jury charged with bastardy, or giving birth to a base born child. Here is a sample of those indictments: "The Queen vs. Ellinor Gillmore: It is charged that the said Ellinor Gillmore being presented by the Grand Jury for having a bastard child appeared and confessed to having a bastard child and refused to tell the father; Whereupon it is ordered that the Sheriff take the said Ellinor Gillmore to the whipping post and give her twenty lashes on her bare back till the blood appears; and then came into the court William Hand and agreed to keep the County Court from any charge or trouble that shall or may attend thereon of the said Ellinor Gillmore's child named June Gillmore; the said Ellinor Gillmore paying for her own food."

For the year 1714, the Court met on June 22, August 24, and November 23. The personnel remained the same as in the March term but with the addition of Francis Marbury as one of the justices at the November term.

Daniel Dulany, Thomas MacNamara, Thomas Boardley, Wornell Hunt, and James Stoddard were admitted to practice at the November term.

On March 22, 1714/15, George the First of the House of Hanover ascended the throne of Great Britain.

The justices sitting were: Robert Tyler, Frederick Claudius, John Bradford, Thomas Sprigg, Francis Marbury and Josiah Wilson. Robert Hall was Clerk and Thomas Clagett the Sheriff.

The Reverend Jacob Henderson, pastor of St. Barnabas Church, in Queen Anne Parish, who married the widow of Mareen Duvall, a large land owner in Anne Arundel and Prince George's Counties, appeared in the March term of Court and made this affidavit: "The Reverend Jacob Henderson being sworn on the Holy Evangels deposeth as follows: viz, That on the 22nd day of March, Seventeen hundred and fourteen on making the election between Josiah Wilson and James Stoddard to serve as a Delegate for this County a certain William Tanyhill struck the said Jacob Henderson over the right hand saying to him begone from this side or words to that effect."

The Court then ordered the said William Tanyhill to appear in court the next Thursday to answer the above complaint.

At the June term, convened June 28th, Matthew Browne and Mary Beard were granted licenses to keep ordinaries in the Town of Upper Marlborough.

The August term convened on the 23rd of that month with no changes in the personnel from that of the March Court.

The following order was passed concerning roads: "Ordered that the Overseer for Collington Hundred clear the road from St. Barnabas Church in said hundred by way of James Mullikin's Plantation to Collington Bridge then from the said Mullikins to Humphrey Beckett's in Patuxent hundred and then clear the way to Jacob Henderson's and from the said Henderson's home clear the road called Colonel Ridgeley's Cart Road to the Patuxent River at the place called Furgson's Shoal and to make the bridges over every branch wide enough for coach or cart."

The November term was uneventful.

The March term was held on March 27, 1716, in Charlestown with justices Robert Tyler, James Stoddart, Frederick Claudius, Phillip Lee, Josiah Wilson, John Bradford, Patrick Hepburn, and Joseph Belt. Patrick Hepburn and Joseph Belt, both new members, made their first appearance. Frederick Claudius and Peter Hepburn were doctors since both produced commissions appointing them coroners. At this court the, Rolling Road from Jonathan Lewis's Plantation to Marlborough Town was ordered laid out.

Edward Mobborly was granted a license to teach school.

Six women were indicted by the Grand Jury for having bastard children.

The June and August terms failed to disclose any changes in personnel. At the November term two new justices put in their appearance: Thomas Clagett and Samuel Perrie. James Haddock appears as Sheriff replacing Thomas Clagett, he having moved up to the Court.

At the March 26, 1717 session, the Court consisted of Robert Tyler, James Bradford, Joseph Belt, Frederick Claudius, Patrick Hepburn, Thomas Clagett, Phillip Lee, Samuel Perrie, and Francis Marbury. James Haddock was Sheriff, and Robert Hall the Clerk.

Rock Creek Hundred was set up at this term of court. Thus the county now had eight hundreds.

On June 25, 1717, Michael Howard was admitted to practice. There was no change of personnel in either the August or November terms.

At the session convened March 25, 1718, the members of the Court were: Robert Tyler, Frederick Claudius, Thomas Clagett, Phillip Lee, Francis Marbury, Joseph Belt, Patrick Hepburn, Samuel Perrie, and John Bradford. James Haddock was Sheriff while Robert Hall was Clerk.



COURTHOUSE, UPPER MARLBORO

*Courtesy, Lewis A. C. Buck*

At this session an order was passed to meet in Marlborough Town on April 13, 1718, to decide upon a date for electing a delegate or Burgess to serve in the House of Delegates in the place of Josiah Wilson. On this day it was ordered that May 13, 1718, be set aside for the election to be held at Charles Town. At this election Captain Thomas Clagett was elected to serve as Burgess in the General Assembly for Prince George's County.

The sessions held June 27, 1718 and August 26, 1718, were quiet and the business purely routine.

The November session convened November 25, 1718, with two new justices. These were Levin Covington and Basil Waring.

The Grand Jury made 12 presentments: six for breach of the peace, one for hog stealing, and five for bastardy. From the record, it appears that each Grand Jury man was allowed 400 pounds of tobacco for his services.

At this term "Francis Edmunds, son of Elizabeth Edmunds was adjudged a mulatto and it was ordered that the said Francis Edmunds serve Captain Samuel Perrie till he attains the age of one and thirty years, he being now five months of age. The said Perrie to pay the County seven hundred pounds of tobacco for the said child; and that Captain Perrie be allowed next November

Court, six hundred pounds of tobacco for keeping the said Elizabeth till next November Court.”

On March 24, 1718/19 the Court convened at Charles Town. Justices present were Thomas Clagett, Phillip Lee, Francis Marbury, Patrick Hepburn, Joseph Belt, Samuel Perrie, and Basil Waring. Robert Hall was Clerk and James Haddock the Sheriff.

At this session a license was granted to Roberta Cherry to keep an ordinary in Queen Ann’s Town.

At this session an order was passed that the justices meet on Monday, April 24, to agree upon the removal of the Court House from Charles Town to Marlborough Town in accordance with the provisions of Chapter 13 of the Acts of 1718 herewith:

Entitled an “Act for removing the Court House from Charles Town in Prince George’s County and the building of a Court House for the said County at the Town of Marlborough in the said County and for making sale of the old Court House and Prison:

“Whereas, several of the inhabitants of Prince George’s County have petitioned the present Generall Assembly setting forth that the Court House already built at Mt. Calvert is very inconvenient to two thirds or more of the County; that Marlborough is nearest to the center of the County and the most convenient place that can be thought of for the setting of the Court House at which plainly appeared by the willingness of the several petitioners who have made so large subscriptions toward the building of a new Court House: it is therefore prayed that it may be enacted:

“And be it enacted by the Right Honorable the Lord Proprietary by and with the advice and with the consent of his Lordship’s Governor and the upper and lower houses of the Assembly and by the authority of the same that the Justices of Prince George’s County Court or the major part of them, be and are hereby authorized and empowered on or before the 10th day December next after the sessions of the Assembly go to the Town of Marlborough in the said County and there make choice of two acres of land whereon to build as good a Court House as the old one is or ever was and to agree with the owners of such land for the purchase thereof and in case the owners of such land shall refuse to make sale of the said two acres or be under any disability for making sale thereof then the said Justices or the major part of them shall and are by virtue of this act authorized, empowered and required to issue out warrants to the Sheriff of the said County to impannell and return a jury of the most substantial freeholders, inhabitants within the County to be and appear before the said Commissioners on a certain day to be by the said Justices limited which Jury upon their oaths to be to them administered by the said Justices or the major part of them shall enquire as to their return and what damages of recompence they shall think fit to be awarded to the owner of the said two acres of land, call all persons interested therein what sum ye said jury shall adjudge the land to

be worth shall be to pay owner and all persons interested therein by ye said County and ye said justices or ye major part of you are hereby authorized and impowered to treat and agree with owners or their heirs to do all such other matters ye shall judge necessary for building and furnishing said Court House.

“Provided in the whole they do not burthen the taxable persons in said County above five pounds of tobacco per poll to be levied only for one year.

“Be it enacted by ye authority, advise and consent of Prince George’s County Court which shall be after the completing and furnishing of the new Court House to be built in the Town of Marlborough and not elsewhere the Court shall remove or cause to be removed all records, papers etc., to the new Court House.

“passed May 6, 1718, approved by both houses of the Assembly; John Hart, Governor for the Lord Proprietary of the Province.”

Benjamin Druth was granted a license to teach school. Williams Cummins was admitted to practice law.

At the session of the Court held in Charles Town, on August 25, 1719, George Middleton, Richard Keene, and George Claggett were admitted to practice law. Ralph Crabb appeared as a member of the Court.

The November session of the Court convened on November 24, 1719, and Thomas Gantt appeared as a member of the Court.

The Court convened at Charlestown, March 22, 1719/20 with Phillip Lee, Samuel Perrie, Francis Marbury, Thomas Sprigg, Levin Covington, George Noble, Thomas Gantt, Joseph Belt, and Ralph Crabb sitting. Thomas Claggett was Sheriff, and Daniel Dulany appears as Clerk, succeeding Robert Hall. Dulany became a very prominent attorney and public servant in the Colonial period.

Thomas Humphreys was admitted to practice.

At the session held June 28, 1720, Daniel Dulany was admitted to practice.

The August session met on the 23rd, and at this session, Alexander Contee appeared as Clerk. This gentleman was destined to serve the Court for many years.

With the spring of 1721, changes were to take place. On March 28 the Court met for the last session in Charles Town, and this village slips into the shadows as Marlborough Town became the County Seat. On the morning of this particular day, Justices Joseph Belt, Robert Tyler, and Ralph Crabb, with Thomas Clagett, Sheriff, and Alexander Contee, Clerk, met in Charles Town.

They adjourned Court after passing an order which read that after adjournment in Charles Town, in accordance with the Act of the Assembly, they were to proceed to Marlborough Town and there to meet at “Three of the Clock in the afternoon of the 28th day of March, 1721. There they were joined by Justices Francis Marbury, Samuel Perrie, George Noble, and



Thomas Gantt, who opened the Court and read his Lordship's Commission of their appointments and authority for holding Court in Marlborough Town.'

The first official act of the Court sitting in Marlborough Town was the passing of an order directing "That Tom, a negro man, belonging to James Beall be levy free for the ensuing year for the reason that the said Tom having lost his eyesight.'

The first Grand Jury to sit in Marlborough Town was composed of John Poffinger, Foreman, John DeWitt, John Bowen, Nicholas Dan, William Harris, Richard Groome, Francis Pyles Sr., Francis Pyles Jr., Henry Dick, John Lanham, Jr., John Beall, Thomas Williams, and Jeremiah Belt.

This session passed an order that public notice be given directing that the Court House at Charlestown, alias Mount Calvert, be sold to the best bidder on the fourth day of the following June.

At the June session, the Court admitted Philip Key to the practice of law.

At the August session held August 22, 1721, a petition signed by Ninian Beall, John Jackson, and many others, all inhabitants of the upper part of the Eastern Branch of the Potomac, was presented to the County Court asking that Margaret Jones be prohibited from retailing liquor as an ordinary keeper until she had qualified herself according to law.

Chapter 7 of the Acts of Assembly 1721, contained an act empowering the justices of Prince George's County to levy twelve pounds of tobacco per poll on all taxables within the said County for the furnishing of their Court House and building a public prison for the use of the said county. The act read as follows:

"Whereas, it is represented to this present General Assembly by the inhabitants of Prince George's County that the present Court House in the said County as the Town of Marlborough has been built and so far carried on as it is by subscriptions of the said inhabitants saving once a levy of five pounds of tobacco per poll and for that the said Court House is not so well finished and completed as it ought to be for the security of the Records of the County there being most of all the inside work thereof yet undone. And Whereas, this General Assembly conceives it highly necessary that the said Court House be completed as well for the preservation of the records as well as for the convenience of the officers and suiters to the said Court and that a public prison or goal be also built at the said Court House; Be it therefore, enacted by the Right Honorable, the Lord Proprietary by and with the advice and consent of his Lordship's Governor and the Upper and Lower Houses of the Assembly and by the authority of the same: That the Justices of Prince George's County or the major part of them shall have full power and authority and by this Act are required to levy and assess twelve pounds of tobacco per poll on every taxable person within the County aforesaid for one year next coming to be applied by the Justices aforesaid or the major part of them towards furnishing and completing the said Court House and the building of a Public Prison or Goal near the same with all convenient speed for the use of the said County.'

The session of the County Court was held on March 27, 1722, in Marlborough Town. It was ordered by the Court that Thomas Clagett pay to Levin Covington the sum of twelve pounds of tobacco per poll on the inhabitants of this county for finishing the Court House, he first giving his bond to complete the work with all convenient speed.

On April 7, 1722, a proclamation was made directing Sheriff Thomas Clagett to summon the justices to hold an election in which all freemen would choose four delegates to serve Prince George's County in the Assembly. The election was to be held at the Court House in Upper Marlborough. Those elected to serve in the session of the Assembly would meet the third Tuesday of the following July. The election was held as directed by a writ issuing out of the High Court of Chancery. The Justices that met to hold the election on May 16, 1722 were Robert Tyler, Samuel Perrie, Joseph Belt, and Thomas Sprigg. The freemen qualified to vote in that election were those having fifty acres of land or a visible estate of forty pounds. Those chosen at that election to serve Prince George's County in the Assembly were Robert Tyler, James Stoddart, Ralph Crabb, and Thomas Gantt.

At the August session, held on August 28, 1722, Philip Lee submitted his commission to serve as Sheriff for Prince George's County, having been appointed by the governor.

The March and June sessions of the Court were routine and without incident.

The August session met on August 27, 1723, and the commission from Charles Calvert was received, appointing Robert Tyler, Francis Marbury, Joseph Belt, Samuel Perrie, Levin Covington, Basil Waring, Ralph Crabb, Thomas Gantt, George Noble, Thomas Sprigg, Leonard Hollyday, and John Powell as Justices of the County Court. Phillip Lee served as Sheriff and Alexander Contee as Clerk.

Edmund Jennings was admitted to practice law.

At the November session, held November 26, 1723, David Fleming's petition, in which he set out his sickly and indigent condition, was passed allowing him six hundred pounds of tobacco in present levy.

Margaret Hall, whose petition to the Court alleged her age and infirm condition, was allowed eight hundred pounds of tobacco in that year's levy.

The March 1723/24 session was another session without unusual happenings.

At the June session, held June 23, 1724, Dr. Joseph Coleman was allowed twelve hundred pounds of tobacco in the next levy for attending and curing Elizabeth Doncan.

The August and November sessions of Court were without incident. The usual cases, bastardy, hog stealing, drunkenness, desecrating the Sabbath etc., comprised the dockets.

At the March 23, 1724/25 session, Elizabeth Linton was granted permission to keep an ordinary in Marlborough Town.

At the June session, held June 22, 1725, Michael MacNamara, son of Thomas MacNamara of unsavory reputation, was admitted to practice law.

At the August term, held August 24, 1725, Robert Tyler produced a Governor's commission for his appointment as Sheriff for Prince George's County.

At the November term, held November 23, 1725, Daniel Dulany, one of the attorneys of the Prince George's County Bar, produced to the Court an authentic copy of the Act of the Assembly entitled "An Act to restrain the ill practice of attorneys and to prevent their taking money fees and ascertaining what fees shall be allowed to practitioners in the law who shall attend the Circuit Courts," which being read the said Dulany offered himself ready to serve his clients in all the business that he was concerned in and then pending in the Court if the Court thought fit to permit him to do so.

It was ordered by the Court that the petition of the Vestry of King George Parish, signed by Joseph Noble asking that the taxable persons in the parish be assessed two pounds of tobacco per poll to care for the parochial engagements, be granted.

It was also ordered by the Court that the petition of the Vestry of Queen Anne's Parish, signed by the members thereof, that all taxable persons in the said parish be assessed three pounds of tobacco per poll, be granted. All fees were to be applied towards the discharging of the officer's fees and parochial charges.

At this term of Court William Cummings was admitted to the practice of law.

At this session of the Court, twenty-five supervisors of highways were appointed.

At the March 1725/1726 term, Alexander Fraser took the new oath provided in the Act of the General Assembly for attorneys at law.

William Buckingham was admitted to practice law.

Joseph Belt and Thomas Gantt produced the governor's commission appointing them as Justices for the Prince George's County Court.

William Cumming was admitted to practice law. Edmond Jennings, Alex Fraser, and Michael MacNamara took the new oath as prescribed by the General Assembly for attorneys as referred to previously by Daniel Dulany.

Ralph Crabb produced a commission as Justice and this commission also named the following gentlemen as Justices: Joseph Belt, Francis Marbury, Samuel Perrie, Thomas Gantt, George Noble, Leonard Hollyday, John Powell, Colonel James Haddock, John Magruder, and Jeremiah Belt. This commission was dated June 11, 1726.

At this session the Court ordered that Doctor Richard Pile take the iron off his servant Edmund Mott's neck, the said servant being present in Court complaining of his master's barbarous treatment. The said Richard Pile was to appear before the next County Court to be held in Upper Marlborough Town on the fourth Tuesday of August, it appearing to the Justices that the said servant had been excessively abused.

At this session of the Court, Thomas Larkin and Samuel Hepburn were admitted to practice. Josiah Wilson took the oath of allegiance.

William Lewis petitioned for a license to keep an ordinary or house of entertainment at White's Landing.

On July 16, 1726, Charles Calvert, Lord of Maryland Avalon, by virtue of his Lordship's writ out of the High Court of Chancery, directed Robert Tyler to call together the Justices and the Clerk of the County Court to act as a Court and during their sitting to give notice by public proclamation to all freemen within the said county that they appear at the Court House at a certain time, not less than ten days after such to elect and choose one deputy or delegate to serve in the General Assembly. Justices Samuel Perrie, John Magruder, and Jeremiah Belt met, with Alexander Contee as Clerk. All freemen in the county having 50 acres of land, or a resident there having a visible estate of forty pounds sterling were to be given due notice to attend. The Sheriff was to make proclamation in the most public places. At the election held on July 27, 1626, John Magruder was duly elected.

At the August term, held August 23, 1726, Joshua George took the new oath prescribed for attorneys by the General Assembly.

At the November session of the County Court, held on November 22, 1726, ten constables were appointed for ten hundreds, and twenty-five supervisors for the public roads. John Boyde, was appointed keeper of the ferry at Queen Anne's Town. Richard Bell was admitted to practice law, and Martha Yoakley was granted permission to operate an ordinary or house of entertainment in Upper Marlborough Town.

At this term of Court an order was passed upon the remonstrance of the Vestry of Queen Anne's Parish, on a petition signed by Richard Luckett, Clerk to the Vestry of the said parish, in which petition the vestry requested the Court's authority to levy seven pounds of tobacco per poll to be applied to the discharging the officer's fees and defraying other parochial charges and that all taxable persons in the parish be assessed seven pounds of tobacco per poll. The request was granted.

Piscataway Parish was granted authority to assess each poll in the parish five pounds of tobacco, and Saint Paul's Parish was also assessed five pounds of tobacco per poll.

At the March 27, 1727, session, the Court personnel was the same. The Court authorized each grand juror 400 pounds of tobacco.

At this session John Boyd was granted a license to keep an ordinary or public house of entertainment in Queen Anne Town; and James Chapman, a license for the same purpose in Upper Marlborough Town.

At the June term of Court, held June 27, 1727, the personnel of the Court consisted of Joseph Belt, Leonard Hollyday, Samuel Perrie, John Magruder, Ralph Crabb, Jeremiah Belt, George Noble, and Edward Sprigg. Robert Tyler appeared as Sheriff and Alexander Contee as Clerk of the Court.

John Townley's petition for a license to keep an ordinary in Nottingham was rejected.

The record of the August term, held August 22, 1727, disclosed that the Court personnel remained the same. The Court appointed ten constables, one for each hundred, and also appointed twenty overseers for the highways.

At the November term of the Court, held November 24, 1727, the Clerk read a commission from Charles the Lord Proprietary appointing Joseph Belt, Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, John Magruder, Jeremiah Belt, Edward Sprigg, and Samuel Perrie, Justices of the Court. Robert Tyler was appointed Sheriff and Alexander Contee the Clerk.

At this session of Court, William Cumming, William Rockingham, Alexander Fraser, Michael MacNamara, and Edmond Jennings took the oath required by the Acts of the General Assembly to be taken by attorneys, including the oath of abjuration and the oath of allegiance to His Majesty, George the Second.

Thomas Clark was admitted to practice law.

Dr. Patrick Sim submitted to the Court a bill for the care of certain indigent persons.

John Boyde was appointed keeper of the Queen Anne Ferry for the ensuing year.

In a petition signed by Richard Duckett, the Vestry of Queen Anne's Parish asked the Court for authority to levy a tax of seven pounds of tobacco per poll for all taxables in the parish to defray parish expenses.

In a petition signed by Joseph Noble, the Vestry of King George's Parish requested of the Court authority to levy a tax of four pounds of tobacco per poll on all taxables in the parish for parish expenses.

In a petition signed by Weldon Jefferson, the Vestry of St. Paul's Parish requested authority to levy a tax of five pounds of tobacco per poll on all taxable in the parish to care for parish expenses.

In a petition signed by William John Jackson, the Vestry of Prince George's Parish requested authority to levy a tax of twenty-two pounds of tobacco per poll on all taxables in the parish to defray parish expenses.

The Court appointed Lingan Wilson, Keeper of the Standard of Weights and Measures.

At the session of Court held March 26, 1728, the Court personnel remained the same.

Michael MacNamara and Ninian Mariartee were admitted to practice law.

The June session convened June 25, 1728, with the same Court personnel. Nothing of special interest occurred.

On August 17, 1728, a writ was issued out of the High Court of Chancery, directing Robert Tyler, Sheriff, to call three justices together and to give notice by proclamation to hold an election to choose four delegates to the House of Burgesses.

The justices summoned were Colonel Joseph Belt, Ralph Crabb, John Magruder, and Captain Edward Sprigg. The election was held in Upper Marlborough Town and the four elected were John Magruder, Samuel Perrie, Ralph Crabb, and Joseph Belt.

The Court met for the August term on August 27, 1728. The Court ordered that Samuel Brashers be allowed, in the next levy, the costs for erecting a new pillory and a new pair of stocks at the Court House in place of the old ones. The amount of the levy is not shown. Richard Lee presented his commission from the Governor appointing him Sheriff in lieu of Robert Tyler.

John Townley was fined thirty shillings for selling liquors on the Court House grounds.

On November 26, the November term convened, with Justices Joseph Belt, Samuel Perrie, Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, John Magruder, Jeremiah Belt, Edward Sprigg, and William Penson present. Richard Lee was Sheriff and Alex Contee continued as Clerk. Richard Keene appeared as Foreman of the Grand Jury.

The Vestry of Prince George's Parish presented a petition signed by William John Jackson, Clerk, asking authority from the Court to levy a tax of eight pounds of tobacco per poll on all taxables in the parish for the benefit of the parish.

The Vestry of Queen Anne's Parish petitioned the Court for authority to levy a tax of seven pounds of tobacco per poll on all taxables in the parish.

CHAPTER 6  
PROBLEMS OF THE 1720's AND 1730's

The *Maryland Gazette* for February 4, 1728/29 published a suggested remedy, as follows:

“Whereas, through the misunderstands and mismanagement of some of the London Merchants, Tobacco the only staple of Maryland, and present dependence of the people, is so very low, that the produce thereof will not supply them with common necessities: and that it is very probable if a person who has experienced the small advantage that can be made of that commodity under the present circumstances and of whole attachment to the public interest, and welfare of the Province in general, the people are convinced; was to undertake the sale of such a quantity as would give him a comfortable weight and influence on the trade it maybe of public service; and that the laws of self preservation, dictate to people to attempt all lawful ways and means to relieve themselves from any burdens or oppressions under which they groan; We the subscribers not knowing any better expedient than to request our friend and acquaintance Mr. Henry Darnall, a person well known to be qualified as above, to undertake the sale of our tobacco in London, either in Partnership with any merchant there, that he shall think proper, or singly at his discretion. And for his encouragement we hereby promise, and every person for himself doth promise, and every person doth promise to consign him the several quantities of tobacco hereafter mentioned. Witness our hands and seals.”

The Vestry of St. Paul's Parish asked the Court for authority to levy a tax of four pounds of tobacco per poll on all taxables in the parish, said tax to pay the expenses for repairing the church.

On March 25, 1729, the March term of the County Court convened.

Lord Baltimore's Commission named as justices for the County Court the following gentlemen: Samuel Perrie, William Penson, Thomas Gantt, Ralph Crabb, Leonard Hollyday, George Noble, Jeremiah Belt, John Magruder and

Edward Sprigg. Richard Keene was Foreman of the Grand Jury. Richard Lee was named Sheriff and Alexander Contee, Clerk.

The June term was held on June 24, 1729 and passed on without special incident.

On July 29, 1729, an election was held in Upper Marlborough Town to elect one member of the House of Burgesses. Edward Sprigg was chosen.

The August term of the Court held on August 26, 1729, was without note. The personnel of the Court remained the same. Turner Wootton appeared as Foreman of the Grand Jury. This name of Wootton was destined to play an important part in Prince George's affairs in the years ahead.

The November term convened on November 25, 1729, and David Craufurd appeared for the first time as a member of the Court. This gentleman was a merchant in Upper Marlboro and built the house in Upper Marlboro where the late T. Van Clagett, Jr. and T. Van Clagett, Sr., resided.

At this term of Court, thirteen constables and twenty-seven road overseers were appointed.

Richard Keene was named Foreman of the Grand Jury.

At the March term held March 24, 1729/30, the Court was composed of the following: Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, John Magruder, Jeremiah Belt, Edward Sprigg, William Penson, Peter Dent and David Craufurd. Richard Lee was Sheriff and Alex Contee, Clerk. Henry Wright was Foreman of the Jury.

Daniel Clark appeared at this session with a petition alleging that, for two years past, John Spencer had left his child with him and that the said John Spencer had fulfilled his contract. The name of Daniel Clark was also a name prominent in the county affairs in the coming years.

The Court under date of March 26, 1730, replied to the letter from Governor Benedict Leonard Calvert advising him that there were four parishes in the County. St. Barnabas Parish, with the Reverend John Eversfield as rector, was 25 miles long and 12 miles wide and contained 916 taxables. There was a glebe of 100 acres without houses or stocks. King George Parish, with Reverend John Fraser as rector, was 38 miles long and 7 miles wide, with 1025 taxables. The glebe was valued at 500 pounds of tobacco with no stock of Negroes or cattle. Prince George's Parish had as rector, Reverend George Murdock. The extent of this parish was unknown as it was a frontier parish. There were 654 taxables with a glebe of 200 unimproved acres and no stock of Negroes or cattle.

This reply to the Governor's inquiry was signed by Justices Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, Jeremiah Belt, Edward Sprigg, Peter Dent and David Craufurd.



The June term was held on June 23, 1730. The Court personnel was the same as the previous session.

The August term convened on August 25, 1730, with Justices Ralph Crabb, Thomas Gantt, Leonard Hollyday, John Magruder, Jeremiah Belt, Edward Sprigg, Peter Dent, David Craufurd and John Beall present; Richard Lee was Sheriff and Alexander Contee, Clerk. Samuel Brashers was Foreman of the Grand Jury.

At this session of court, James Hill petitioned that his wife was in a deplorable condition, "being miserably afflicted with the country distemper and without speedy relief by all appearances must perish, that he was a poor man and therefore humbly prayed the Justices to grant him some relief in order to pay the charges of the cure for his distressed and afflicted wife." The Court allowed him 500 pounds of tobacco in the levy.

On November 23, 1730, a commission was received from Benedict Leonard Calvert appointing as Justices of the County Court: Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, John Magruder, Jeremiah Belt, Edward Sprigg, William Penson, Peter Dent, David Craufurd, John Beall, Sr., and John Beall, Jr. The November term met on November 24, 1730. This Court appointed Henry Boteler, Thomas Middleton, Jr., John Smith Prather, Francis Piles, Osborn Sprigg, Thomas Wilson, Benjamin Jacobs, John Harding, John West and Nicholas Baker as Constables. Twenty-nine road supervisors were also appointed.

William King filed his humble petition to the Court setting forth that he was aged sixty-odd years and very crazy and having almost lost the sight of his eyes was scarcely able to get his livelihood prayed the "worships" to extend him help. The Court ordered that the petitioner be levy free for the succeeding years.

Chapter 13 of the Acts of the General Assembly was passed on May 6, 1718, directing the Justices of the Prince George's County Court to go to Marlboro Town and make a choice of two acres of ground and to do such things as were necessary to build a court house, prison, etc.

Under date of December 19, 1730, recorded in Liber "Q" at folios 191 to 193 of the Land Records for Prince George's County, we find a deed from Daniel Carroll, a merchant, to Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, John Magruder, and Jeremiah Belt. The deed recites that "for a consideration of five shillings, the grantor conveys to the grantees all that parcel of land being in the town whereupon the County Court House, County prison, stocks and pillory now stand, being a part of a tract of land called 'Darnall's Chance' which parcel of land is bounded as follows, viz- Beginning at a locust post, now set down near a lot numbered XX taken up and built upon as the land for Towns in that case directed by Colonel Joseph Belt and others now in possession of Elizabeth Linton widow and running

thence south 72 degrees west eight perches North 18 degrees West twelve perches and 3/4 North 72 degrees East 12-3/4 perches south 18 degrees East 12/-3/4 perches South 72 degrees West to the beginning containing and laid out for an acre of land.

“It is the true intent and meaning of the parties to these presents that if it shall happen at any time hereafter that the aforesaid Court House is moved from the land above granted or hereby intended to be granted and the Prince George’s County Court is held at any other place than where it now is that in such case every article and Covenant in this deed of bargain and sale is to be utterly void and of no effect to all intents, constructions and purposes and it shall be lawful for the said Daniel Carroll unto the same land again to enter and the same repossess as his former estate.”

The Court convened on March 23, 1730/31, for the spring term with the Justices the same as the previous term. Richard Lee appeared as Sheriff, Alexander Contee remained as Clerk, and Samuel Magruder, Foreman of the Grand Jury.

At the June term, convened on June 22, 1731, commission was received from Charles, Lord Baron of Baltimore, appointing Ralph Crabb, Thomas Gantt, George Noble, Leonard Hollyday, John Magruder, Jeremiah Belt, Edward Sprigg, William Penson, Peter Dent, David Craufurd, John Beall, Jr., John Beall, Sr., John William and Alexander Magruder. Richard Lee was Sheriff; Alexander Contee, Clerk; and Thomas Harwood, Foreman of the Grand Jury.

The August term convened on August 24, 1731. The personnel were the same and there were no incidents.

The November term convened on November 23, 1731 with the only changes in the Court personnel being Thomas Brooke as Sheriff in lieu of Richard Lee and the Foreman of the Grand Jury being Samuel Magruder, Sr. The Court appointed thirteen constables and thirty-two road overseers. There were then eleven hundreds in the County, viz., Mattapony, Piscataway, Collington, Mount Calvert, Western Branch, New Scotland, Patuxent, Rock Creek, Potomac, Eastern Branch and Monocoughsie [Monocacy].

On December 18, 1731, the Sheriff was directed to summon the Justices to hold an election to select delegates to serve in the General Assembly to be held in Annapolis on the third Tuesday of the following February. The election was held on January 4, 1731/32, and John Magruder, Ralph Crabb, Edward Sprigg and Joseph Belt were chosen.

The March term convened on March 28, 1732, and at this session a Commission from Charles Lord Baltimore was received naming the following as Justices of the Court: Thomas Gantt, George Noble, Leonard Hollyday, Jeremiah Belt, Peter Dent, John Beall, Jr., John Beall, Sr., Richard Lee, Robert Bradley, William Murdock, Turner Wootton, Thomas Clagett, Jr., Joseph Chew and Robert Skinner. Thomas Brooke appeared as Sheriff;

Alexander Contee, Clerk; and Thomas Harwood, Foreman of the Grand Jury.

On June 27, 1732, the Court convened for the June term. The personnel was the same as the March term.

The year 1732 moved in on the affairs of the men and women of the province. With it came troubles such as had not been known before. Economic difficulties had been becoming worse for some years, and the climax came in 1732. The economy of the province became unbalanced, and it mattered not how skillfully or arduously men labored, at the end of the year they always came up with a deficit. Such conditions always result in political and social unrest.

While those charged with the responsibilities of government struggled with such problems, others, because of economic pressure, sought relief by other means. False prophets arose in the land, some sincere in their doctrines, others seeking excitement, and some bent on destroying the existing order solely to destroy without a substitute to offer.

Property was destroyed, tobacco and tobacco houses burned, tobacco plants pulled out of the ground and cut in pieces and damage done to all property associated with tobacco.

## TOBACCO PLANTS

July 11, 1732. Samuel Ogle, Governor

The Council: Charles Calvert, John Hall, Col. Richard Tilghman, Col. Matthew Tilghman Ward, John Rousby, Benjamin Tasker, Philip Lee and George Plater.

Members of the House—Prince George's County: John Magruder, Ralph Crabb, Col. Joseph Belt and Capt. Edward Sprigg.

“Gentlemen of the Upper and Lower Houses of the Assembly and Lord Baltimore:

“I am heartily concerned for the calamitous condition the Country is in occasioned by the decay of its trade and the lowness of its staple; and I cannot but think it an aggravation of our misfortunes that several well meaning honest men should seem so far to despair of any relief from the Legislature, as to have been reduced to countenance and encourage the cutters up of tobacco plants in their late tumultuous and violent proceedings which had they not been happily suppressed must have been attended with the most fatal consequences.

“It is from the legislature that the people ought to expect a relief from their grievances, and a reformation of what is amiss in public affairs and not from violence and popular tumults which can only add to our misfortunes. Our staple low as it is, may yet be raised in its value by proper laws with due care taken for their execution upon this your happiness depends therefore promise

my self you will all unite as one man in the faithful discharge of so necessary a duty as it, the relieving your Country from its present distresses and securing its future prosperity and peace wherein you may depend on my concurrence, and all the assistance I can give you. Benedict Leonard Calvert, Col. John Mackall, Speaker.”

Finally the Provincial Assembly passed the following act known as Chapter 7 of the Acts of 1732. The title of the said act reads: “An Act to prevent cutting up tobacco plants destroying tobacco and tobacco houses and for the punishment of criminals guilty of such offenses.”

“Whereas several evil minded persons have of late gone about in many places in great numbers and have violently cut up the tobacco plants growing on several plantations and seduced several honest people of countenance their outrageous proceedings some of which evil minded persons have given out in threatening and manancing speeches that peoples houses and tobacco shall be burnt and destroyed for the preventing such outrageous acts and punishing such as shall be guilty thereof:

“Be it enacted by the Right Honorable the Lord Proprietary by and with the advice and consent of his Lordship’s Governor and the Upper and Lower Houses of the assembly and the authority of the same that any person or persons who shall after the end of this present session of the Assembly cut or destroy or cause to be cut or destroyed any tobacco plants belonging to any other person or persons or by threats or menaces or other sinister means, shall cause or excite any person or persons to cut or destroy any tobacco or tobacco plants belonging to any other person or persons and shall thereof be convicted by due course of law shall forfeit and pay unto the party grieved one hundred pounds sterling and suffer six months imprisonment without bail or mainprize and shall also remain in prison as in execution until the said sum be satisfied in case the offender be of sufficient ability to pay the same and if the offender shall not be of sufficient ability then and if in every such case the offender shall remain and continue in prison for the space of one whole year without bail and main prize.

“Provided also that the party grieved shall have and may have and maintain his or her action of trespass or other proper action at law for the recovery of damages against the offender anything herein contained to the contrary notwithstanding: And be it enacted that any person or persons who shall after the end of this session of the Assembly willfully burn any tobacco belonging to any other person whether hanging or in bulk or packed or any tobacco house or houses having therein any tobacco hanging in bulk or packed and be thereof convicted by due course of law and every aider and abettor of such offender shall suffer death as a felon without benefit of clergy.

“This Act to continue for three years and to the end of the next session of the Assembly which shall happen after the end of the three years.”

This Act was passed by the Lower House on July 27, 1732, and passed by the Upper House on July 27, 1732. It was signed by Governor Samuel Ogle on behalf of the Right Honorable, the Lord Proprietary of the Province.

The August session of the Court convened on August 22, 1732, with Justices Leonard Hollyday, Thomas Clagett, Jr., Joseph Chew, Richard Lee, George Noble and John Beall, Jr., present.

Thomas Brooke was Sheriff and Alexander Contee, Clerk. Henry Wright was Foreman of the Grand Jury.

Joseph Brooks filed his petition which stated that he was well stricken in years and had served his time in the County, being then almost sixty years of age and for some years past had been sickly and his bones "full of pains." He requested of the Court that he be allowed to be levy free and requested a small sum to help care for his wants.

Stocks were ordered erected in Beall Town, Nottingham Town and Queen Anne Town.

Bastardy charges were the most prominent on the docket.

The November term of the Court convened November 28, 1732.

A commission was received this date from the Lord Proprietary naming George Noble, Leonard Hollyday, Peter Dent, David Craufurd, John Beall, Jr., Richard Lee, John Beall, Sr., Alexander Magruder, Jr., William Murdock, Turner Wootton, Thomas Clagett, Jr., Joseph Chew and John Vanmetrice as Justices of the County Court. Thomas Brooke was named Sheriff and Alexander Contee, Clerk.

The Foreman of the Grand Jury was James Edmonston.

The Court at this session appointed thirteen constables and thirty-two road overseers.

At this session of court, the Rector, Vestrymen and Wardens of St. Paul's Parish petitioned the Court for authority to levy five pounds of tobacco per poll to raise money to meet the charges on the parish. The petition was signed by John Eversfield, Rector, and Philip Lee, David Craufurd, Joseph Belt, Leonard Hollyday, and J. Wilson, Vestrymen, Thomas Swann and Leonard Piles as Wardens.

At this session of court, the Vestrymen and Wardens petitioned the Court for authority to assess all taxables in St. Paul's Parish any quantity of tobacco that they might deem proper, not exceeding 20,000 pounds in any one year, the assessment to be used to build a new church. This petition was signed by John Eversfield, Rector, and Philip Lee, David Craufurd, Joseph Belt, Leonard Hollyday and J. Wilson, Vestryman and Leonard Piles, and Thomas Swann, Wardens.

The November Court was continued until February 26, 1732/33, and at this session Bernard Rawlings petitioned the Court, advising that the

November Court last past appointed him a Constable for Mattapony Hundred and he further stated that was an illiterate person and unable to perform the duties and asked to be relieved.

The sessions of the Court convened on March 27, 1733, and June 26, 1733, passed without special interest. The Grand Jury for each session presented indictments for bastardy, larceny of domestic animals, selling liquor on the sabbath and a few other such offenses. The personnel of the Court was the same at both sessions as at the immediate preceding sessions with the exception that Samuel Magruder was Foreman of the Grand Jury at the March term and John Stoddard at the June term.

The August term convened on the 28th of that month. At this session Samuel Young was admitted to practice law. Robert Bradley was Foreman of the Grand Jury and a commission was received from the Lord Proprietary appointing John Hall, Richard Tilghman, Matthew Tilghman Ward, John Rousby, Benjamin Tasker, Philip Lee, Michael Howard, George Plater, Edmund Jenings, George Noble, Leonard Hollyday, Peter Dent, David Craufurd, John Beall, Jr., Richard Lee, John Beall, Sr., Alexander Magruder, Jr., William Murdock, Turner Wootton, Thomas Clagett and Joseph Chew Justices to keep the Peace. Thomas Brooke continued as Sheriff and Alexander Contee as Clerk.

In this group were men who established families that were to play important roles in Prince George's County affairs. I might mention Benjamin Tasker, whose daughter Anne Tasker married Samuel Ogle, Governor of the Province who built the Bel Air Mansion as a wedding gift for his daughter. The Chew family was prominent as were the Hall, Clagett, Magruder, Wootton and Brooke families. David Craufurd was a merchant in Upper Marlboro and lived in the home now occupied by the family of the late T. Van Clagett, Jr. (This is the David Craufurd mentioned by the Reverend Jonathan Boucher in his book *Reminiscences of An American Loyalist* when he writes that on his arrival at Saint Barnabas Church at Leland to preach, the church was occupied by 200 armed men under the leadership of Osborn Sprigg and he was told he was not to preach. When he started for the pulpit, Mr. David Craufurd of Upper Marlboro, his friend, held him and told him to use judgment and not to attempt to preach as twenty men had told him (Craufurd) that they were going to kill him (Boucher) if he attempted to enter the pulpit.)

The Court convened for the November term on the 27th. The personnel of the Court was the same as shown in the preceding list with the exception of William Marshall, who was Foreman of the Grand Jury.

At this session the Court appointed fifteen constables and thirty-one road overseers.

Arthur Wilson petitioned the Court for assistance, alleging that he was now seventy years of age and hath a very infirm condition and nobody to assist him in the getting of anything for his or her support but was obliged to do it by his

own labor which was very hard for a man of his years and asked that in the future he not be taxed. The Court rejected the petition. It is evident that in those days there were supplicants in whom their compatriots lacked faith.

David Perry filed a petition alleging that he was upwards of ninety years of age, very weak and in a deplorable condition, and suffering from many wounds received fighting the Indians. He was allowed 600 pounds of tobacco by the Court.

This session of Court allowed John Beall, Jr., 500 pounds of tobacco for erecting stocks and a whipping post at the head of Piscataway Creek.

At the November 1733 term of the County Court that met on November 27, a petition signed by David Craufurd, J. Wilson, Leonard Hollyday, Alexander Contee, Thomas Swann, and Leonard Piles was filed on behalf of the Rector, Vestrymen and the Wardens of St. Paul's Parish asking that the Court pass an order placing a tax of five pounds of tobacco per poll on each and all taxables in the parish to defray its expenses.

A second petition signed by John Eversfield, David Craufurd, J. Wilson, Leonard Hollyday, Thomas Swann and Leonard Piles was filed on behalf of the Rector, Vestrymen, and church Wardens of St. Paul's Parish. This petition made reference to the act of the General Assembly passed in the City of Annapolis, on July 11, 1732, and directed that a levy of 20,000 pounds of tobacco be levied on all taxables in the parish to defray expenses for the building of a church and a chapel of ease in St. Paul's Parish. This petition provided that each taxable not be assessed for more than twenty pounds of tobacco in any one year. The Provincial Assembly for the year 1733 enacted Chapter 18 which provided that the main branch of the Patuxent be made navigable above Queen Anne Town.

Nehemiah Ogden petitioned the Court to be allowed expenses for burying Thomas Patrick Quinn, a travelling man who became ill while at the Ogden dwelling house and died there. The Court allowed Ogden 400 pounds of tobacco for burying Quinn.

The March session of the County Court in the year 1734 convened March 26 and the Foreman of the Grand Jury for that term was Ninian Magruder.

The Grand Jury at this session presented for trial seven women for giving birth to base born children.

John James told the Court that during the past year he had suffered with a distemper called the "yaws" to such an extent that he was unable to work. His petition for aid was rejected by the Court.

Thomas Simpson stated in his petition that both he and his wife were suffering from great age and many other infirmities and were badly in need of help. The Court allowed the two of them 500 pounds of tobacco.

Philip Williams, in his petition, alleged that Margaret Crump, a spinster, came to his home on February 2 last and became ill and for ten days languished

in a distracted manner, and two or three persons were needed to handle her. He was granted 400 pounds of tobacco for his care of that unfortunate woman.

Dorothy Lucas, a spinster, asked the Court that a Negro man working for her be levy free on account of his great age and infirmities.

The June session of the County Court for the year 1734 was convened on June 25. The Foreman of the Grand Jury was Walter Brooke.

The Grand Jury presented indictments for four women for giving birth to base born children and four men for breach of the peace.

At the August term, 1734, nothing of consequence occurred. All was routine and all personnel of the Court the same as the June session with the exception that Samuel Magruder was Foreman of the Grand Jury in lieu of Walter Brooke.

The November term of the Court convened November 26, 1734, and at this term of the court fifteen constables and thirty-four road supervisors were appointed.

At this term the Court was presented with a petition signed by John Eversfield, Alexander Contee, Richard Lee, Thomas Gantt, Richard Johns and Robert Skinner and is on behalf of the Rector, Vestrymen and church Wardens of St. Paul's Parish in Prince George's County and reads as follows:

“To the Worshipful Justices of Prince George's County: the petition showeth, That at a session of the General Assembly began and held at the City of Annapolis the Seventh day of July in the year of Our Lord seventeen hundred and thirty-two enacted that the taxable inhabitants of Saint Paul's Parish in Prince George's County be assessed for such a quantity of tobacco as shall be sufficient to defray the expenses of building a church and a chapel of ease in the said parish by which act your worships were empowered on application made by the Vestry to levy on the said inhabitants any quantity of tobacco not exceeding twenty thousand pounds in any one year. Therefore your petitioners most humbly pray your Worships would be pleased to assess the inhabitants of the said Parish twenty thousand pounds of tobacco in order to discharge part of the expense of building a church and a chapel of ease in the said Parish and they as in duty bound shall every pay.”

The session of the Court that convened March 25, 1735, a commission was received naming George Noble, Leonard Hollyday, Peter Dent, David Craufurd, John Beall, Jr., Richard Lee, John Beall, Sr., Alexander Magruder, William Murdock, Turner Wootton, Thomas Clagett, Joseph Chew, John Vanmetrice and Nathaniel Wickham as Justices for the Prince George's County Court.

For the next two sessions held June 24, 1735, and August 26, 1735, the proceedings were routine and the personnel remained the same with the exception of the Foreman of the Grand Jury. For June term, it was Robert Brady and for the August term, Thomas Lancaster.



At the November term for year 1735, which was held on November 25, the Court appointed fifteen constables and thirty-five road overseers.

The Court terms of March 1735/36, June 1736 and August 1736 lack interest. Bastardy, giving birth of base born children, hog stealing and blasphemy occupied the interest and time of the Court.

At the November session of 1736, which met November 23, Samuel Magruder was Foreman of the Grand Jury. The Court appointed at this session sixteen constables and thirty-six road supervisors, and by virtue of a recent act of the Provincial Assembly, the Court appointed eleven additional constables for the sole purpose of suppressing "gatherings of tumultuous negroes."

Another order was passed by the Court upon the petition signed by John Eversfield, Richard Keene, Thomas Gantt, Thomas Clagett, Alexander Magruder and Lingan Wilson on behalf of the Rector, Vestrymen, and Wardens of St. Paul's Parish to levy another 20,000 pounds of tobacco on all taxables in said parish in accordance with the terms of the previous act by the Provincial Assembly.

The Court also authorized King George's Parish to levy a poll of ten pounds of tobacco on all taxables in said parish to build a vestry house.

At the March session of the Court in year 1736/37 which met March 22, Catherine Levelleth filed a petition for help. The petition alleged that she was afflicted with "Rumativison" and this affliction, coupled with old age and loss of eyesight, rendered her incapable of getting living by labor, and all her acquaintances refused to entertain her because she could not make restitution through her labor, and she prayed to the worships for their favorable consideration of her petition. This petition was referred to the next Court.

The Foreman of the Grand Jury for this term was Thomas Harwood.

Mention was made at this session of the great number of languishing prisoners being held for debt.

Luke Marbury appeared at this term of Court as a party to a contract in contest before the Court. Luke was another member of that ancient and honorable family so long active in the business of the County during all of its history. He was the son of the immigrant, Francis Marbury previously mentioned. Luke was also one of the executors of his father's will dated January 1, 1734/35.

At the June term for 1737, convened June 28, John Lemarr was Foreman of the Grand Jury and Henry Darnall was admitted to practice law.

Ninian Magruder was Foreman of the Grand Jury for the August term in 1737 and Thomas Evans the Foreman of the Grand Jury for the November term convened November 22, 1737.

At this November term the Court appointed sixteen constables and forty road overseers. Eleven additional constables were appointed for the special duty of suppressing gatherings of tumultuous Negroes.

Richard Lee was admitted to practice law at that session.

An election for members of the Assembly was held on January 12, 1737/38, and Major Edward Sprigg, John Magruder, John Stoddart, and Turner Wootton were chosen.

The March session for 1738 convened on the 28th of March. The Foreman of the Grand Jury was Robert Madley.

At the June session for 1738 that convened on June 27, Francis Waring was Foreman of the Grand Jury and Meredith Davis of Seneca Creek qualified as a ranger.

At this session Francis Coleman presented to the Court the following petition: "To the Worshipful, the Justices of the Prince George's County Court, the petition of Francis Coleman most humbly showeth that your petitioner being sixty-seven years of age is very inform by reason of constant rhumatick pains and having an old inform woman for a wife to maintain humbly prays your Worshipfuls to order his levy to be remitted and that he remain levy free for the short remains of his life." The petitioner was granted the request of his prayers.

At this session of the Court Nathaniel Magruder presented a petition to the Court that "humbly showeth that your petitioner is a dweller in the Town of Marlborough and seeing the great concourse of people that frequent the town as well as at other times as at public times which occasions your petitioner to be desirous of keeping a house of entertainment and petitions your Worshipfuls to grant him a license for the same." The request was granted upon his giving security according to law.

For the next few terms of the County Court the business lacked historical value and color. It was of a very routine nature. So, this being true, I shall move forward for two years to the August term, 1740 and begin a new Chapter from that date.

However, I will list the names of those that served as Foremen for the Grand Juries for that period and review some facts about the Court system.

August 1738, Richard Keen; November 1738, John Hawkins, Jr.; March 1739, Robert Whitaker; June 1739, Walter Brooke; August 1739, John Hawkins, Jr.; November 1739, Ninian Magruder; March 1740, John Hawkins, Jr.; and June 1740, John Lowe.

In the early days of the County, the County Court was the hub around which all public, political and other business revolved. The Established Church came to the Court asking that orders be passed to levy polls on all taxables residing in the various parishes for the support of the Church of England. The Court supervised the elections for the members of the Assembly, the only elective office in the county, all others being appointive. It distributed welfare to the applicants worthy of help. It punished offenders of the King's peace. It appointed the constables and road supervisors.

Four terms of Court were held each year, and its membership might consist of any number of Justices, four of whom were to be of the quorum. One member of the quorum had to be present at any and every term of Court. Some of those men were indifferent about attending Court while others were very dedicated.

Those that served between the years 1733 through the year 1739 were: John Beall, Jr., John Beall, Sr., George Buchanan, Thomas Beatty, William Beatty, David Craufurd, Joseph Chaplin, Thomas Clagett, Joseph Chew, Thomas Cresap, Peter Dent, John Fraser, Thomas Gantt, Jr., Leonard Hollyday, John Hepburn, Thomas Jennings, Richard Lee, Alexander Magruder, Thomas Marshall, William Murdock, George Noble, Thomas Owen, James Wilson, John Vanmetrice, Nathaniel Wickham and Turner Wootton.

During this same period of time, Thomas Brooke, Richard Lee and William Murdock served as Sheriff in the order named, and Alexander Contee served as Clerk to the Court for the entire period.

To repeat and to repeat the names of those Justices present at each term of Court would become very tiresome to the reader as well as to the author.

Therefore, it is my idea to divide the remaining periods of our county's history into sections of three years each and give the reader the benefit of all those men that served as Justices of those periods.

## CHAPTER 7

### COUNTY EVENTS OF THE 1740's

During the August and November terms of 1740, the Court heard the following cases: six women were charged with giving birth to base born children: three, for giving birth to mulatto children; eleven persons, for falsifying weight of tobacco; one, for breaking and entering; one, for larceny; one, for assault; one, for breach of the peace; one, for desecration of the Sabbath; and seven, for various felonies.

William Murdock was Sheriff for the August term and John Hepburn for the November term. The Foreman of the Grand Jury was Robert Bradley for both terms, and Alexander Contee, Clerk of the Court for both terms.

At the November term the Court appointed twenty-nine Constables and fifty Road Overseers.

During the March term 1740/41, John Hepburn served as Sheriff, while Robert Bradley served as Foreman of the Grand Jury and Thomas Lee succeeded Alexander Contee as Clerk of the Court.

At the June term of 1741, Thomas Middleton filed a petition for a license to keep an ordinary at the head of Piscataway Creek. It was granted. William Griffin asked for license to keep an ordinary in the county, while John Hussey applied to keep an ordinary at Monocosy [Monocacy] and Sophia Vernon asked for a license to keep an ordinary, the location not given.

It was ordered that James Petty be allowed twenty-five pounds current money for keeping a public ferry over the Patuxent at Mt. Calvert.

The Court heard twenty-one cases for offenses against the law.

At this term of Court, John Hepburn served as Sheriff; Francis Waring, as Foreman of the Grand Jury; and Thomas Lee, as Clerk of the Court.

For the August term, John Hepburn served as Sheriff; John Lanson, as Foreman of the Grand Jury; and Thomas Lee, as Clerk to the Court.

At the November term, the Court appointed seventeen constables and fifteen road overseers. John Hepburn and Thomas Lee continued to serve in

their respective offices, with John Lemar serving as Foreman of the Grand Jury.

For the March 1741/42 term of Court, John Hepburn was Sheriff; Thomas Lee, Clerk to the Court; and Lingan Wilson, Foreman of the Grand Jury.

At the June term, John Hepburn and Thomas Lee continued in their respective offices, and John Cooke served as Foreman of the Grand Jury.

At this term, William Beall, son of Ninian Beall, was appointed a constable in place of Philip Jackson, and Edward Mahew was allowed fifteen shillings for beating the drum.

At this term, fifteen cases of violations of the law were disposed of by the Court.

Francis Hall presented the Court a petition asking that his two slaves, Charles and Nan be levy free on account of age. The request was granted.

Ninian Beall asked that a Negro woman belonging to him be levy free on account of age and illness. The request was granted.

John Perkins petitioned to be levy free because of age, wife, and small children. The request was rejected.

Catherine Playfay asked for a license to keep an ordinary at Piscataway. It was granted.

Francis Piles asked that he be paid for burying two pensioners. The request was granted.

Meridith Davis asked that he be paid twelve pounds current money for maintaining a public ferry over the Monocoughsee [Monocacy] River.

Mary Bennett asked for welfare aid because of lameness and other infirmities of age which everyday were creeping on her more and more. It was granted.

At the August term of the Court, John Hepburn served as Sheriff; Thomas Lee, as Clerk; and James Magruder, as Foreman of the Grand Jury.

At this term of Court, Stephen Boardly [Bordley] was appointed to prosecute in the room of Henry Darnall, prosecutor for his Lordship's Pleas in this Court, he being excused on account of illness.

For the November term John Hepburn served as Sheriff; Thomas Lee, as Clerk to the Court; and Thomas Wilson, as Foreman of the Grand Jury.

Edward Dorsey was admitted to practice law.

The Vestry of Queen Anne Parish petitioned the Court to order a levy of ten pounds of tobacco per poll on all taxable persons in the said parish to defray the parish charges. This petition was signed by James Beck, Clerk to the Vestry.

The Vestry of Prince George's Parish petitioned the Court to levy a twelve pence poll on all taxables in said parish to defray expenses for repairing the

Church which was in much need of repair and going to decay. It was signed by John Flint, Register.

At this term of Court, twenty-nine constables and fifty-two overseers were appointed.

At the March 1742/1743 term of Court, John Hepburn served as Sheriff; Thomas Lee, as Clerk of the Court; and John Smith, Foreman of the Grand Jury.

At this term of Court, John Hepburn, the Sheriff, was ordered by the Court to take the slaves—Will, the slave of Daniel Carroll; Pete, the slave of Joseph Ray; and Tom, the slave of Colonel Edward Sprigg—to the whipping post and give Will and Pete thirty lashes and Tom twenty lashes on their bare backs, well laid on. John Hepburn was Sheriff; Thomas Lee, Clerk, and Thomas Hilleary, Foreman of the Grand Jury.

At the August term for that year, summons were issued for the Reverend Jacob Henderson, William Bowie, and John Duvall to testify before the Grand Jury. John Hepburn continued to serve as Sheriff and Thomas Lee as Clerk of the Court. James Magruder was Foreman of the Grand Jury.

The November term disclosed that the Vestrymen and Wardens, by petition, asked the Court to pass an order in accordance with the Assembly to levy on all taxables of St. Paul's Parish such quantity of tobacco as were sufficient to defray expenses for building a Church in the Parish, the said sum was not to exceed twenty thousand pounds in any one year. It was signed by Theo Hodgkin, Register.

At that time, there were seventeen hundreds in the County as follows: Mattapony, Prince Frederick, Piscataway, King George, Collington, Mt. Calvert, Patuxent, Western Branch, New Scotland, Rock Creek, Potomac, Eastern Branch, Linganore, Antietam, Conocohego [Conococheague], Monocoghsie [Monocacy] and Seneca.

Seventeen constables and fifty-four road supervisors were appointed at this term. John Cooke became Sheriff at that time; Thomas Lee continued as Clerk to the Court; and James Haddock served as Foreman of the Grand Jury.

The Court convened on March 27, 1744, for the March term. John Cooke served as Sheriff; Thomas Lee, as Clerk to the Court; and Ninian Magruder as Foreman of the Grand Jury. The business at this term was of no consequence.

At the June term, Captain Thomas Gantt was Foreman of the Grand Jury and John Cooke and Thomas Lee served in their respective positions.

Thomas Cramphin obtained a license to operate an ordinary at Beall Town.

Henry Watson filed a petition before the Court in which he set out that he was building a house to be a place of entertainment in what was to be the town of Bladensburg, but the town was not laid out and people use building houses

and are going to petition the Court not to issue licenses for taverns. The Court ruled the petition needless.

John Cooke served as Sheriff and Thomas Lee as Clerk for both the August and November terms. Thomas Hilleary was Foreman of the Grand Jury for the August term, and Benjamin Hall was Foreman of the Grand Jury for the November term.

At the November term the Court appointed twenty constables and fifty-seven road supervisors and additional constables whose duty it was to suppress meetings of tumultuous Negroes.

At the November term Marlborough, New Foundland and Tonnolloway hundreds were erected.

During the period of time from the August 1740 term through the November 1744 term, the following men served as Justices of the County Court; William Beatty, John Beall, Sr., Joseph Belt, Jr., Thomas Beatty, Thomas Beall, Thomas Cresap, Joseph Chapline, Peter Dent, James Edmonston, George Fraser, Thomas Gantt, Leonard Hollyday, John Hawkins, Jr., Richard Keene, Thomas Marshall, Luke Marbury, Thomas Owen, George Parker, William Smith, George Scott, Henry Truman, Turner Wootton, James Wilson, Nathaniel Wickham and Francis Waring.

In the session of the Assembly for 1741, Chapter 7 was passed that authorized the Justices of the County Court to levy one hundred pounds of tobacco on all taxables in Queen Anne Parish for support of the Church.

In the year 1742, the General Assembly passed an act designated Chapter 13 of the Acts of 1742, which named James Edmonston, Osborn Sprigg, William Mauduit, Thomas Gantt, Jr., and Thomas Warren as Commissioners, to purchase sixty acres on the south side of the Eastern Branch of the Patomack River near a place called Garrison's Landing and to erect a town at that point to be known as "Bladensburg." The sixty acres was to be divided into sixty lots to be sold to those agreeing to build a house on said lot within two years.

All buildings were to have brick or stone chimneys.

In the year 1744 the Assembly passed a supplemental act known as Chapter 13, extending the time for completion of contracts made under the Act of 1742.

Chapter 25 of the Acts of 1744 recited that the town of Marlborough had been originally laid out in the year 1706, but original lines had become uncertain. The act appointed Turner Wootton, James Weems, Thomas Clark, Thomas Gantt, Sr., Richard Keene, William Murdock and Thomas Harwood as Commissioners, to reestablish the lines. The Act further provided that all houses must have brick or stone chimneys.

It stated also that some houses in the town had wooden chimneys which had to be replaced with brick or stone chimneys within twelve months. If not

replaced, the offending party would be fined five shillings per month for every month the owner failed to carry out this provision.

Several people were indicted by the Grand Jury for robbery, assault and giving birth to base born children.

Rebecca Withers, aged three years, with the consent of her mother, was bound over to Richard and Jane King until her sixteenth birthday with the understanding that she was to be given one year of schooling before her sixteenth birthday.

Abigail Thatcher appeared before the Court with a petition setting forth that she was a widow and had a son by the name of Jacob Fletcher, who was incapable of any business to get his living by reason of "exheam fitts" and she requested that Jacob be levy free.

This request and two others naming disability because of age and illness were granted.

Henry Craufurd petitioned the Court for permission to operate an ordinary and public house and entertainment in his dwelling in the county. Catherine Playfay asked the Court for permission to operate her ordinary at Piscataway. Both petitions were granted.

For that term John Cooke served as Sheriff. Thomas Lee was Clerk of the Court, and Thomas Hilleary as Foreman of the Grand Jury.

The November term of Court for 1745 met November 26. John Cooke was Sheriff; Thomas Lee, Clerk; and John Bowie, Foreman of the Grand Jury.

The county's population had grown so that twenty-three hundreds now divided the county.

At this term the Court appointed twenty-three constables, sixty-two road overseers and eighteen additional constables whose only duty was to suppress meetings of tumultuous Negroes.

December 10, 1745, was proclaimed as the day of election and Francis Waring, Luke Marbury, Nathaniel Wickham, Jr., John Hawkins, Jr., George Scott and Thomas Beall were named as the members of the Court to conduct that election. It was held to choose four men to represent Prince George's County in the Provincial Assembly.

Those elected were Turner Wootton, John Addison, Colonel Edward Sprigg and John Stoddard.

The four terms of Court held during the year 1746 were colorless with only routine cases. We shall be content, then, with reporting only the officers for each term.

March term: John Cooke, Sheriff; Thomas Lee, Clerk; and Thomas Hilleary, Foreman of the Grand Jury. June term: John Cooke, Sheriff; Thomas Lee, Clerk, David Craufurd, Foreman of the Grand Jury. August



term: John Cooke, Sheriff; Thomas Lee, Clerk; Thomas Hilleary, Foreman of the Grand Jury. November term: Joseph Belt, Jr., Sheriff; Thomas Lee, Clerk and Ninian Magruder, Foreman of the Grand Jury.

The March term that opened March 24, 1746/47 was a busy one, and the Court had before it many presentments by the Grand Jury.

Thomas Bowie was presented for clearing and destroying a tract of land called "Creycrafts Right," contrary to the Act of the Assembly. This tract of land had been left by James Bowie to his daughter, Lucy Bowie by will.

Samuel Claggett was presented for turning a main road down to Selby's Landing without an order of the Court.

John Wilson was presented for assaulting William Weston. Ishmal and Negro Ben were presented for stealing a black mare, the property of Francis Hall and riding the same. Michael Deal was presented for false packing of a hogshead of tobacco, and eight women, for giving birth to base born children.

At this term William Mauduit was Sheriff; Thomas Lee, Clerk and James Magruder, Foreman of the Grand Jury.

The June and August terms of Court were quiet, and William Mauduit was Sheriff and Thomas Lee, Clerk, at both terms while Robert Bradley was Foreman of the Grand Jury for the June term and Daniel Page served in the same capacity for the August term.

The November term convened November 24, 1747, with Osborn Sprigg as Sheriff, Thomas Lee as Clerk and Ninian Magruder as Foreman of the Grand Jury.

At this term the Court appointed seventy-one road overseers, twenty-three constables, and fifteen additional constables whose only duty was to suppress meetings of tumultuous Negroes.

At this term the Vestry of St. Paul's Parish petitioned the Court for authority to levy on each poll in the parish a tax of five pounds of tobacco to defray parish charges.

The Court expressed its opinion that stocks and a whipping post were necessary at a place called Frederick Town and appointed Thomas Prather to erect the same.

The men serving as justices of the County Court from March, 1745 through November, 1747, were: Thomas Brooke, Jr., Joseph Belt, Jr., William Beatty, Thomas Beatty, Joseph Chapline, Thomas Cresap, John Contee, John Cooke, Peter Dent, James Edmonston, George Fraser, George Gordon, John Hawkins, Jr., Richard Keene, Luke Marbury, Thomas Marshall, Henry Munday, Thomas Owen, George Parker, Thomas Prather, William Smith, George Scott, Henry Truman, James Wilson, Nathaniel Wickham and Francis Waring.

Let us take a look at the *Maryland Gazette*, the newspaper of the period, for information concerning the lives of those early Marylanders. The *Maryland Gazette* published on September 6, 1745, tells us that on Tuesday, the 17th day of September, 1745, and also the 18th day of the said month, a fair would be held at Mr. Murdock's Old Fields near Queen Anne Town in Prince George's County. On the first day of the said fair thirty pounds current money would be run for by any horse, mare, or gelding, to be run three heats of two miles and each heat would carry one hundred and ten pounds weight.

On the day following would be run on the same course for twenty pounds current money three heats of the same distance and carry the same weight. The winning horse on the first day was to be excepted on the second.

The horses to be entered with Mr. William Beall at Queen Anne on each day of racing was to pay thirty shillings entrance fee for each horse for the first prize and twenty shillings for the second prize.

All differences and disputes were to be determined by Thomas Harwood and Thomas Brooke, Jr.

The advertisement shown below that appeared in the *Maryland Gazette* on September 27, 1745, shows that the people living then were plagued with thieves as we are today. From it we also learn that the mode of transportation was the horse which has passed on in favor of auto power.

#### “ADVERTISEMENT S

Prince George's County September 25, 1745  
Stolen or Strayed out of the Subscriber's Pasture near Bladensburg, two large Bay Horses, both natural Pacers one of them is branded on the near Shoulder R P. has a blaze face and Saddle Marks: the other has a very clumsy Walk, a very high round back with Saddle-Marks and is very much afraid of having his Ears touch'd, his Brand (if any) not remembred; he is shod before, and the other Horse had four Shoes on: Whoever secures the said Horses, and brings them or either of them to the Owner, shall have Twenty Shillings each; and if the Offender or Offenders can be brought to Justice and convicted thereof, Shall have Thirty Shillings more for each Offender: It is supposed that those Persons have with them a gun or two, a small Remnant of Broad cloth, and a Remnant of narrow Persian, which were stolen out of the Subscriber's Store the preceding Night.

CHRISTOPHER LOWNDES”

The *Maryland Gazette* under date of June 9, 1747, announced “that last Thursday night, June 4th after a short illness Miss Anne Ogle died. She was the eldest daughter of his Excellency our Governor Samuel Ogle. A very hopeful and promising young lady endowed with a surprising wit, and every endearing quality beyond most of her years. Her death is greatly lamented.”

Under date of September 30, 1747, the *Maryland Gazette* tells us “that Doctor Thompson has removed from his lodgings at Mrs. Dick's near Upper

Marlborough to Mr. Robert Bradleys about two miles beyond toward Nottingham where he may be found by those who may desire his assistance as physician, chirurgeon, or as man midwife.’’

At this period of our country’s history, it is impossible to read or discuss with our friends the history of Bladensburg without being confronted with the name Christopher Lowndes. That gentleman was prominent in county affairs and was a leading citizen in his community.

Christopher Lowndes was born in Chester County, England, in the Bostwick House at Sandback.

To date I have not been able to determine his date of birth. However, he was baptized on June 19, 1713. He emigrated to America, settled in Bladensburg, where he became a well known successful, prosperous merchant, and carried on an export and import trade. He served as a Justice of the County Court between 1753 and 1775 and also served as Judge of the Orphans’ Court in 1777.

He married Elizabeth Tasker on May 14, 1747, a daughter of Benjamin Tasker, President of the Maryland Council. The *Maryland Gazette* of May 19, 1747 tells us that she was ‘‘an agreeable young lady with a good fortune.’’

Christopher Lowndes died on January 8, 1785 and Elizabeth Tasker Lowndes died on September 19, 1789. Both are buried in the church yard of Addison’s Chapel at Seat Pleasant.

Christopher Lowndes built and made his home in the ‘‘Bostwick House’’ one of the great houses of our county until his death when he left it to his daughter, Rebecca, by will. Rebecca married Benjamin Stoddert, first Secretary of the Navy for the young republic.

This house is now the home of Mr. and Mrs. Felix E. Cristofane and family and is situated on 48th Street in Bladensburg and there it stands with calm dignity and that mien that is only acquired after overcoming all attacks by storms and decay and winning the contest with the greatest of all tyrants, time.

The *Maryland Gazette*, under date of December 23, 1747, contained this article:

‘‘The Court House of Prince George’s County being now of wood and very much decayed, the shingles also being so much worn that in driving rain and snow the records get wet; by which the properties of all those concerned in said records are endangered; The Justices of the said County have therefore resolved to repair the said House and make the walls of brick having levied a quantity of tobacco on the inhabitants of the said County and have accordingly appointed us the subscribers to endeavor to agree with the workmen to do the said work. And as the present Court House is vastly too small there is a subscription for making such additions as are necessary to make the said House beautiful and convenient. The whole work will be a considerable job. Any person or persons inchnrable to undertake the same are desired to be in Upper

Marlborough on the 20th day of February next where attendance will be given for that purpose.

December 14, 1747

Edward Sprigg  
Tho. Marshall  
Francis Waring  
John Cooke”

The March term of the County Court for the year 1747/48 met on the 22nd, with Osborn Sprigg as Sheriff and Thomas Lee as Clerk. Robert Bradley was Foreman of the Grand Jury. The Grand Jury indicted ten for giving birth to base born children, three for giving birth of mulatto bastards, ten for cohabiting, one for adultery, one for selling liquor without a license, one for committing waste, two for stealing sheep, one for stealing turkeys, two for assault, one for stealing a mare, and one for stealing a blanket.

The next two terms of the Court, the June and August 1748 sessions, were colorless and without incident, with Osborn Sprigg serving as Sheriff, Thomas Lee, as Clerk, and Mordecai Jacob as Foreman of the Grand Jury.

For the August term Osborn Sprigg was serving as Sheriff, Thomas Lee, as Clerk, and James Magruder as Foreman of the Grand Jury.

The Provincial General Assembly in the year 1748 passed the following acts:

Chapter 13 was entitled ‘‘an Act for taking part of Prince George’s County, and adding it to Charles County.’’ The Act recites that sundry freeholders presented this petition to the Assembly, alleging that they lived in the lower part of Prince George’s County and the trip to Marlborough was burdensome. They requested that part of Prince George’s County contained within the following bounds, viz. ‘‘by a line drawn from Mattawoman in the road commonly called Rolling Road, that leads from the late dwelling plantation of Mr. Edward Neale through the lower part of Mr. Peter Dent’s dwelling plantation until it strikes the Potomac River at or near the bounded tree of a tract of land whereon John Beall, Jr., now lives standing on the bank of the aforesaid river at the lower end of the aforesaid Beall’s plantation then with the River to the Mouth of Mattawoman Creek shall hereafter become a part of Charles County after June 1, 1749.’’

Chapter 15 of the Acts of the General Assembly was entitled: ‘‘An Act to divide and erect a new County by the name of Frederick County.’’ The Act provided that after December 10, 1748, the following territory, viz. ‘‘Beginning at the lower side of the mouth of Rock Creek and thence by a straight line joining to the east side of Seth Hyatt’s plantation to the Patuxent River and that the said line be run by the Surveyor of Prince George’s County, and trees marked for which the said Surveyor is to allow the same fees as in other surveys; then with the Patuxent River to the line of Baltimore County and with the said County to the extent of the Province and all land lying to the

westward and southward of the said lines to be included in a new County to be known as Frederick County.”

Chapter 22 of the Acts of 1748 was an Act to enable the Justices of Prince George’s County to raise 54,000 pounds of tobacco for the repairing and furnishing of the Court House at Marlborough. This Act was in response to a petition filed by Edward Sprigg and others with the General Assembly on December 14, 1747, and set forth herein.

The November term of the County Court for the year 1748 convened on the 22nd day of November. Osborn Sprigg was Sheriff and Thomas Lee, Clerk.

Among the misdemeanors committed by those presented by the Grand Jury were five women for giving birth to base born children, two men for the larceny of blankets, two for larceny of saddles, and one for the larceny of pigs.

Twenty petitions for welfare were presented to the Court.

The Court appointed twenty-two constables, seventy-one road overseers, and two pressmasters.

The County Court convened March 28, 1749, with Osborn Sprigg, Sheriff, Thomas Lee, Clerk, and Samuel Magruder, Foreman of the Grand Jury.

The presentments were ten women for giving birth to base born children, four persons for assault, and one for larceny. There were ten petitions for welfare. That was a very quiet term, and the June term that followed was also uneventful, the same officers serving in the same capacities.

Let us take a look at the *Maryland Gazette* under date of August 17, 1748, and we read: “John Duvall advertises for sale 375 acres of land situated 1½ miles of Queen Anne Town being the property of Mrs. Susannah Brown now living in Virginia.

“William Murdock advertises several tracts of land to be sold Wednesday, August 24, one tract known as Wickham’s Park consisting of 200 acres; another tract known as an addition to Wickham’s Park containing fifty acres; another tract known as Tyler’s Range containing 200 acres, and another tract consisting of fifty acres known as Wickham’s Chance. All to be sold at Upper Marlborough August 24 for sterling money, Bills of Exchange, Paper Currency or Tobacco.

“James Russell advertises that he has for sale in his store at Nottingham on the Patuxent River, East India and European goods just imported in the ship Ruby, Master Captain Bailey.”

Under date of September 8, 1748, Benedict Calvert advertised the following tracts of land in Prince George’s County for sale; “The Hermitage 873 acres; Hopkins Folly 100 acres; Simmons Delight 300 acres; and will accept Sterling, Bills of Exchange or Paper Currency.”

The August term of Court for 1749 met on the 22nd with Osborn Sprigg as Sheriff, Joseph Sim as Clerk, and James Magruder as Foreman of the Grand Jury.

The Grand Jury presented five cases of giving birth to base born children, one case for breaking jail, five cases of assault and battery, three cases of breach of the peace, and one case of larceny.

John Wade's and Mary Evans' petitions for welfare assistance were rejected.

At that term of Court an unusual personality appeared upon the scene. The lady knew what she needed, what she was entitled to, and how to present her case.

Sarah Duvall appeared before the Court and told them that she was a cripple and not able to get a living. She further told the Court that she was slighted and turned out of doors by her father and was in danger of perishing unless helped by charity. The Court granted her 300 pounds of tobacco in the next levy.

Elizabeth Brooks and Benjamin Bing petitioned the Court for licenses to operate ordinaries in Upper Marlborough, and Thomas Morton petitioned the Court to run an ordinary in Nottingham Town.

Osborn Sprigg, the Sheriff, was directed by the Court to lay thirty-nine lashes on the bare body of a Negro known as Lizard for breaking jail.

Osborn Sprigg was again Sheriff; Joseph Sim, Clerk and Benjamin Hall, Foreman of the Grand Jury for the November term of the County Court for the year 1749. The same convened on the 28th.

The winter was fast approaching, and many realized that they would need assistance to make it until spring. There were forty-five petitions for welfare assistance at that term of Court.

John Wade showed that "because of old age, and Rumatism and pains which render him incapable of getting his own living, he respectfully petitions your Honorables for assistance." He was allowed 500 pounds of tobacco to support him until the next levy.

The next petition the Court took up was that of Sarah Duvall, and it read, "I have been afflicted with Rhumatick pains that have deprived me of the use of my limbs as is obvious to your worships, and although I have parents they are so poor that I cannot get the necessarys of life among them as I am ready to declare on oath if required nicessity obliged me to hoble amongst the good people in the County to find relief but I met with none but what said they would not keep me with accomodations under twenty shillings a month and your worships very well know that the County is too open and the weather too cold for an alian body to go around naked. Some doctors—especially Dr. Brooke saith they can bring me to the use of my limbs your petitioner humbly submits to your great wisdom how and in what manner you will provide for me which I humbly pray and implore your great levity and compassion otherwise I must perish."

The Court ordered that she be allowed 1000 pounds of tobacco in the next County levy for her support until next November Court.

The petition of Benjamin Wallingsford stated that he still continued under the disorder of a "dropsie and is now broke out all over his body in great

running sores and so painful that he cannot rest day or night nor has been able to do any work all last summer.”

Zachariah Lanham petitioned for a license to operate an ordinary at Piscataway near the Potomac River.

The Vestry of Queen Anne Parish petitioned the Court that 800 pounds of tobacco per poll be levied on all taxables in said parish to support the parish.

The Vestry of King George’s Parish filed a petition reciting that a “brick chapel having been built at the lower end of the parish but having the yard to clear and Broad Creek Church to repair and no tobacco to defray expenses,” the Vestry asked authority to levy on all taxables ten pounds of tobacco per poll.

Thomas Bowie petitioned the Court that he was charged by mistake of the Constable last year for three swine more than he was possessed of and therefore hoped the judges would allow him for the same.

Mareen Duvall, Jr., agreed in November, 1747, to nurse a mulatto and child until the November Court in 1748 for ten pounds paper currency which “your worships neglected to issue. Therefore we hope that your worships will take this into consideration this autumn and issue.”

The Court at this session appointed twelve constables, thirty-four road overseers; and also Thomas Hilleary and Thomas Dawson as postmasters.

The Assembly passed Chapter 12 of the Acts of 1749 and this statute removed corporal punishment for females for giving birth to base born children.

Those serving as Justices of the County Court for the years 1747, 1748 and 1749 were: John Contee, John Cooke, Thomas Cresap, Peter Dent, James Edmonston, Thomas Gantt, George Gordon, George Fraser, John Hawkins, Jr., Mordecai Jacob, Richard Keene, Thomas Marshall, Luke Marbury, George Parker, Thomas Prather, James Russell, Colonel Edward Sprigg, William Smith, John Smith, George Scott, Henry Truman, Francis Waring, James Wilson, Thomas Owen and Nathaniel Wickham.

In 1749, Turner Wootton, Captain John Addison, William Murdock and Colonel Edward Sprigg were elected to the Assembly and served until 1754.

The *Maryland Gazette* under date of March 15, 1749, calls our attention to the recent death of David Craufurd, a well esteemed merchant in Upper Marlborough whose death was generally lamented.

Under date of November 1, 1749, Benedict Calvert advised that on November 29, 1749, at the plantation of the late Samuel Hyde, he would offer for sale His Lordships Kindness containing 6700 acres and upon which there was a good water mill.

## CHAPTER 8

### THE 1750's IN PRINCE GEORGE'S COUNTY

The March term of the County Court for the year 1750 convened on the 27th with John Cooke as Sheriff, Joseph Sim as Clerk, and James Magruder as Foreman of the Grand Jury.

Among the cases presented by the Grand Jury were four women for giving birth to base born children. One defendant was charged with selling a colt under the age of four years. There was one case of assault. There were ten petitions filed requesting welfare assistance.

Henry Lowe petitioned the Court for a license to operate an ordinary at Broad Creek. Mary Noble petitioned to keep an ordinary at Piscataway, and Jane Martin and William Macoy, to keep ordinaries at Bladensburg.

Sarah Duvall was again before the Court and this time her petition showed that she was grievously afflicted with pains in her limbs and that she was thinking she might be relieved by the help of a doctor and most humbly prayed that the Court might order that she might be granted a small allowance to pay a doctor. She was granted 200 pounds of tobacco until the next November Court.

Allen Bowie petitioned the Court alleging that the road leading from his house to Nottingham Town was so bad that he could not roll his tobacco nor get over it with a cart. The Court referred the complaint to William Beanes, and John Orme, Sr. to view and repair.

Charles Gowin, age four years, was bound over to Henry Watson until he became twenty-one years of age, while Henry Watson agreed to give Charles one year of schooling.

The June session for 1750 convened on the 26th with John Cooke, Sheriff; Joseph Sim, Clerk; and Tobias Belt, Foreman of the Grand Jury. The cases presented by the Grand Jury were few and for minor offenses. Ten welfare petitions were presented, two of which were rejected.



On August 28, 1750, the Court convened for the August term with John Cooke, Sheriff; Joseph Sim, Clerk and Nathaniel Offitt, Foreman of the Grand Jury. The docket was very light and the offenses of a minor nature.

However, the following petitions were presented for licenses to operate public houses or ordinaries as they were termed:

Thomas Chittam, Public House—Bladensburg  
Richard Wight, Public House—Welch's Ferry  
Zachariah Lanham, Public House—Piscataway  
Catherine Playfay, Public House—Piscataway  
Benjamin Berry, Public House—Upper Marlborough  
Elizabeth Taylor, Public House—Nottingham  
Mary Townley, Public House—Upper Marlborough  
Cavey Magruder, Public House—Upper Marlborough  
John Brown, Jr., Public House—Bladensburg  
Henry Lowe, Public House—Broad Creek  
Charles Dawson, Public House—Piscataway  
Elizabeth Brooks, Public House—Upper Marlborough  
William McKay, Public House—Nottingham

On November 27, 1750, the November term of Court convened, with John Cooke, Sheriff, Joseph Sim, Clerk, and James Magruder, Sr., Foreman of the Grand Jury.

At this term, fifteen welfare petitions were filed of which one was rejected.

The presentments by the Grand Jury were few and of the usual type of misdemeanors.

William Eversfield told the Court that he was the owner of a dwelling plantation called "Brookfield", and wishing to perpetuate the boundaries he petitioned the Court to appoint a commission to establish the same. The Court appointed Samuel Roundel, Lingan Wilson, Allen Bowie and William Bowie as members of the Commission.

Eliphas Riley petitioned the court for license to keep an ordinary in his home on the Eastern Branch.

Let us turn to the *Maryland Gazette* for the news of happenings among our forefathers at that time.

Under date of January 10, 1750 we read: "We have just now received the melancholy news of the death of Osborn Sprigg, High Sheriff of Prince George's County on Monday last, January 8, 1750; a gentleman who was one of the representatives of the County in many assemblies, a greatly beloved not only in his own County but by all that knew him. John Cooke succeeded Mr. Sprigg in Prince George's County."

In the same newspaper, under date of September 5, 1750, we read: "yesterday evening Dr. David Ross of Bladensburg was married to Miss Ariana Brice, eldest daughter of John Brice, Esq., of Annapolis. The bride is a

young gentlewoman endowed with every qualification to render a man happy in the conjugal state.’’

Under date of December 19, 1750, Rachael Sprigg, executrix of the estate of Osborn Sprigg, advertised that on Tuesday, the first day of January next, she would sell at Public Vendue, the late dwelling house of Osborn Sprigg, deceased, a parcel of likely Negroes, stock and household goods for sterling or currency.

She advertised also the following tracts of land which formerly belonged to Richard Sprigg:

‘‘Part of Piles Delight containing 500 acres lying on Potowmack River about three miles above the mouth of Antietam Creek in Frederick County.

‘‘A tract of land called Pile’s Hall containing 300 acres lying in said County near Isreal Friends Mill Road and near where the Mill Road crosses Ketawkin Hill.

‘‘A tract of land called Danby containing 125 acres and also a tract of land called Diamond containing 200 acres; each lying in Prince George’s County on the Piney Branch of the Potowmack River.

‘‘Any person inclined to purchase the above land may apply to Captain John Edmonston, Mr. Joseph Chaplain or Rachael Sprigg, Executrix.’’

On March 26, 1751, the Court convened for the March term with John Cooke as Sheriff, Joseph Sim as Clerk, and James Magruder as Foreman of the Grand Jury.

The docket for this term contained two cases of assault and battery, three for neglect of duty and four for giving birth to base born children. Thirteen welfare petitions were filed.

The June term for 1751 convened on the 25th with John Cooke as Sheriff, Joseph Sim as Clerk, and Robert Whitaker as Foreman of the Grand Jury. The docket was much the same as that of the March term.

The August term had a very light docket. John Cook served as Sheriff, Joseph Sim as Clerk, and Richard Duckett as Foreman of the Grand Jury.

The applicants for a license to operate ordinaries were the same applicants who made application at the August Court of 1750.

On October 16, 1751, Justices Edward Sprigg, Joseph Belt, Jr., and Mordicai Jacob met with Joseph Sim, Clerk, and Thomas Cooke, Sheriff, and set November 11th next as the date to hold an election for members of the Assembly, and the Sheriff was directed to notify all freemen to assemble in Upper Marlborough on that date.

On the said date the election was held and Edmund Sprigg, Thomas Wootton, John Addison and William Murdock were declared elected as members of the Assembly.

On November 26, 1751, the November term convened with John Cooke as Sheriff; Joseph Sim, Clerk and Robert Whitaker, Foreman of the Grand Jury. The docket consisted of three cases for giving birth to base born children, two for larceny, and a few other cases of like nature.

As always at this term petitions were numerous, and this term was no exception. Sixty petitions were filed, and very few were rejected.

Dr. David Ross presented a bill for the treatment of Thomas Kent. Dr. Richard Smith, a bill for removing a cancerous tumour from Eliza Normonds' arm; and Dr. John Hamilton, for treating Mary Hall, it having been necessary to make one trip around by Queen Anne Bridge.

The Court appointed twelve constables, one for each of the eleven hundreds and one extra for Eastern Branch Hundred.

William Beall petitioned the Court to grant him a license to keep a public house in Bladensburg.

Let us take a glance at the *Maryland Gazette* for the year 1751. What items of interest concerning those people does it contain?

On March 6, 1751 the *Gazette* tells us that Daniel Carroll died in Upper Marlborough on February 28 just passed.

The issue of August 28, 1751, informs us that August 21, 1751, "after a lingering illness in Prince George's County, the venerable, aged and Reverend Mr. Jacob Henderson died. He was for many years the Rector of Saint Barnabas Parish in that County, and we hear that he left a considerable legacy to the Society for the Propagating the Gospel in Foreign Parts."

The executors of his will were Mary Henderson and Robert Tyler, Jr.

The men and women who inhabited Prince George's County two hundred and twenty years ago were rugged, fearless, forward looking people. Death walked close to them throughout their lives. Cholera, yellow fever, smallpox, diphtheria, typhus fever, scarlet fever, and infections stalked through the land. They buried more members of their families less than twenty years of age than over twenty. Every church cemetery contained little graves of dear ones who had gone on ahead.

Storms battered them, destroying their barns and their homes. Lightning and wind in great outbursts of fury destroyed their lives and their property.

Comfort they knew not. Sanitation, modern plumbing, and central heating were unknown to even the wildest dreamer.

Their doctors and surgeons did not know how to do battle with the "Horseman of the Apocalypse," and his outriders of fevers and infections.

However, those people were realists, and they accepted life as good; and their eyes always faced the east, and their hopes were eternally green.

In the newspapers of those days appear poems in every issue. Some were bright, while some were not so bright and hopeful. Poetry being the highest

expression of eternal truth, the authors made free use of it to give expression to their hopes and to their philosophy.

The *Maryland Gazette*, in its issue under date of February 20, 1751, contains this cold, realistic poem, giving voice to a philosophy of life that they knew, experienced, and believed.

*The difference between today and tomorrow*

Today man is dressed in Gold and Silver bright  
and wrapt in a shroud before tomorrow's night  
Today he feeds on delicious food,  
Tomorrow dead unable to do good  
Today he is nice and scorns to feed on crumbs  
Tomorrow he himself is a dish for worms,  
Today he is honored and in vast esteem  
Tomorrow not even a beggar values him  
Today he rises from a velvet bed  
Tomorrow lies in one made of lead.  
Today his house tho' large he thinks too small  
Tomorrow no comment, no house at all  
Today he has forty servants waiting at his gate  
Tomorrow scorned, not one of them will wait  
Today perfumed as sweet as any rose,  
Tomorrow stinks to everybody's nose.  
Today he is grand, Majestic all delight  
Ghastly and pale before tomorrow's night.  
True as the Scriptures say man's life is a span  
The present moment is the life of man.

The paper published on December 4, 1751, tells us that "Colonel Edward Sprigg died November 30th after a short illness of twenty hours. The article goes on to say that "he was for more than twenty-two years past one of the representatives for Prince George's County in the House of Delegates for this Province; and was for several years the Honorable Speaker of that House. He also presided as Chief Judge of the County Court for some years and continued in that station until his death. His death is much lamented not only for his firm and zealous conduct in every promotion he enjoyed, but for his friendly disposition and open candor."

The Assembly in the year 1751 passed an act designated as Chapter 22, which Act empowered the Justices of the County Court to treat with Anne Darnall, widow of Henry Darnall for her claim of dower in the land on which the County Court House is built. As his widow she claimed a dower in the land concerned, and the Justices by that Act were empowered to secure from the said Anne her release, and the following November levy the sum of money or tobacco necessary to satisfy her claim. The Act further recited that the jail had recently burned and the Justices were authorized and directed to levy on all



### HOLY TRINITY CHURCH

Collington, Maryland

Photograph by James C. Wilfong, Jr.

taxables, 25,000 pounds of tobacco with which to defray expenses for rebuilding the jail.

Under date of May 30, 1727, Henry Darnall made a deed to Daniel Carroll and for and in consideration of five shillings sterling money of Great Britain conveyed two tracts of land to Daniel Carroll, said tracts lying on the Western Branch of Patuxent River—one tract was called "Darnall's Chance," containing 105 acres—the second tract, called "Addition to Chance," contained 105 acres. The deed was executed and signed by Henry Darnall only before Joseph Belt, Edward Sprigg, John Diggs and George Buchanan; It was acknowledged before Justices Joseph Belt and Edward Sprigg. The deed was recorded June 10, 1727, in Liber M at folio 181 of the Land Records. Darnall then went to England.

Dr. Morris L. Radoff, of the Hall of Records, in his work *The Courthouses of Maryland*, tells us that at the March Court, 1729/30, Daniel Carroll appeared as a party in a case having to do with the closing of a road and that "at that time the said Daniel Carroll being asked by the Justices whether he would convey and make over for the County's use the two acres of land formerly promised by Mr. Darnall (now in England) for the building of the County Court House and prison on which two acres included in Mr. Darnall's conveyance to him the said Daniel Carroll and the said Daniel Carroll in his

proper person in Court here declared that he would make over one lot where the Court House and prison now stand and not two.’’

The release of dower from Anne Darnall was secured and duly recorded in the records of said Court some twenty-two years after the deed was made by Carroll.

The calendar year, previous to the year 1752, was changed on March 25th. This change was the result of an Act of the British Parliament. From then on, January 1st would be the beginning of the new year.

Four terms of the County Court were held during the year 1752 viz., March 24th, June 23rd, August 25th and November 28th.

John Cooke served as Sheriff and Joseph Sim served as Clerk for the four terms. The Foreman of the Grand Juries were: March—Nathaniel Magruder, June—Richard Clagett; August and November—Robert Pottenger.

The dockets for all terms were about the same: Presentments for assault and battery, giving birth to base born children, larceny, breach of the peace, contempt of Court and the like.

At the March term, Eleanor Rose asked for a license to operate a public house near the fork of the Eastern Branch.

At the June term, John Hall, Thomas Brouster and George Scott were admitted to practice law.

Daniel Dulany, Jr., made a motion that Abel Pobley be stricken from the roll of Attorneys of this Court. The motion was granted.

In the August term, Mary Riley appeared before the Court with both arms broken and asked for help. She was granted two hundred pounds of tobacco.

Morgan Collins told the Court that he was eighty years of age and needed help. It was granted.

Richard Clagett asked that a Negro afflicted with dropsy be levy free. The petition was granted.

Mary Townly asked for a license to keep a public house at Upper Marlborough.

At the November term Thomas Hilleary and Thomas Dawson were appointed post masters for the County.

Let us go to the *Maryland Gazette* and see what were the news items of interest. On January 2nd, we read “Yesterday came on the election at Upper Marlborough of a member of the house of delegates in the Room of Colonel Edward Sprigg who lately died to the great loss of the Province in General and Prince George’s County in particular; and upon closing the poll Mr. George Frazier was declared duly elected by a considerable majority. The members of the Assembly being now Turner Wootton, Captain John Addison, William Murdock and George Frazier.

“The weather is very cold and has been for some days past with considerable quantities of snow. At present our rivers are full of ice and we cannot have any communication with the other shore.”

On March 19th, Benjamin Barry, Jr., of Upper Marlborough informed us “that being removed from the Old House in said town where he has for many years kept a tavern to the house where Mr. Daniel Carroll deceased formerly dwelt gives public notice thereof that his customers and others may know where to find him and where they may depend on the best accommodations and entertainment for themselves, their servants and their horses.”

April 9th 1752. “On the 17th day of March a most terrible and surprising Whirlwind or Tornado happened in Calvert County which passed in a very narrow path and in its course blew down all the buildings at the plantation of Mr. John Grover, the falling of the dwelling house crushed and killed his eldest daughter and a child in her arms and much hurt his wife and another child. He was in the tobacco barn with another man packing tobacco who were remarkably saved by the hogsheads.”

On April 23rd we are advised that “on May 12th next at a public auction at Queen Anne’s town in Prince George’s County the library of the late Reverend Mr. Henderson consisting of a great many new books on Divinity will be offered for sale.”

On May 7, 1752, we read of the death of Governor Samuel Ogle. “Last Sunday Morning, May 3rd at four o’clock in the 58th year of his age died Samuel Ogle, late governor of the Province. His great consistency and firmness in a tedious and painful illness and resignation to the Divine Will was suitable to a life exercised in every laudable pursuit. His long residence among us made him thoroughly acquainted with our Constitution and interests; and his benevolent disposition induced him invariably to exert all the influence his station as Governor gave him and every means, his own good sense could suggest to promote the public good. He was a pattern of sobriety and regularity. A sincere lover of truth and justice, and a most religious observer of his word. His example introduced and established a habit of sobriety and civility among us. That he was a man of fine parts and understanding, and that his administration was just, mild and equitable, his enemies if such a man could have one, dare not deny.”

“In private life he was an amiable companion; in his conversation affable, cheerful and instructive but never assuming, and his friendships warm and sincere. He was one of the best of fathers, neighbors and Masters. In a word his death is universally lamented as one of the greatest misfortunes that could have happened to us; and his memory must always be referred by every true friend of Maryland.”

On May 21, 1752, there appeared another item in the *Gazette* giving voice to the cultural thought of that day, paying tribute to loyalty and virtue, an excerpt from the *Odyssey* of Homer:

## Ulysses's Dog Argus

Ulysses from his native coast  
Long kept by wars and long by tempests tossed  
Arrived at last, poor, old, disguised alone  
To all his friends and e'en his Queen unknown;  
Changed as he was, with age and toils and cares  
Furrowed his reverend face and white his hair,  
In his own Palace forced to ask his bread  
Scorned by those slaves his former bounty fed,  
Forgot by all his own domestic crew,  
The faithful dog alone his rightful Master knew,  
Unfed, unhonored, neglected on the clay  
like an old servant now cashiered he lay  
Touched with resentment of ungrateful man  
And longing to behold his ancient lord again  
Him when he saw, he rosed and crawled to meet  
Twas all he could and fawned and kissed his feet  
Seized with dumb joy, then falling by his side,  
owned his returning Lord, looked up and died.

On July 23, 1752: "Tobias Belt advises all persons indebted to the estate of George Hamilton of Bladensburg to pay all due the said George Hamilton. We are advised that he and Anthony Addison perished at sea some time previous."

On October 12, 1752, appeared: "We are told that there will be a concert of music at the great ball room in Upper Marlborough on Wednesday next October 19, 1752 by several gentlemen for the benefit of the Talbot County Charity School."

On October 26, 1752 appeared the verse by Cowley:

"The Souls dark cottage battered and decayed  
lets in new light through cracks that time  
has made."

On November 23, 1752, we read: "At Annapolis Tuesday last the worshipful Justices of Anne Arundel County then sitting in Court ordered a person who swore profanely in their hearing to be publicly whipped which order was immediately put into execution. If every Magistrate when out of Court were to take due notice of all profane oaths and punish the offenders as the law directs without exception it would doubtless put a stop to that senseless abominable and wicked practice."

During the year 1753, there were four terms of the County Court; these began on March 27, June 26, August 28 and November 27. Turner Wootton was Sheriff, and Joseph Sim, Clerk for the entire year. The Foreman of the Grand Juries were: James Edmonston for the March term; the June term was not given; James Magruder, for the August term, and Isaac Lansdale, for the November term.

At the March term, John Hawkins, Luke Marbury, Thomas Morton, Allen Bowie, Joshua Beall, John Duvall, Joshua Clark, William Bowie,



Francis King, Robert Wade, Jonathan Wright, Francis Waring, and Alexander Jackson took the oath qualifying them as inspectors of tobacco to prevent fraud in His Majesty's Customs and to keep up the high quality of tobacco for exportation.

Elizabeth Speak asked for a license to keep a public house at Broad Creek, and James Smith asked for a license to keep a public house at Bladensburg.

At the June session, Richard Gray asked for a license to keep an ordinary near the brick church in St. Paul's Parish.

At the August term, Peter Ferguson, a welfare petitioner, alleged that he was eighty-eight years of age and unable to work, and the Court allowed him 500 pounds of tobacco.

Francis Waring, Luke Marbury, John Dunn and Robert Wade were appointed Commissioners to establish boundaries to a tract of land called "Strife" owned by John Moore.

Robert Mills presented a petition stating that his son and his son's wife died within the last fortnight leaving four children, one of them six months old. The Court granted fourteen hundred pounds of tobacco to support the six month old child and ordered that the others be bound out.

On October 16, 1753, an election was held at the Court House after proper proclamation and notice, and John Hawkins, Jr., was chosen a member of the House of Delegates.

Three welfare petitions were presented to the November term of the Court. One petitioner hoped the Court would give tender consideration to his pains. The second alleged that he had lost the use of his legs and that four hundred pounds of tobacco was not sufficient to support him and his old woman. And the petitioner stated that his ribs rubbed against his hip bones and asked that they grant him some help until it shall please Almighty God to end his uncomfortable life. The three petitions received favorable consideration.

Dr. John Sprigg's bill for attending the indigent was passed.

Queen Anne's Parish petitioned for an order enabling the said Parish to levy four pounds of tobacco on all taxable in the parish to pay the expenses of the Church.

The following were appointed Constables: Mattapony Hundred, William Eversfield; Prince Frederick Hundred, Levin Waites; Piscataway Hundred, Henry Humphreys; King George Hundred, Edward Lanham; Collington Hundred, James Drane; and Mt. Calvert Hundred, John Orme, Jr.

The *Maryland Gazette* under date June 14, 1753, informs us that on the following June 28 there would be performed at Upper Marlborough a grand concert of music, with many instruments, in the great ball room. The evening would be concluded with a ball. Tickets could be obtained at Mr. Benjamin Barry's, Mr. Benjamin Brooke's and at Mrs. Hilleary's, all in Upper

Marlborough. Yes, these folks looked forward to the dance and music to lighten the burdens and brighten the somber existence of pioneer life.

The *Gazette*, in its October 4, 1753 issue, published a poem that gives the idea of cities entertained by our forefathers, which I believe will be found truly descriptive of cities in our day. The poem is entitled "London."

Houses, Churches, mixe together,  
Streets unpleasant in all weather;  
Prisons, palaces contiguous;  
Gates, a bridge the Thames irriuous  
Gaudy things enough to tempt ye;  
Showy outside; insides empty:  
Bubbles, trades, Mechanic Arts  
Coaches, Wheelbarrows and carts.  
Warrants, Baliffs, bills unpaid;  
Lords of Laundresses afraid  
Rougues that nightly rob and shoot men;  
Hangmen, Aldermen and footmen.  
Lawyers, Poets, priests, physicians  
Noble simple all conditions  
Worth beneath a threadbare cover;  
Villainy bedaubed all over.  
Women, black red and grey  
Prudes and such as never pray;  
Handsome, ugly, noisy still  
Some that will not, some that will  
Many a beau without a shilling  
Many a widow not unwilling  
Many a bargain if you strike it  
This is London: How do you like it.

At an election held October, 1753, John Hawkins, Jr., was elected as a member of the House of Delegates in the room of Turner Wootton, Wootton having been elected Sheriff.

In the issue dated November 1, 1753, the *Gazette* informs us "death called at the home of Mrs. Anne Murdock in Prince George's County, on Thursday last and she answered death's mandamus.

"Mrs. Anne Murdock was the virtuous consort of Mr. William Murdock and the daughter of the late Colonel John Addison. She was a gentlewoman possessed of many excellent virtues and diligent in the performance of every duty incumbent on a wife, mother and neighbor. She labored for some years before her death under the almost uninterrupted course of bodily indisposition and affliction which she bore with great patience, resolution and resignation which became a Christian; and her death is an irretrievable loss to her family and justly lamented by all her acquaintance."

At the session of the Provincial Assembly held between the dates of October 2 and November 17, 1753, an act was passed that provided "that after November 1, 1753, all tobacco is to be inspected that is exported out of this Province." Among many other provisions it provided that for ware-

houses for inspection should be established. "At Queen Anne town on the Patuxent under one inspection. At Upper Marlborough on the land of Joseph Sim under one inspection. At Nottingham on the land of James Russell under one inspection and on the land of Alexander Magruder one inspection. At Bladensburg on the land of Dr. David Ross under one inspection. At Broad Creek on land of Humphrey Batts under one inspection, and at Piscataway on the land of John Hawkins one inspection."

At the same session of the Assembly an act was passed authorizing the Prince George's County Court, upon the application of the rector, vestrymen and church wardens, to levy a tax of ten pounds current money on all taxables of Saint Paul's Parish, in two equal assessments, to repair the railing around the graveyard at the church and to erect the railing around the Chapel of Ease.

On the last day of the session, that is on November 17, 1753, an act was passed empowering the Justices of Prince George's County Court to levy on all taxable inhabitants 3000 pounds of tobacco to purchase a lot of ground in Upper Marlborough town upon which to build a prison. A former act directed that the prison be built on the lot where the Court House stands. This is thought unwise as it would create a fire hazard for the Court House and the county records.

The March term of the County Court for the year 1754 met March 26, with Turner Wootton, Sheriff; Joseph Sim, Clerk; and Nathaniel Magruder, Foreman of the Grand Jury.

Turner Wootton served as Sheriff and Joseph Sim as Clerk for the year 1754.

The presentments by the Grand Jury were for the usual offenses: bastardy, larceny, assault and battery, and the like.

The important event took place in the March term when sundry inhabitants presented to the Justices of the Court the following petition: "To the Worshipful, the Justices of the Prince George's County Court now sitting: The Honorable petition of sundry of the inhabitants of Prince George's County humbly herewith: That your petitioners and others sometime ago obtained from your Worships then in Court sitting an Order of Court that a main road from Bladensburg to Piscataway be built in order to encourage trade and being likewise convenient for the neighboring plantations and your petitioners humbly conceive that some designing people have misinformed your Worships that the above said road is useless which is very well known that it is very necessary and your petitioners humbly crave that your Worships will take it into your consideration that it may be continued and your petitioners shall forever pray. We humbly conceive the above petition very necessary. Edward E. Delosar, Theo. Chittam, William Jones, Maureen Duvall, Jr., Joseph Dobson, Paul Talbart, Theo. Taylor, Theo. Wilcoxon, Jr., Peter Robinson, James Marshall, William Wheat, Adam Crassford, Thomas Lanham, Francis Jenkins, George Summers, Theo Kendrick, Samuel Busan, Benjamin

Duvall, 3rd, John Sutton, George Frasier Magruder, Robert Wade, 3rd, John Stevens, James Steward, George Hardy, 3rd, Adam Miler, Nathaniel Magruder, Luke Marbury, Thomas Wilcoxon, Peter Higgins, John Wheat, Edward Lanham, John Wilcoxon, William Ford, Jeremiah Perdue, Samuel Magruder, John Loggins, Josiah Wilson, William Magruder Selby, Shadarack Purdue, Thomas Talbert, Benjamin Johnson, Joseph Eades, Francis Wheat, Benjamin Talbert, John Hawkins, John Wheat, Jr., Emon Cassell and Enoch Magruder.’

What a collection of Prince George’s County names! Many of their descendants are still prominent in the county affairs while some have gone over the horizon with the years.

The Court referred the petition to Francis King and Zachariah Wade to view the proposed road and report to the June Court.

My examination of the minutes of the June Court fails to disclose a report or disposition.

The names of the following are the men serving as Justices of the County Court between January 1, 1750 and December 31, 1754: Allen Bowie, Joshua Beall, Joseph Belt, Jr., John Contee, John Cooke, Peter Dent, James Edmonston, Thomas Gantt, George Gantt, George Fraser, John Hawkins, Thomas Hodgkin, Mordicai Jacob, Richard Keene, Francis King, Christopher Lowndes, Nathaniel Offutt, James Russell, David Ross, Edward Sprigg, John Sprigg, Henry Truman, Robert Tyler, Francis Waring, and Thomas Williams.

In the year 1754, trouble was brewing between France and England which was to continue to worsen and finally become a war known as the ‘‘French and Indian War.’’ The French had enlisted many Indian tribes in their cause, and much pillage, burning and blood shed was suffered by the Colonies.

As the relations between those involved continued to worsen, Governor Sharpe became much concerned. In the session of the Provincial Assembly held in the City of Annapolis between the dates of December 12th and 24th in the year 1754, an Act was passed for ‘‘taking and detaining all ablebodied men for his Majesty’s Service.’’

The reading of this interesting law is enlightening of the thinking of our lawmakers at that time as to the responsibility of all men for the defense of the Country. In that law the defense of the province fell upon the unemployed and those without property.

That was the first Draft Act passed in this State, and from its reading you will learn that the defense of the Country was an obligation for the less fortunate in the business and economic life of the nation, and that theory prevailed down through the time of the Civil War.

ACT OF THE ASSEMBLY PASSED IN  
DECEMBER 1754

At a Session of Assembly begun and held at the City of Annapolis the 12th Day of December in the fourth year of the Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore Anno Dom 1754 and Ending the 24th Day of the same Month.

The following Laws were Enacted and Assented to by his Excellency Horatio Sharpe Esq. Governor.

An Act for taking and detaining ablebodied Men for His Majesty's Service.

Whereas it is thought necessary at this Time, to raise a Body of able Land-men for his Majesty's Service, against the French and their Allies on this Continent; and whereas it is found by Experience, that although there are Numbers of ablebodied Men in the several Counties of this Province, (whose enlisting into the said Service would not only greatly promote the same, but would also be removing a Burthen and Charge from the honest and industrious Inhabitants thereof) yet that such Persons are too generally averse to engage in such Service.

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same That it shall and may be lawful, upon application of any Officer, or Officers, commissioned or appointed to raise or levy Men for his Majesty's Service, to and for the Justices of the Peace of every County in this Province, or any one or more of them, and they and every of them, are hereby directed and required, within their several and respective Counties, by Warrant under their or some or one of their Hands and Seals, to command all Sheriffs, Under-Sheriffs, Constables, and others, within their several and respective Counties, to be by the said Justices from Time to Time for that purpose especially appointed, to take and seize all and every ablebodied Freeman

Liber H.S.  
No. 1

p. 156

(Preamble)

(Upon Application of any Officer to any Justice, he is obliged to issue his Warrant.)

(To take up idle Freeman;)

who live idle and do not follow or exercise some lawful Calling or Employment, or have not some other visible and lawful support and Maintenance, and to make or cause to be made Search, within their several and respective Counties, for all and every such Person and Persons as they can find, who are or shall appear to them to be within the Description of this Act, and to bring before the said Justices, or any two or more of them, all such Persons. And in Case the said Justices, before whom such Person or Persons shall be brought, upon Examination had before them, shall judge them, or any of them to be such as are herein before described. to be retained in his Majesty's Service on the said Expedition, they shall immediately enlist him or them as Soldiers, and the same Justices are hereby authorized and required, by Warrant under their Hands and Seals, to cause the Person or Persons so enlisted, to be delivered to such Officer or Officers, who are hereby required to give a Receipt for such Person or Persons so delivered to him or them, which Receipt shall be returned to the said Justices, and by them transmitted to the Governor, or Commander in Chief, for the Time being.

(and enlist them as Soldiers.)

p. 166

Liber H.S.  
No. 1

(Officers to give Receipts)

And be it further Enacted, That the Pay of every Soldier enlisted by Virtue of this Act, shall commence from time of his being taken, and delivered to such Officer or Officers appointed and empowered to enlist Men, and such Soldier shall receive the same Pay as any other enlisted Soldier. And if any Person or Persons enlisted by Virtue of this Act, or otherwise, within this Province, shall be so maimed or wounded in his Majesty's Service, as to be rendered incapable of maintaining themselves, he or they shall, upon his or their Return, be supported at the Public Expence; provided such Persons, at the Time of their enlisting, were Residents within this Province.

(Soldiers pay from the Time of enlisting)

(If maimed, how to be maintained.)

Provided always, That nothing in this Act contained shall extend to the taking or levying any Person to serve as a Soldier, who hath any

(Who are exempted.)

Vote in the Election of a Delegate, or Burgess, to serve in the General Assembly of this Province, or who is under the Age of Twenty One Years, or above the Age of Fifty Years, or who shall at this Time be indebted to any One Person in the Sum of Five Pounds Current Money.

And be it further Enacted, by the Authority aforesaid, That although any Person who shall be taken pursuant to this Act, shall refuse to take the Oaths to the Government, that such Person, not being a known or professed Papist or Roman Catholic shall notwithstanding, be adjudged, deemed, taken, and retained, as a Soldier for the Service aforesaid.

(In Case they shall refuse the Oaths.)

And be it further Enacted, That this Act, or so much thereof as relates to the raising and levying Men, shall continue and be in Force, from and after the Passing thereof, for and during the Term of One Year, and no longer.

(Continuation)

p. 167

I do hereby Certifie that Richard Burdus, Clerk of the Provincial Court and Secretary's Office of the Province of Maryland this Day Personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary and his Council of State and made Oath on the Holy Evangels of Almighty God that He carefully Examined the Law contained in this Book beginning at fol 165 and Ending at folio 167 with the original Act that passed the Great Seal Sworn to this 11th Day of February Anno Domini 1755

Liber H. S.  
No. 1

Edw.d Lloyd

\_\_\_\_\_  
: SEAL

\_\_\_\_\_

The Seal of the Provincial Court is hereunto  
Affixed on Behalf of Edmund Jennings Esqr  
Deputy Secretary of Maryland.  
R. Burdus Clk of Sec.ry's Office and Prov. ll Court

## CHAPTER 9

### SOCIAL AND COURT ACTIVITIES OF THE MID-18TH CENTURY

The year 1755 brought to the Court many petitions for welfare aid. The presentments were numerous for misdemeanors and a few felonies. Turner Wootton was Sheriff and Joseph Sim was Clerk for the four terms. Jeremiah Berry was Foreman of the Grand Jury for the March term, Francis King for the June term and Jeremiah Belt for the August term. The November term was missing.

At the March term two applicants asked for a license to keep public houses: Mary Townley on her plantation, the location not given and John Noble in Piscataway Town.

Here are some reasons shown in the petitions for welfare:

“Ancient, body filled with pains and aches.”

“Old age. No use of legs.”

“Old aged widow woman unable to work.”

“Widow woman with sore leg that is obstinate to all cures.”

The *Maryland Gazette* under date of May 8, 1755, tells us that on that day, in the city of Annapolis, “was landed here from on board Captain Chew, for the use of this city, a very fine engine (made by Newsham and Ragg, No. 1800) for which the inhabitants last year generously subscribed for.” The paper says that “it will throw water 156 feet, perpendicular.”

The issue of the *Gazette* for December 4, 1755, contained the following speech made by an Indian Chief to the Legislature of Pennsylvania.

You English are as industrious as bees. You by trading and planting heap up honey on the southeast shore while the French at Quebec increase like hunger and poor hornets. They have nothing to lose. But the warlike hornets are ready at a signal to rush in and take the honey, bees and all. You say that you are rich and numerous and therefore they dares not hurt you. But you are not war like nor armed. And the more abundant the honey the wider



the fragrancy spreads and the more it exciteth the hornets; And the hawk is never frightened at the number or the fatness of the pigeons.

The members of the House of Delegates for the year 1755 were Captain John Addison, George Fraser, John Hawkins and William Murdock.

On July 5, 1755, the Legislature passed an act preventing disabled and superannuated slaves from being set free and also the manumission of slaves by last will and testament of owners.

General Braddock arrived at Hampton Roads on February 24, 1755, and on his march to the west country, he took away many servants from the inhabitants of Prince George's County, also Frederick and Baltimore counties. He took also wagons, horses, carriages, and carriage horses. The historian J. Thomas Scharf tells us that the contractors building Frederick County Court House found it impossible to secure horses to haul the materials to the building.

The battle that resulted in General Braddock's death and George Washington saving the whole force from annihilation was fought July 9, 1755. J. Thomas Scharf also tells us that sixty men from Prince George's County, at their own expense, went to Western Maryland in October, 1755, to aid the settlers in that region. Notwithstanding my search of the records available of that day, I have been unable to obtain their names.

The March term met on March 23 with Edward Crabb, Sheriff; Joseph Sim, Clerk, and Thomas Hilleary, Foreman of the Grand Jury.

Among the usual cases we read those in which all petitioners were asking to be levy free.

John Maclain, who was eighty-eight years of age and whose wife was eighty; a Negro woman named Jane, forty years of age and lame in one of her hands; Christopher Nicholls alleged that he had suffered such pains for the past eight months that he was compelled to take to his bed. This petition was rejected.

Luke Marbury presented to the Court a petition stating that he owned two tracts of land, one known as "Long Court" and the other "Hazard." He asked that a commission be appointed to perpetuate the boundaries of the same and further prayed that George Gantt, Francis King, John Baynes and John Tolson be appointed as members of that commission. The prayer was granted.

Rachel Sprigg, widow of Osborn Sprigg, presented a petition alleging that she owned a tract of land known as "North Hampton" and petitioned the Court that a commission be appointed to perpetuate the boundaries. The Court appointed Thomas Williams, Thomas Waring, Thomas Gantt, and Thomas Hilleary.

The June term met June 22, 1756, with same parties Sheriff and Clerk but with Josiah Wilson as Foreman of the Grand Jury. I shall not detail the business as it was usual.

The August term met August 24, 1756, with the same parties as Sheriff and Clerk and with James Magruder as Foreman of the Grand Jury.

The following applicants made application for licenses to operate ordinaries in the town shown:

Mary Townley in Upper Marlborough, Mary Roby in Piscataway, Elizabeth Prather in Bladensburg, Mary Mitchell at the Eastern Branch Ferry and Benjamin Berry in Upper Marlborough.

Mary Craufurd was charged with committing waste on the land of David Craufurd, an orphan.

At the November term, Colemore Beans appeared as Sheriff; Joseph Sim, Clerk; and Theodore Contee, Foreman of the Grand Jury. At that term the Court appointed twelve constables and thirty-six road overseers.

The other business of the Court was the usual welfare petition and presentments for bastardy, larceny, etc.

The members of the House of Delegates were the same as in 1755.

Each publication of the *Maryland Gazette*, the only newspaper printed in Southern Maryland, carried a poem on its front page. It is my thought that those poems reflected the hopes, the thinking, the seeking and understanding for the hardships; the suffering and the grief associated with their way of life in a society where pestilence stalketh at noon day, and murder, rapine and robbery crouched in the shadows as their daily lives emerged slowly from the wilderness.

This poem appeared in the *Maryland Gazette* under date of March 1756.

How vain is Man! How fluttering are his joys:  
Hope and despair fill up his round of life,  
And all his days are one continued strife;  
Still struggling to be rich yet always poor  
Because ambition makes him covet more;  
Reason which ought to be his only guide  
He widely barter for an anxious pride.  
And all his hopes are but uncertainty,  
The parent of despair and misery.  
Thus foolishly roll on the days of man,  
A tedious journey through a little span,  
The Court the park, the play are pompous wiles,  
To make him fancy that his fortune smiles,  
When like a jet she turns his joy to grief,  
By disappointment of his good belief,  
And cool reflection teaches him to see  
The giddiness of all his vanity  
His self conceit, his fancied power and skill,

Which did defiance to the Almighty's Will,  
Destroyed by secret springs, he knows not how  
Should teach him to the Almighty's will to bow;  
For to his Providence alone we owe  
All that we possess of Good and all we know  
'Tis he who raised us and brings us low,  
Cease then proud man of thou own strength to boast  
Who of thyself can so little do at most  
Thou are the makers image struck in clay  
Who with one blast can blow that form away  
Which moulders to its parent earth each day.  
Then let not thy unruly fancy rove  
On anything but what is fixed above.  
Be kind, be humble, merciful and just  
In Providence alone put all thy trust  
For what thou hast give him all the praise  
Or never hope to meet with happy days.

Under date of April 29, 1756, appeared the following news item :

Last Saturday there came to Baltimore Town from Conocheague at the foot of North Mountain, forty-one persons; six men, five women and thirty children with some of their cattle to avoid the fury of the enemy, and settled at Mr. Sawson's works.

One of the men had just removed his family to a hill and within sight of his house when the Indians came and burnt the house; destroyed his plantation and killed his cattle. He says that Daniel and Thomas Cresap went out three weeks since with sixty persons dressed and passed as Indians, to kill the women and children in the Indian towns and scalp them while their warriors are committing like destruction on our friends.

On May 12, 1756, Governor Sharpe issued a proclamation that appeared in the *Maryland Gazette* under date of May 20, 1756.

Proclamation by His Excellency Horatio Sharpe, Governor and Commander in Chief in and over the Province of Maryland.

Whereas our Almighty Creator in order to awaken in us, his sinful creatures a dire sense of our relation to and dependence upon him does often from his tender mercy towards us give warning of his displeasure at our manifold sins and wickedness, that by a true repentance and reformation of our manners, and a close and strict observance of his Holy Will for the future, we may avoid that vengeance and disarm that justice to strictly due to the number and the weight of our offenses; and Whereas, several parts of the earth have of late grievously felt the weight of his Almighty Arm in the devastation of their cities, the destruction of their people and other inexpressible calamities to the almost total ruin of some powerful

states and Kingdoms; and Whereas we of this part of the globe, and particularly in this Province have not been without some late warnings of his Almighty displeasure by earthquakes and are now in danger of losing both our Religion and our Liberties by the attacks of a perfidious, merciless and savage enemy; all of which ought to in us arouse a sincere desire and hearty endeavours to reform our lives, and by a strict conformity to our duty towards him regain his favor that he may remove from us those evils which at this time so manifestly threaten us.

I have therefore thought fit with the advice of his Lordship's Council of State to appoint Wednesday the 16th day of June next to be set apart and observed throughout the Province as a day for a general and public fast, humiliation and prayer to the Divine Majesty to avert those Judgments from us for our offences against Him and which we have justly deserved, and to continue his mercies to perpetuate the enjoyment of our religion and liberties amongst us to secure the happiness and prosperity of our most gracious sovereign, our Mother Country and all her Colonies and to implore the Almighty protection and blessings upon the fleets and armies employed in her and our service. And I do hereby recommend to the several Ministers of the gospel within this Province to compose prayers and sermons adapted the occasion to be used on that day in their respective Churches, and that they publish my Proclamation in their several congregations at the time of divine service on the Sunday next preceeding that day; and I do hereby strictly charge and require the several Sheriffs of this Province to make this my Proclamation public in their respective Counties in the usual manner as they will answer to the contrary at their peril.

Given at the City of Annapolis in the fifth year of his Lordship's Dominion Annoque Domini 1756.

The four terms of the County Court for that year were not unusual.

The business was of a minor nature and not of sufficient importance to be repeated. There were two elections for members of the House of Delegates.

Under date of February 24, 1757, the *Gazette* tells us that "on the morning of the Sunday past died in Prince George's County after a few hours illness age forty-four years, Mr. John Hawkins, Jr., one of the worthy representatives of Prince George's County, a gentleman of great sobriety, honesty and integrity and his death is much lamented by all who knew him."

For the March term, Colemore V. Beans served as Sheriff, Joseph Sim served as Clerk, and William Loch Weems served as Foreman of the Grand Jury.

On April 22, 1757, an election was held to choose a representative in the House of Delegates in the room of John Hawkins, Jr. Thomas Gantt was chosen.

For the June and August terms, Colemore Beans was Sheriff, Joseph Sim, Clerk and Foreman of the Grand Jury for the August term was Richard Duckett. The June term is missing.

An election was held September 5, 1757, to choose four members in the House of Delegates. William Murdock, George Frasier, Thomas Gantt and Francis King were elected.

At the November term Thomas Contee served as Sheriff, Joseph Sim served as Clerk and Theodore Contee served as Foreman of the Grand Jury.

Just to let the people of Southern Maryland know how close they were to the tragedy, under date of July 27, 1757, a news item appeared relating an incident that occurred near Tom's Creek within sixteen miles of Frederick Town. Alexander McKeafy was shot near his own house by Indians and saw, at the same time, his son carried away prisoner by them as well as a Negro girl whom an Indian had by the hand, leading her off. When she escaped by the assistance of two dogs that she set on the Indian, however, he flung his tomahawk at her and cut her badly on the neck though it was thought she would recover.

The historian, J. Thomas Scharf advises that in March, 1757, the smallpox was raging in Annapolis to such extent that the legislature adjourned to meet in Baltimore on April 8 next.

There were three unimportant terms of the County Court held in the year 1758. The business was as usual: baseborn children, larceny, welfare petitions, and other routine business all of which lack color.

Colemore Beans was Sheriff, and Joseph Sim, Clerk for the three terms, and Tobias Belt was Foreman of the Grand Jury for the March term. Isaac Landsdale served in the same capacity for the June term and Richard Duckett for the August term.

I have not been able to locate the records of the Court after the August term 1758 until the August Court of 1761. Apparently a volume containing the record of those years has disappeared.

The members of the House of Delegates for the years 1758 to 1760 were the same as shown in 1757.

Under date of May 17, 1759, we read that "whereas the smallpox is now very rife in Bladensburg and in all probability will be a great detriment to trade in that town on account of the danger that people would be under in coming there to dispose of their tobacco or to deal with the factors for goods. In order to

prevent any danger from that distemper and to make it more satisfactory for those that have tobacco to lay out, the subscriber hereby gives public notice that the store belonging to Edward Trassford, Esq., and Sons of Liverpool and at present under the management of Richard Whittle is now moved from Bladensburg to Mr. Magness's house opposite the widow Camphins at the Eastern Branch Ferry; at which all persons that are pleased to favor Mr. Whittle with their custom may assure themselves of having the best market price allowed them for their tobaccos and have goods up on the most reasonable terms for cash. Those persons that are obliged to cross the ferry and deal in said store shall be at no expense in paying ferriage. A very valuable assortment of goods is daily expected; after the arrival of which he makes no doubt but Mr. Whittle will have it in his power to render all his customers grand satisfaction. Signed George Bowdon.'

The *Gazette* dated May 17, 1759, contained the following item: "The Western branch of the Patuxent River from the river to the town of Upper Marlborough has become so choked and stopped up with dead trees and rubbish that it is almost useless and soon it will not be possible for an empty flat to go either up or down. So to raise money to build a wharf at Upper Marlborough and clear the Western Branch, a lottery is proposed to be held in Upper Marlborough in which 1500 tickets be sold at two pieces of eight each, and that there be 496 prizes from three to twenty-five pieces of eight and that there be 450 blanks.

"The drawing to be in the Assembly Room in Upper Marlborough July 12-13, 1759, in the presence of John Hepburn, John Cooke and Thomas Clark, Managers, and Messrs. James Wardrop, Clement Hill, Colemore Beanes (Sheriff), Joseph Sim (Clerk to the County Court), Daniel Carroll, Alexander Symmer, John Weldon and David Craufurd, Merchant, are to give their bond for the faithful discharge of their trust.

"Tickets may be had from the Managers and the Maryland Gazette Office in Annapolis."

The issue of the *Gazette* dated July 12, 1759, tells us that on July 5 several gentlemen were at an entertainment at the Patuxent Bridge firing guns. Mr. William Hamilton, a young merchant of Prince George's County, took hold of a gun muzzle too quickly to shake it down, and it went off resulting in his immediate death. Mr. Hamilton was a young man justly esteemed and his death was much regretted. He left a young widow near her time.

Those serving as Justices of the Prince George's County Court between the March Court, 1755, and November Court, 1759, were Joseph Belt, Jr., John Beall, John Cooke, John Contee, Peter Dent, George Frasier, George Gantt, George Gordon, Thomas Hodgkin, Mordicai Jacob, Christopher Lowndes, Nathaniel Magruder, David Ross, Henry Truman, Robert Tyler, John Sprigg and Thomas Williams.

The *Gazette* under the date July 12, 1759, contained this poem :

There is a tide in the affairs of men  
When taken at the flood leads on to fortune;  
Omitted, all the voyage of their life,  
Is bound in shallow and in miseries  
On such a full sea are we now afloat  
And we must take the current when it serves  
Or lose our ventures.

How similar is the theme of that poem with that of the great poem "Opportunity" written by Senator John J. Ingalls some years later.

The *Gazette* under date of September 18, 1760, showed Christopher Lowndes advertising for sale a tract of land called "Good Luck" containing 480 acres of land lying five miles from Bladensburg and nine miles from Upper Marlborough. "He says that all that know it consider it excellent soil, perhaps not inferior to any in the County, well timbered has some very good low ground, suitable for large meadows, with a dwelling house, buildings proper for Negroes and two large tobacco barns."

The *Gazette* tells us that on January 19, 1761, Mrs. Eleanor Addison, relict of Honorable Thomas Addison, died at her home in Oxon Hill, on the Patowmack River, in the seventy-second year of her age.

We are also told that on November 19, 1761, Mr. Richard Henderson, a merchant in Bladensburg, was married to Miss Sarah Brice, second daughter of John Brice, Esq. of Annapolis.

The available record next in order of time shows the County Court convening August 25, 1761, with John Rowe as Sheriff, Joseph Sim as Clerk, and Captain James Crow as Foreman of the Grand Jury. The usual business was handled. There were presentments for giving birth to base born children, larceny, assaults, welfare petitions and applications for keeping taverns.

As the result of a writ issued out of the High Court of Chancery by the Right Honorable Frederick, Lord Baltimore, directed to John Rowe, Sheriff of Prince George's County, directing him to call together three Justices of the Prince George's County Court and to give notice by public proclamation to all freeholders within the county to assemble at Upper Marlborough at a certain time not later than ten days to elect four members of the House of Delegates. As the result of this writ and proclamation, the election was held November 10, 1761, with Justices John Cooke, William Loch Weems and David Craufurd, John Rowe, Sheriff, and Joseph Sim, Clerk.

As the result of that election, those chosen as Delegates to the Assembly were Mordicai Jacob, Francis Waring, William Murdock and Josias Beall, Jr.

The November term of Court convened November 24, 1761 with John Rowe, Sheriff, Joseph Sim, Clerk and Humphrey Belt, Foreman of the Grand Jury.

The Court appointed the following freemen to act as Constables: George Naylor for Mattapony, Thomas Coleman Brightwell for Prince Frederick, John Wheeler for King George, Thomas Morris for Piscataway, William Higgins for Collington, Jeremiah Orme for Mt. Calvert, Stephen Warman for Western Branch, John Moorer for New Scotland, William Ducker for Patuxent, Edward Villers Harbin for Rock Creek, Louis Duvall for Eastern Branch, Hume Moodie for Upper Marlborough, and Thomas Chittam for Bladensburg.

John Bayne and Walter Williams were appointed postmasters. The Court also appointed thirty-six road overseers.

William Moodie of Piscataway, John Elliott of Queen Anne Town, William Mayhew, and Jonas Green, whose locations were not shown, made applications for licenses to keep ordinaries.

Grand Jury made presentments among which were eleven cases of bastardy and six breaches of the peace. There were fifty-nine welfare petitions which also engaged the attention of the Court.

The vestry of Queen Ann Parish asked for permission to levy a poll of two pounds of tobacco on all taxables. The Vestry of St. Paul's Parish asked for permission to levy a poll of four pounds of tobacco on all taxables. The Vestry of Prince George's Parish asked for permission to levy a poll of eight pounds of tobacco on all taxables. All levies were to meet the various Churches' current expenses.

George II having died October 25, 1760, George III was formally proclaimed King in Maryland on January 22, 1761.



## CHAPTER 10

### COUNTY LIFE UNDER BRITISH RULE: 1762-1765

The Court convened March 23, 1762, and was immediately adjourned until the June term by act of the Assembly.

The June term came on with John Rowe, Sheriff; Joseph Sim, Clerk; and Isaac Lansdale, Foreman of the Grand Jury.

Howard Duvall presented a petition in which he alleged that he was seized in fee of a tract of land called "Wilson's Plains" and requested that a commission be appointed to set up permanent boundaries. The Court appointed Isaac Lansdale, Joseph Sprigg, Rignall Odell and Thomas Pindall as Commissioners.

John Haggarty presented a petition with thirty-four signers asking the Court to permit him to keep a public house on the main road from Upper Marlboro to Piscataway. It was granted.

Philip Alexander was admitted to practice law.

William Bowie brought Ann Grimes and her bastard child before the Court. Ann Grimes was sold for seven years and the child until she was thirty-one, both to William Bowie.

Among the presentments by the Grand Jury were four for breach of the peace and five for bastardy.

Thomas Clarke, George Scott, Thomas Johnson, and John Hall appear as practicing attorneys at this term.

The August term convened on August 24, 1762, with John Rowe, Sheriff; Joseph Sim, Clerk and Humphrey Belt, Foreman of the Grand Jury.

Mary Townley and John Scott sought licenses to keep ordinaries in Upper Marlborough, William Frazer Noble, an ordinary in Nottingham Town, John Elliott, and ordinary in Queen Ann Town, and Richard Gray, to keep an ordinary near the brick church.

John Bayne and George Hardy, Jr., were given a contract to build a bridge over the lower Piscataway.

Sixty petitions were filed asking help.

Thomas Clark, John Hall, George Scott and Thomas Johnson appear as attorneys for various clients.

The Vestry of Queen Ann parish asked for authority to levy a poll of two pounds of tobacco on each and all taxables to defray parish expenses.

The Vestry of King George Parish asked for permission to levy a poll of five pounds of tobacco on each and all taxables in parish to defray church expenses.

The November term came on the 23rd with John Rowe as Sheriff; Joseph Sim, Clerk; and Isaac Lansdale, Foreman of the Grand Jury.

Sixty-one welfare petitions were filed at this term. Dr. Adam Thompson presented bill for visiting indigents. Robert Roberts got a license to operate a public house near Broad Creek.

Thomas Clark, George Scott, John Hall, Thomas Johnson, and George Johnson appear as practicing attorneys-at-law before the Court.

The *Maryland Gazette* for the year 1762 presented two items of interest to Prince Georgians.

The issue of April 1, 1762 published an advertisement by William Turner Wootton offering for sale a tract of land consisting of 320 acres as being a tract of land called Landover. All interested were to apply for the price and terms to Wootton.

The issue of October 28, 1762, advised that on October 24 just passed, Colemore Beanes, a merchant and former Sheriff of Prince George's County died of consumption at his father's house in Prince George's County.

The two years, 1763 and 1764, moved on in the regular routine manner. There were now thirteen hundreds in the County, namely: Mattapony, King George, Collington, Western Branch, Patuxent, Eastern Branch, Bladensburg, Prince Frederick, Piscataway, Mount Calvert, New Scotland, Rock Creek, and Upper Marlboro.

George Scott and Joseph Sim served as Sheriff and Clerk of the Court respectfully for both years, and the Foreman of the Grand Juries were as follows: 1763—March, James Magruder; June—George Harding, Jr.; August—Humphrey Belt; and November, Rezin Beall. The year 1764: March, William Bowie; June, Thomas Gantt; August, Tobias Belt; and November, Isaac Lansdale.

The business of the Court was as usual: base born children, larceny, assault, etc. Lawsuits in trespass on the case and debt were average. Welfare petitions and petitions filed by Wardens and Vestries of St. Pauls, Queen Anne and King George's Parishes for privilege to levy small quantities of tobacco for upkeep of the churches occupied the attention of the Court.

In the August term of 1763, John Hall moved that Samuel Chase be admitted to practice law, and Thomas Clark moved that Edmund Key be admitted to practice law.

In the June term, 1764, Thomas Johnson moved admission of William Paca. In the November term, 1764, Edmund Key moved that John Rogers be admitted to practice law.

The lawyers practicing before the Court during those two years as shown by the Court Records were Thomas Johnson, George Scott, John Hall, Thomas Clark, Edmund Key, Samuel Chase, William Paca and John Rogers.

On November 19, 1764, by virtue of a writ issued out of the High Court of Chancery, the County Court was directed that a proclamation be issued to all freemen of the county to assemble at Upper Marlborough on December 13, 1764, and elect four members of the House of Burgesses. On that day Justices George Gordon, John Cook, David Craufurd, Thomas Williams, Alexander Symmer, Mordecai Jacobs, Joshua Beall, Thomas Addison, and William Loch Weems with George Scott, Sheriff, and Joseph Sim, Clerk, met in Upper Marlborough on the aforesaid date and held the election.

Those elected were Josias Beall, William Murdock, Mordecai Jacobs and Robert Tyler.

Those men that served as Justices of the County Court from March, 1761 through November, 1764 were: Thomas Addison, William Brashears, Benjamin Brashears, Josias Beall, John Contee, David Craufurd, John Cooke, George Gantt, George Gordon, John Stone Hawkins, Dr. Thomas Hamilton, Mordecai Jacob, Christopher Lowndes, Nathaniel Magruder, George Naylor, Samuel Pottinger, John Pottinger, Robert Tyler, William Loch Weems, Thomas Williams and Francis Waring.

The *Maryland Gazette* tells us that on February 13, 1763, ‘‘Charles Carroll, Jr., of Prince George’s County was married to Miss Mary Hill, daughter of Mr. Henry Hill of the same county, a most agreeable and well accomplished young lady.’’

The issue of April 28, 1763, announces that ‘‘on April 12, 1763, Mrs. Eleanor Carroll, wife of Daniel Carroll of Upper Marlborough, after a long illness which she bore with patience, fortitude, and resignation to Divine Will which denote a sincere Christian. She was blessed with the qualifications that make a good wife, tender mother, and an affectionate friend.’’

The *Maryland Gazette* under date of May 5, 1763, informs us that on April 28, 1763 near Queen Anne Village ‘‘there was a smart thunderstorm and the lightning split a very large and tall tree on the edge of the Patuxent River and a few yards from it a man lay asleep in a boat and never heard it.’’

On May 19, 1763, Alexander and Andrew Symmer were advertising that they had imported choice ‘‘Maderia Wine,’’ and they had it for sale by the

pipe or hogshead. They also sold wax and tallow candles at their store in Upper Marlborough.

The August 11, 1763 issue gives its readers the sad news that on August 1 last, Mr. Thomas Mulliken, while riding his horse near the Western Branch, fell off, resulting in his death.

There was a difference as to ownership of a tract of land known as "Middle Plantation." The *Gazette*, in its issue of September 1, 1763, contained the following advertisement: "Whereas, Mr. Zachariah Hood hath advertised in the *Maryland Gazette* No. 945 and other issues the sale of a tract of land lying in Anne Arundel County called the Middle Plantation. I think it necessary to acquaint Mr. Hood in this public manner, and all others whom it may concern, that I intend to prosecute my claim to said land as lawful heir: Mareen Duvall."

The issue of February 23, 1764, announced the death of Mrs. Grace Cannon, a resident of Prince George's County, in her one hundred and fifth year, ten days before. And we are told that up to one year before her death she was able to walk ten to twelve miles a day.

In the issue of April 26, 1764, Stephen West advertised that the ship *Elizabeth* from London—Captain Johnson—has brought a great variety of European and East India Goods, which he is offering for sale with Barbados Rum, sugar and salt at his stores in Upper Marlboro, Queen Anne Town and Pig Point.

The *Gazette* under date of May 3, 1764, brought the information that on April 26 just passed, which was a windy day, a new large brick dwelling house belonging to Mr. Samuel Snowden, near Snowden Iron Works, took fire from sparks from the chimney falling on the roof, and the house was burned to the ground.

The day before, the dwelling house of Mr. John Wilson, a little distance from Belair took fire accidentally and was burned to the ground with all the furniture except two beds.

The December 20, 1764, issue of the *Gazette* reported that Josias Beall, Jr., William Murdock, Mordecai Jacob and Robert Tyler were elected to represent Prince George's County in the House of Delegates.

The Spring, when it came to Maryland in 1765, brought with it many rumors, some true and some not true concerning the thinking about taxation and related matters by the mother country and the colonies, and this difference would grow more restive as the days unwound.

The March term of the County Court met March 26. George Scott was Sheriff; Joseph Sim, Clerk; and Enoch Magruder, Foreman of the Grand Jury. The minutes for this term are the first official record giving a list of the attorneys practicing before the Court. They were: John Rogers, Thomas John Hall, Thomas Johnson, Jr., Thomas Clark, Edmund Key, Samuel Chase, William Diggs, and Thomas Jennings.

The business of this term of Court was routine; a few welfare petitions, presentments for bastardy, breach of the peace, assault, larceny and the like on the criminal side, and the civil docket consisted of cases of trespass on the case, debt, attachments, etc.

The June term met June 25, George Scott and Joseph Sim served as Sheriff and Clerk of the Court respectively. William T. Wootton was Foreman of the Grand Jury.

The Criminal docket was represented by presentments for a few minor crimes of the same nature as those represented at each term of Court. Only five welfare petitions were filed.

Andrew Bruce, William Cooke, James Brice, Thomas Stone and Benjamin Mackall were admitted to practice.

Attorneys Edmund Key, Samuel Chase, Thomas Clark, John Hall and John Rogers represented the contesting parties at this term.

The August session came on the 27th day of August with George Scott, Sheriff, Joseph Sim, Clerk, and Basil Burgess, Foreman of the Grand Jury. The criminal docket was very light, but the civil docket reflected the uneasiness that existed in the public affairs of the county and the province. There were thirty-five cases for damages, thirty cases for debt and eight cases for condemnation on attachment.

Philip Thomas Lee and James Key were admitted to practice law.

The attorneys representing clients with cases before that term of Court were: Edmund Key, Samuel Chase, John Baynes, Thomas Clark, John Hall, Thomas Johnson, John Rogers, Thomas Jennings and Daniel Dulany.

On November 26, 1765, the November term convened with William Turner Wootton, Sheriff; Joseph Sim and Isaac Lansdale, Foremen of the Grand Jury. The civil and criminal dockets were light and do not arouse interest for readers two hundred years later.

The constables appointed by the Court for the ensuing year were: George Naylor for Mattapony Hundred, Benjamin Wiles for Prince Frederick Hundred; Henry Acton for King George Hundred, Thomas Morris for Piscataway; Thomas Pratt for Collington, Anthony Page for Mt. Calvert; Samuel Simmons for Western Branch; Isaiah Gordon for New Scotland; John Claggett for Patuxent; Edwin Harbin for Rock Creek; Samuel Jones for Western Branch; James Robinson for Upper Marlboro and Adam Craigg for Bladensburg.

At this term the Court appointed Walter Williams and John Bayne, pressmasters.

Fifty-six welfare petitions were renewed at this term.

William Brown was paid 1000 pounds of tobacco for beating the drum and cleaning the Court House.

Rezin Beall later to become a general in the Continental Armies filed a petition to the Court alleging that he met with George Duncover, who was at the point of death, and Duncover pleaded with Beall to help him in charity and compassion. Duncover was in such condition that Beall took him into his home. As a result he is in debt to Dr. Thompson, and at this time Beall does not know how much. By his petition Beall is asking that he be paid two pounds sixteen shillings for four weeks' care. No mention is made as to whether Duncover died or recovered.

Let us look in upon the everyday life of the average Prince Georgian through the columns of the *Maryland Gazette*.

January 24, 1765's issue tells us that "smallpox was rampant in Piscataway and had proven fatal to many. Mr. Marlow in the height of the distemper being much out of his senses escaped his nurse and was found dead in Mattawoman froze in among the ice."

Lord Baltimore, in his instructions to the colonists leaving England in November, 1633, listing what each should carry with him to the new world, recommended a mastiff. So the dog came with them to the wilderness and was their constant companion sharing all the hardships and privations with those that brought them. There was a bond of love and affectation between master and dog.

The *Gazette* under March 7, 1765, gives this account of an inscription on a dog.

"Calm, tho not mean, courageous without rage;  
Serious, not dull, and without thinking, sage;  
Pleased at the lot that nature has assigned  
I snarl at will, and freely bark my mind.  
As Churchman wrangle not with jarring spite  
Nor, Statesman like, caressing whom I bite  
View all the canine kind with equal eyes,  
I dread no Mastiff, and no cur dispise  
True from the first and faithful to the end  
I balk no mistress and forsake no friend.  
My days and nights, one equal tenour keep  
Rise but to eat, and only wake to sleep.  
Thus steal thru harmless life, and live in cog  
A very plain and downright honest dog."

In the same issue of that paper containing the above we read: "Last week died on his plantation in Prince George's County, William Beanes, in the eighty-second year of his life. Born in this Province, was always esteemed and respected as he maintained the character of an upright, just and honest man. He left a widow nearly his own age who was the wife of his youth and with whom he has lived agreeably for fifty-seven years."

## CHAPTER 11

### THE GATHERING STORM

The Stamp Act was causing great concern to the people of the Colonies and the Province of Maryland was chafing under the operation of this law.

On September 7, 1765, the *Gazette* published the following the same having been previously published in the *Boston Evening Post* under date of August 19, 1765.

“Bondage is ignorance and he that sees  
Needs no direct cure for that disease;  
Knowledge and liberty go hand in hand  
Fools only will obey, When Knaves Command  
The sordid yoke no longer can be borne  
When once he sees, he must the grievance scorn.”

In the same issue of the paper there appeared:

“Addison’s Cato  
O Porcius is there not some chosen course  
Some hidden thunder in the stores of heaven  
Red with the uncommon wrath to blast the man,  
Who owes his greatness to his Country’s ruin.”

Finally we read this announcement of the *Maryland Gazette* under date of October 10, 1765.

“We are sorry to acquaint the public in general and our good customers in particular; that the *Gazette* will not any longer be published (for sometime) for reasons already given and which cannot but be known. It is true it might have lived three more weeks before that Doom’s day, the dreadful first of November (the day the Stamp Act went into effect) but as this week’s paper completes the year with all our customers as well as finishes the seven years partnership in it between the printers and that dismal day being near at hand it ceases now.”

The *Gazette* resumed publication January 30, 1766.

England, burdened with the expense of wars and more particularly with the cost of fighting the French and Indians in the recent disturbances in the colonies, sought new ways to raise revenue. Parliament, in the month of March, 1765, passed an act placing a tax on certain legal and business transactions in the colonies. Stamps were made necessary on deeds, mortgages, leases, promissory notes, and other forms of indebtedness. That law was not to become operative until November 1, 1765, and in the interim between its passage and the day it was to go into operation, it met with great resistance in the colonies.

Massachusetts sent out a circular to the other colonies suggesting that a conference be called to meet in the City of New York to discuss ways and means to meet the crisis arising as the result of that most obnoxious law.

The meeting suggested by Massachusetts assembled in New York City on the first Tuesday in October, 1765, with the representatives from nine colonies present.

Maryland sent as her representatives, William Murdock from Prince George's County and Edward Tilghman and Thomas Ringgold from the Eastern Shore. On September 28, 1765, William Murdock brought before the body a set of resolutions recommending a course of action to be followed by the colonies. He was then appointed to draft a letter to the King setting the position of the colonies toward that law of taxation. He was the first man from Maryland whose talents, skill and knowledge were recognized beyond the boundaries of the province.

Who was that William Murdock?

In a deposition made in 1744, he gave his age as forty-four years, so, accepting this as true, we say he was born in Prince George's County in the year 1700. A debt book compiled in 1753 shows that he owned 2662 acres of land in Prince George's County and that acreage included the whole of "Padworth Farm."

William Murdock was Sheriff for Prince George's County in 1740. He served as Burgess for the County from 1749 until his death. He was a member of the Stamp Act Congress of 1765.

He married Anne Addison, daughter of Colonel John Addison of Oxon Hill. Of this union these children were born:

1. John Murdock, died in infancy.
2. John Murdock, known in his adult life as Colonel John Murdock.
3. Addison Murdock.
4. Anne Murdock. Married Reverend Clement Brooke.
5. Catherine Murdock. Married Major Patrick Sim.
6. Eleanor Murdock. Married Benjamin Hall.
7. Mary Murdock who died unmarried.



Anne Murdock died on October 25, 1753. William Murdock was married a second time to Margaret Dulany Hamilton. She was the daughter of Daniel Dulany, the Younger, and at the time of her marriage to Murdock, she was the widow of Dr. Alexander Hamilton of Annapolis. The only issue of this marriage was Rebecca Murdock who married Anthony Addison. William Murdock died October 17, 1769, at his home near Queen Anne's Town in Prince George's County.

The Assembly in the Session of 1765 passed two acts that brought benefits to all Counties:

The first: Chapter 33, increased the allowance of jurors attending the Provincial and County Courts. It provided that there should be allowed to every Grand and Petit Juror who shall be summoned to attend the County Court in lieu of all allowances by prior Acts, twenty-four pounds of tobacco per day in addition to the ninety-six pounds allowed each jury for each cause.

There was in operation at that time the practice of loading costs on the parties involved by having more witnesses summoned than needed. This Act limited the number of witnesses to three to prove any particular fact.

The second, Chapter 21, continued for seven years Chapter 20 of Acts of 1748 which Act gave the County Courts the authority to levy tobacco on the taxables to an amount necessary to defray expenses necessary to operate the County and Parishes.

The year 1766 moved in, and there were four sessions of the County Court held in Upper Marlborough, viz., March 25, June 24, August 26, and November 25.

William Turner Wootton was Sheriff, and Joseph Sim was Clerk for the four terms.

The Foremen of the Grand Jury were as follows: March term, Allen Bowie June term, George Fraser Magruder; August term, Captain William Bowie, and November term, not shown.

The business before the March and June terms was light and of the usual type.

At the August term the business, both *criminal and civil* continued very light. Joseph Sim filed a petition asking that a Land Commission be appointed to establish the boundaries of a tract of land known as "Sim's Delight," and the Court appointed on that Commission, William Beanes, Allen Bowie and William Eversfield.

At the November term the Court appointed Walter Williams and John Bayne as postmasters. Messrs. Weems and Crawford were awarded a contract for the repair of the Western Branch Bridge. The criminal docket was light; however, the civil docket contained eighteen suits for damages and fourteen cases of debt collection.

Thomas Sim Lee and Thomas Jennings took the oaths as required by law to qualify as Clerk of the Court and Deputy Clerk, respectively. Thomas Sim Lee

was to serve later as a member of the Governor's Council and then Governor of the State of Maryland.

Those appearing as attorneys-at-law before the Court during the several sessions for the year 1766 were Edmund Key, Thomas Clarke, Samuel Chase, John Rogers, John Hall, Thomas Jennings and Thomas Johnson.

The year 1767 was about the same as 1766. Very little business either civil or criminal was done. Welfare petitions were few and colorless. William Turner Wootton appeared as Sheriff for the four terms. Joseph Sim appeared for the March term as Clerk of the Court, and Thomas Sim Lee appeared as Clerk for the June, August and November terms. The foremen of the Grand Jury were: March term, John Read Magruder; June term, Isaac Lansdale; August term, Clement Wheeler; and November term, Fielder Magruder.

Constables appointed at the November term were: Benjamin Baden, Mattapony; Middleton Marlow, King George; Charles Duvall, Collington; Osborn Sprigg, Western Branch; John Peach, Patuxent; Joseph Jones, Eastern Branch; Adam Craig, Bladensburg; John Cox, Prince Frederick; Samuel Hawkins Bean, Piscataway; Nathaniel Orme, Mount Calvert; Thomas Gantt, Jr., New Scotland; Joseph Mauduit, Rock Creek; and James Robinson, Upper Marlboro.

The Court also appointed the following as Road Supervisors: John Jenkins, Nathaniel Pope, Benjamin Brashears, George Bean, William Willett, Allen Bowie, Francis Boone, Thomas Pindell, Joseph Duvall, Benjamin Hall, Eleazer Plummer, John Dorsett, Thomas Smith Greenfield, Thomas Gantt, Naylor David, Thomas Collins, Ignatius Fenwick, Ignatius Wheeler, William Ford, James Drain, Walter Williams, Edward Hall, Thomas Baldwin, Thomas Owens, George Magruder, Basil Magruder, Maureen Duvall, James Burns, Samuel Luckett, Alexander Jackson, Joseph Walker, Joseph Litchworth, Richard Noel, Robert Soper, Josiah Wade, Joseph Hatton and John Marlow.

Those practicing law before the Court during the year 1767 at the four terms were Samuel Chase, Thomas Jennings, John Rogers, John Hall, James Key and John Stone Hawkins.

The four terms of Court for the year 1768 were convened on March 22, June 28, August 23, and November 23. William Turner Wootton and Thomas Sim Lee were Sheriff and Clerk of the Court for the four terms. The Foremen of the Grand Jury were: March term, Judson Coolidge; June term, Isaac Lansdale; August term, Clement Wheeler; and November term, Isaac Lansdale.

The civil and criminal dockets were light. At the August term, the following applicants were granted licenses to operate ordinaries at the locations indicated. Solomon Peters at Broad Creek; Alexander Burrell at Piscataway; Thomas Baldwin on the road from Bladensburg to Annapolis; Edward Sim at Broad Creek warehouse; Jacob Wirt at Bladensburg; William Moodie at

Piscataway; William Urquart at Upper Marlboro; John Scott at Upper Marlboro; Mary King at Upper Marlboro; Mary Townley at Upper Marlboro; Margaret Gibson at Nottingham; and Wait Still Singleton Church at Bladensburg.

At the November term, Land Commissions were requested in petitions filed by various owners asking that boundaries be established: Thomas Magruder for "Vale of Benjamin;" John Wynn for "Indian Fields;" Dr. Richard Smith for "Elsenton;" Nicholas Sewell for "Brookfield;" Benjamin Brookes for "Charles Hills;" and Samuel Duvall Beck for "Darnall's Grove."

An order was passed to pay to Dr. James Loiper three pounds for attending Martha McCray in her last illness.

Christopher Lowndes was ordered paid for acting as Coroner for the body of Mary Welsh, a servant women belonging to George Fraser, who hanged herself in an old house on Fraser's Plantation.

An order was passed by the Court that part of Collington and Patuxent hundreds be laid off as a separate hundred to be known as Horsepen Hundred, agreeable to the following description to wit: with the main road from Governor's Bridge to Bladensburg to Muddy Hole Branch.

Another order of Court was passed to the effect that Mt. Calvert Hundred be divided agreeable to the following: Beginning at the head of Charles' Branch and running with the said branch to the mouth thereof and to be called Charlotte Hundred.

James Robinson was appointed drummer for the county, and he was to keep the doors and windows secure and keep the court house clean until November 1769, for which he was to be paid 1,000 pounds of tobacco.

A Negro slave, Scipio, the property of Stephen West, was tried for breaking into an out building and stealing four strips of bacon valued at eighteen shillings. He was tried by a jury, and the verdict was that he be hanged by the neck until dead. Scipio was valued at fifty-three pounds current money.

The lawyers practicing law before the Court for the year 1768 were: Thomas Jennings, John Rogers, Samuel Chase and James Key.

There were four terms of Court held during the year 1769, and they were held March 28, June 27, August 22, and November 28.

John Addison served as Sheriff and Thomas Sim Lee as Clerk for the entire year of 1769. The Foreman for the Grand Jury for the March, June and August terms was Allen Bowie. For the November term, George Fraser Magruder served in that capacity.

The criminal and civil dockets at all four terms were light and involved only minor causes. At the March term there were three petitions to establish boundaries. James Wallingford asked that boundaries be established for the tract of land known as "Jeremiah Berry." The same action by the Court for

two tracts known as "Vale of Benjamin" and "Marlboro Plains," and James Tannyhill petitioned that the boundaries be established for the tract known as "Aker Head."

At the June term Thomas Harrison, James Allen, and Eleanor Eversfield petitioned, requesting that boundaries be fixed for three tracts of land known as "Chartey," "Dunkool," and "Brookfield," respectively.

When the Court met in August, the following filed applications for licenses to keep ordinaries at the points in the county as shown:

William Singleton	at Bladensburg
Thomas Baldwin	at Bladensburg
Jeremiah Crabb	at Queen Anne
Thomas Rose	at Queen Anne
William Beall	at Upper Marlboro
Hugh Lyon	at Upper Marlboro
William Urquhart	at Upper Marlboro
Mary Townley	at Upper Marlboro
William Woodie	at Piscataway
Margaret Gibson	at Nottingham

Thomas Cramphin filed a petition that the Court appoint a Land Commission to establish the boundary to a tract of land known as "Aaron."

The November term came on and with it ninety-two welfare petitions.

The rectors, vestrymen and church wardens for Saint Paul's and Queen Anne's parishes requested the Court's order to levy a tax on all taxables in the two parishes for the support of the respective churches. St. Paul's request was for eight pounds of tobacco and Queen Anne's, for two pounds.

William Brown was appointed drummer for the County and with the additional duties of keeping the doors and windows locked when Court was not in session. He was also to keep the Court House clean. His salary was to be 1,000 pounds of tobacco for the ensuing year.

Boston Dotts made application for a license to keep an ordinary at Broad Creek.

On November 28, 1769, Lord Baltimore issued a writ out of the High Court of Chancery, directed to John Addison, Sheriff for Prince George's County, ordering him to call together three or more Justices, one being of the quorum and the Clerk of the County Court who shall give notice by proclamation to all freeholders within said County to appear at the Court House at a certain time not less than ten days after the proclamation in order to choose burgesses to serve the county in the General Assembly. December 8 was set for the day to vote. All offering themselves to vote had to own fifty acres of land or visible property to the value of four pounds sterling. Those present to conduct the election were Justices John Cooke, David Craufurd, Alexander Symmer, Joseph Sprigg, Richard Duckett, William Loch

Weems, and James Crow. Also present were John Addison, Sheriff, and Thomas Sim Lee, Clerk to the County Court. Thomas Contee and Mordecai Jacob were elected.

Those practicing law before the Court for the year 1769 were John Rogers, Samuel Chase, Thomas Jennings and James Key.

Those acting as Justices during the period of time between January 1, 1766, and December 31, 1769, were: Thomas Addison, Joshua Beall, John Baynes, James Crow, John Cooke, David Craufurd, John Contee, Richard Duckett, George Gantt, George Gordon, John Harrison, George Hardey, George Fraser Hawkins, Mordecai Jacob, Christopher Lowndes, Nathaniel Magruder, Thomas Hanson Marshall, Alexander Symmer, Joseph Sprigg, Thomas Truman, Thomas Williams, William Loch Weems and Francis Waring.

We have reviewed the business of the Court for the years 1766 through 1769. Let us look in on the religious, business, social life of those people that lived at that time. Our sources of information shall be the *Maryland Gazette* and J. Thomas Scharf's *History of Maryland*.

The *Maryland Gazette* for July 29, 1765, announced that Dr. Stevenson would be in Prince George's County in September to inoculate against smallpox and would be glad to serve any gentlemen that were pleased to favor him with their custom.

In the same issue of that paper, appeared the following advertisement designed to cure many ills. "Dr. Hill's Balsam of Honey for Consumption. Tincture of Valerium for the nerves. Tincture of Golden Rod for gravel. Essence of Water Dock for scurvey. Elixior of Bardana for Gout also 'Red Pills' 'Dropsey Powder' 'Fistula Paste' and 'Eau de Luce'."

The *Gazette* for April 10, 1766, announced the repeal of the Stamp Act. The news was brought to Annapolis the previous Saturday, April 5, and at noon by express from Mr. Maxwell at Benedict, having been brought from London by Captain Brooke.

The April 2, 1767 issue tells us that John Hepburn of Prince George's County with John Beale Bordley had been named Justices for the Western Circuit of Assizes, and Reverdy Ghiselin, had been named Clerk.

The issue of the *Gazette* for April 16, 1767, announced the death of its editor, Jonas Green.

On July 16, 1767, the *Gazette* announced that the Vestrymen and Church Wardens of St. Paul's Parish in Prince George's County gave public notice that they intended to apply to the next General Assembly for L 200 currency to be levied on the aforesaid Parish to be applied to the building of a Vestry Room at the Church and for such other uses as the Vestrymen and Wardens thought most to the advantage of the Parish. It was signed by Fielder Bowie, Register.

The December 3, 1767 issue tells us that on November 30, Thomas Addison, Jr. of Potowmack was married to Miss Rebecca Dulany of Annapolis. She was the daughter of the Honorable Walter Dulany and was an agreeable young lady possessed of many amiable qualifications.

On December 17, 1767, the *Gazette* announced the election of Josias Beall, Robert Tyler, William Murdock, and Major Francis Waring to represent Prince George's County in the General Assembly.

On January 28, 1768, Messrs. Magruder and Hepburn advertised that they had European and East India Goods for sale at their store in Upper Marlboro.

February 23, 1769, brought the sad news that at his home in Prince George's County, Major Francis Waring, Chief Judge of the County Court and one of the representatives for the county in General Assembly was summoned by death. His death was greatly lamented by a numerous acquaintance.

In the March 16, 1769 issue of the *Gazette* we come upon an advertisement in which Mary Nelson of Philadelphia offered forty shillings reward for the return of her indentured servant who had run away. Her treatment of the problem was clever. It showed the budding of a talent that was to develop into the skill now manifested in the advertising field.

Last Wednesday Noon, at break of day,  
from Philadelphia, ran away  
An Irishman, named John McKeogh,  
To fraud and imposition prone;  
about five feet, five inches high,  
Can curse and swear, as well as lie,  
How old he is I can't engage,  
But forty-five is near his age;  
He came as all reports agree  
From Belfast town in sixty-three  
On board the Culloden, aship  
Commanded by McLeran that trip  
Speaks like a Scotchman, very broad,  
Is round shoulered and meagre jawed;  
His thick short hair of candy hue,  
Breeches and hose of Mazreen blue:  
of lightish cloth an outside vest  
In which he commonly is dressed:  
Inside of which two more I've seen  
One flannel the other coarse nankeen  
He stole, and from my house conveyed  
A man's blue coat of bearskin stuff,  
Nor had the villian yet enough:  
Some Chintz (the ground was pompadoar)  
I lately purchased in a store.  
Besides a pair of blue ribbed hose  
Which he has on as I suppose.  
He oft in conversation chatters

Of Scripture and religious matters  
And fain would to the world impart  
That virtue lodges in his heart:  
But take the rogue from stem to stern  
The hypocrite you'll soon discern  
And find that his deportment civil,  
A saint without, within a devil.  
Who'er secures daid John McKeoghn  
Provided I should get my own  
Shall have from me in Cash paid down,  
Five dollar bills and half a crown.

Through the columns of the *Gazette* issue of April 13, 1769, we learn of the death of Charles Digges, a merchant of Upper Marlboro. Mr. Digges was taken ill while at Dumfries, Virginia, and after an illness of two days died.

The *Gazette* of October 19, 1769, informs us that on October 17 died at his seat near Queen Anne in Prince George's County the greatly lamented William Murdock. He was for many years a representative in the General Assembly for Prince George's County. He was a gentleman of strict integrity, and solid judgment, and in him it may be truly said the public had lost a valuable member of the community.

The General Assembly in the year 1768 passed Chapter 29 which directed the Justices of the Prince George's County Court to levy fifteen pounds of tobacco on each and every taxable in the county for the purpose of building an alms and work house and named as trustees to serve until their successors should be chosen: John Baynes, William Bowie, Richard Duckett, John Fendall Beall and Nathaniel Magruder.

On February 21, 1769, Prince George's Parish met. Those present were the Reverend Alexander Williamson, Rector; Vestrymen, John Clagett, Zach Magruder, Samuel Turner, Robert Owen and Edward Villers Harbin; Wardens, Ninian Riley and James White were all present. It was agreed to petition the next General Assembly for an act empowering the Justices of Frederick and Prince George's Counties to levy on the taxables of Prince George's Parish 192,000 pounds of tobacco to build a new brick church in the same place where the old church stood. This petition was presented to both houses of the Assembly, but it was never passed by either house.

The church which was the subject of that recommendation was St. Paul's at Rock Creek, then situated in what was known as Frederick County but previously had been known as Prince George's County. St. Paul's was originally a mission of St. John's at Broad Creek.

## CHAPTER 12

### ALARMING NEWS FROM THE NORTH: 1770-1774

With the coming of the spring rains in the year 1770, also came the news from Boston, Massachusetts, that four Americans had been killed by British soldiers encamped in that city. On March 5, 1770, a group of citizens was throwing snowballs and yelling insulting remarks at the King's troops, and they in return fired their muskets directly into the group's midst.

This news darkened the sky over the Chesapeake Bay country and added to the uneasiness of our people in Southern Maryland.

The County Court in that year held four sessions: March 27, June 26, August 28, and November 27. John Addison served as Sheriff and Thomas Sim Lee as Clerk for the four terms. The Foremen of the Grand Juries were: the March term, Thomas Boyd; the June term, Isaac Lansdale; the August term, Thomas Boyd; and the November term, Allen Bowie.

The Grand Jury returned fourteen indictments for the usual offenses.

Two petitions were filed for appointment of Land Commissions to establish boundaries: William Gibbs, for a tract known as "Stoney Hill"; and Thomas Cross, for a tract known as "Andrews."

Two applications were filed for licenses to operate ordinaries: viz., George Wallingham at Broad Cr ek; and Eleanor Robey, at Piscataway.

At the June term the Grand Jury brought in nineteen indictments, and there were ten welfare petitions filed.

Three petitions for the appointment of Land Commissions to establish boundaries to tracts of land were filed and a Commission appointed. Jacob Frank for "Widows Mite," Samuel Waters for "Gore of Cherry Walk," and Henry Camden for "Turlington Green."

Henry Bradford filed an application for a license to operate an ordinary at Bladensburg.



At the August term the Court published the rates to be charged by keepers of ordinaries:

Lodging per night, seven Shillings 6 pence  
Stabling and fodder for one horse one night, one Shilling  
Flemish wine per quart sealed with loaf sugar, five Shillings  
Maderia wine per quart sealed, five Shillings  
Good Claret per quart sealed, six Shillings  
Rum per quart, two Shillings  
Corn and Oats per bushel, five Shillings.

Licenses were issued to the following applicants to operate ordinaries at the locations shown:

Thomas Baldwin	on the road from Bladensburg to Annapolis
Jacob Wirt	Eastern Branch Ferry
Samuel Collard	Eastern Branch Ferry
William Moodie	Piscataway
Eleanor Robey	Piscataway
George Wallingham	Broad Creek
Wait Still Singleton Church	Bladensburg
Mary King	Upper Marlboro
Henry Bradford	Bladensburg
William Urquhart	Upper Marlboro
Thomas Rose	Queen Anne

At the November term there were fifty welfare petitions presented to the Court.

John Warren and Alexander were granted licenses to operate ordinaries at Upper Marlboro and Queen Anne respectively.

George Naylor and Edward Swann filed petitions requesting that Land Commissions be appointed to establish the boundaries to two tracts of land, viz., "Brightwells Range" and "Poscuam."

St. Paul's vestry requested that an order be passed to levy a poll on all taxables in St. Paul's Parish of eight pounds of tobacco per poll. The vestry of Queen Anne's Parish petitioned that a poll of one pound of tobacco per poll be levied on the taxables in that parish.

Dr. Joseph Digges presented a bill in the amount of L 1-12 Shillings, six pence, for treating Elizabeth Wright, an indigent.

Dr. David Ross presented a bill in the amount of L 3-5 Shillings for treating indigents.

The attorneys appearing before the Court during the year 1770 as shown by the records were: John Rogers, Samuel Chase, Thomas Jennings, James Key, Benjamin Mackall, and Thomas Johnson.

On December 9, 1770, Lord Baltimore issued out of the High Court of Chancery a writ directing John Addison, the Sheriff, to call together three or more Justices and the Clerk of the Court to sit as a court for election to make proclamation that all freeholders within the said county to appear at the Court House at a certain time not less than ten days after the proclamation to choose four delegates to the House of Burgesses. Addison summoned Justices David Craufurd, Alexander Symmer, John Cooke, and James Crow.

At the election those chosen were Josias Beall, Robert Tyler, Joseph Sim and Thomas Contee.

In reading the accounts filed by merchants in probate proceedings on the estates of deceased planters, I read some interesting items. I discovered the following combinations purchased by the planter on his visit to the village store, both entered under the same date.

- 1 Qt. of rum—1 yard of ribbon
- 1 Gal. of rum—one pair of garters
- 1 Gal. of rum—2 ivory combs
- 1 Qt. of rum—1 lb. cheese

and many, many more of the same makeup. Those records tell us an impressive story of human interest concerning those people that lived here two hundred years ago. They show us that when the man of the family was planning to care for his thirst problems that he usually remembered the little woman at home and never failed to return with a well thought out peace offering.

He always selected it while his judgment was yet sound, for his life in the new country had taught him to believe in preparedness. So, in the event he should arrive at home in a slightly muddled mental state after his day of conviviality with friends and neighbors at the crossroads, she would have the balm of Gilead with him that would heal all wounds.

In the year 1771, there were three sessions of the County Court, viz., March 26, August 27, and November 26.

The June term was vacated by an act of the Assembly in the year 1770. John Addison was Sheriff and Thomas Sim Lee, Clerk for the entire year 1771. John Beall was Foreman of the Grand Jury for the March term; Isaac Lansdale, for the August term; and William Deakins, for the November term.

At the March term, there were fifteen indictments for various misdemeanors, and twelve welfare petitions were filed.

Three petitions were filed requesting the Court to appoint Land Commissions for three tracts of land. Henry Brooke was petitioner for tract "Poplar Neck," Thomas John Clagett for tract "Brock Hall," and Ebenezer Edmonston for tract known as "Collington."

The citizens of Piscataway came before the Court requesting help to replace two bridges over Piscataway Creek which had washed away, resulting in a

condition that made it impossible for carriages to pass and most difficult for those on horseback.

David Craufurd was authorized to make a contract with someone to repair the Court House.

The docket for the August term was light and the offenses minor.

Thomas Waring and Truman Skinner filed petitions for Land Commissions to establish boundaries to a tract of land known as "Tevia."

Thomas Jennings moved that Andrew Scott be admitted to the bar, and William Cooke moved that Baker Johnson be admitted to the bar.

The docket for the November term contained fifteen presentments on the criminal docket and the usual number of civil actions on the civil docket.

Petitions were filed for the appointment of Land Commissions to settle the boundaries of three parcels of land known as: "Outlet and Concord," interested party, Charles Carroll; "Pennes Choice," interested petitioner, William Cooke, and "London Derry," interested party, Thomas Boteler.

One hundred ten welfare petitions were filed at this term.

The Vestries and Church Wardens of three parishes asked for permission to levy polls on all taxables in the three parishes as follows: St. Paul's Parish for eight pounds of tobacco per poll for repairs and maintenance of the church, Queen Anne Parish for ten pounds of tobacco per poll for repairs to church and chapel; and St. John's Parish for 47,000 pounds of tobacco to be apportioned among the taxables in the parish.

Daniel Clarke and James Alder requested permission to relocate certain roads through their plantations.

The attorneys practicing law before the Court during the year 1771 as disclosed by the records of the Court were: Thomas Jennings, John Rogers, Thomas Stone, James Key, Samuel Chase, William Cooke, and Baker Johnson.

There were three sessions of the Court during the year 1772, March 24, August 25, and November 24. Ralph Foster was Sheriff and Thomas Sim Lee, Clerk, for the year 1772. The Foremen of the Grand Jury for the year were: March term, Richard Isaac; August term, Jeremiah Belt; and the November term, William Deakins.

There were four petitions filed requesting that Land Commissions be appointed to establish boundaries to four tracts of land: viz., Josias Beall was interested in a tract called "Lone Head," George Naylor, in a tract known as "Brightwell's Range," John Eversfield, in a tract known as "Renchard's Adventure," and Samuel Duvall, in a tract known as "Darnall's Grove."

A committee of citizens from Bladensburg appeared before the Court requesting that the bridge over Eastern Branch that was carried away by an ice

jam the previous winter be replaced. Richard Duckett and James Sprigg were appointed to supervise relief for the petitioners.

The August term, so far as the proceedings of the Court were concerned, lacked color and interest. Both criminal and civil dockets were usual and light.

Benjamin and Mordecai Jacob requested appointment of a Land Commission to establish boundaries to a tract of land known as "Hollyday's Choice."

At the November term the civil and criminal business was as usual.

The Court appointed the following men as constables for the various hundreds: Thomas Boteler—Mattapony; Alexander Truman—Prince Frederick; Edward Boswell—King George; Josias Wade—Piscataway; Hickerson Mockabee—Collington; John Shelby—Mt. Calvert; John Brown—Western Branch; Nathaniel Suit—New Scotland; Basil Beall—Patuxent; John Holley—Rock Creek; Thomas Gordon—Eastern Branch; Robert Brooks—Upper Marlboro; Nicholas Free—Bladensburg; Mordecai Jacob—Horsepen; Zachariah Owen—Charlotte; and Richard Groom—Nottingham. There were now sixteen hundreds in the county instead of seven when the county was erected in 1696.

There were sixty-six welfare petitions filed at that term.

The Vestry and Church Wardens of King George and Queen Anne's Parishes requested authority to levy a poll of five and four pounds of tobacco respectively and the Vestries and Church Wardens of Prince George's and St. Paul's Parishes requested like authority to levy polls of four pounds and eight pounds of tobacco respectively.

Tucked away in the pages of these old court records, resting under the weight of two centuries unnoticed, and unknown to most of us, is a most tragic story. It tells in most graphic terms the hardships, perils, and sufferings endured by those people seeking to establish new homes in America.

In its lines are unfurled the experiences of two little orphan girls who suddenly found themselves among a new people in a new land at Bladensburg, after a terrible trip across the Atlantic during which they saw their mother and father die and their remains consigned to Davy Jones' locker at a spot in the wide Atlantic that is now only known to God.

I shall let Christopher Lowndes tell the story in the court room in Upper Marlboro that November day, in the year 1772.

Christopher Lowndes presented to the Court that he had "two servant girls that came from Scotland in my vessel. When they embarked their parents were living and by agreement between the Captain and them, these two girls were to have engaged under indentures on the arrival here until they were twenty-one years old, but as both father and mother died upon the passage this agreement could not be carried out. I therefore submit this matter to your consideration and request you will determine how far your Worships think the above

agreement should operate as to the time they must serve; and whatever your Resolution is that you will direct the Clerk to acquaint me with the time they must serve the sooner you will be pleased to consider the above the more you will oblige Christopher Lowndes.”

The Court immediately passed the following order: “On reading this petition and on due consideration thereof had, it is considered by the Court that Catherine Grant aged twelve years and Rachel Grant aged ten years serve Christopher Lowndes or his assign till they arrive at the age of twenty-two years.”

One wonders what the years did for those two little girls who entered the country under such unfavorable circumstances, and what their contributions were to the laying of the foundation of their adopted country.

The Court ordered that the middle part of Piscataway Hundred be divided into two hundreds to be distinguished the middle part and the fifth part of Piscataway Hundred. The middle part was to consist of “that part beginning at Fork of Road near Johanna Findley’s, up the Ferry Road through Nathaniel Magruder’s old fields from Benjamin Moore’s to the branch near Charles Burgess’s plantation where William Jenkins formerly lived and then from Joseph Hurley’s to Hynson Branch. The fifth part from Hatton’s gate by Daniel Frasers to the fork of the road near Johanna Findley’s thence down the road to Magruder’s Mill, thence by James Robinson’s to Elisha Lanham’s and from said Robinson’s down the road, through Mrs. Dyers plantation to Tinker’s Run.”

According to the records of the Court, the attorneys practicing before it during the year 1772 were Thomas Jennings, William Cooke, Baker Johnson, John Rogers, Thomas Stone, Samuel Chase and Andrew Scott.

During the year 1773, the three terms of the County Court were held on March 23, August 24 and November 23. Ralph Forester served as Sheriff and Thomas Sim Lee as Clerk for the three terms. Daniel Clarke served as Foreman of the Grand Jury for the March term, with Charles Burgess, for the August term and Daniel Clark for the November term.

Both civil and criminal dockets were light and the issues involved light and of little importance to all but the parties directly involved.

There were two petitions for the appointment of Land Commissions. Thomas Clagett asked that boundaries be established to a tract of land known as “Croome,” and Basil Waring made the same request for a tract known as “Beall’s Pleasure.”

The physical condition of the Court House was the concern of many and was being continuously brought to the attention of the Court. At this term the Court appointed David Craufurd to arrange for such repairs to the Court House as might be needed.

Matthew Brown was admitted to practice law.

On May 4, 1773, the Court, after due proclamation, met to supervise the election of four delegates to the General Assembly. Josias Beall, Robert Tyler, Joseph Sim and Thomas Contee were elected.

At the August term there appeared a great increase in the civil business. This increase reflected the uneasiness that had greatly increased in the county and the province. The civil docket listed fifty-eight causes for action, mostly for the collection of debts filed by factors representing British firms in the county.

Also there were filed quite a number of petitions for the appointment of Land Commissions to establish boundaries for tracts of land. This too was a sign that many people desired to get their problems settled before the storm that was beginning to form over the Northern Colonies broke over the Maryland countryside. I have listed below the name of the owner concerned, the tract involved, and also the members of the Commission:

William Wright, for tract "Forrest." Leonard Hollyday, Fielder Bowie, Levin Covington and Moses Amobe were appointed as the Commission;

Henry Stonestreet, for tracts "Battonsey," "Little Worth," and "Athey's Folly." Luke Marbury, Nathaniel Newton, George Fraser Hawkins, and Nathaniel Hutton were appointed on Commission;

John Brightwell, for the tract "Woods Farm." Allen Bowie, Fielder Bowie, Thomas Contee, and James Baden were appointed on that Commission.

Clement Hill for tracts "Sky Park," "Bread & Cheese," and "Littleworth." Humphrey Belt, David Craufurd, William Loch Weems and Edward Sprigg were appointed as members of that Commission.

John Blandford, for tract "Timberland." Leonard Waring, Nathaniel Newton, Thomas Blacklock and Jonathan Burch were appointed on that Commission.

Benjamin Beall agreed with the Court to build a bridge over the Eastern Branch near Bladensburg where the old bridge formerly stood. The bridge was to be one hundred and thirty feet long and twelve feet wide. It was to be completed by October 15, 1773.

John Rogers moved that Daniel Dulany, the younger, be admitted to the practice of the law.

At the November term there were seventy-one cases on the civil docket, mostly causes of action for debt. The criminal docket was of no consequence—a few minor misdemeanors.

There were four petitions filed asking that Land Commissions be appointed to establish boundaries to four tracts of land: (1) Owner Josias Fennerly for tract, "Hunter's Kind." Ignatius Wheeler, John Addison, John Stonestreet and Thomas Wilcoxon named on the Commission. (2) Owner John Eversfield for tract "Part of Ranchers Adventure." Those appointed on that Commission were Thomas Contee, John Garrison, John Dorsett, and William Newman

Dorsett. (3) Owner William Digges for the tract, "Frankland." The Court appointed George Fraser Hawkins, Nathaniel Newton, John Hawkins Lowe and Thomas Clagett on that petition. (4) Owner Thomas Hanson for the tract, "Charley." The members of that Commission appointed by the Court were Nathaniel Newton, Richard Clagett, Hezekiah Wheeler and Thomas Clagett.

The court ordered the account of Dr. Joseph Digges in the amount of 608 pounds of tobacco paid. This was for treating the indigent.

The Vestry, Rector and Church Wardens for Prince George's Parish petitioned and the Court granted authority to levy 11,833 pounds of tobacco to build a new church at Rock Creek where the old one stood.

The Vestry, Rector and Church Wardens of Queen Ann Parish contracted with Christopher Lowndes to build a new Church in the Parish for L 937-10 Shillings in three installments. The Sheriff had not been paid his commission of L 15-6 Shillings due on the 1772 installment and the Vestry, Wardens and Rector petitioned for authority to make a levy of eight pounds of tobacco per poll to raise that sum.

The Vestry of King George Parish requested authority to levy a poll of five pounds of tobacco per poll in parish to defray church expenses.

The Court passed an order directing that Piscataway Hundred be divided into two parts and that the division be by the road from Broad Creek Church to Benjamin Moore's, the North side to be known as Hynson Hundred and the South side to be known as Piscataway Hundred.

According to the records of the County Court those attorneys practicing before it during the year 1773 were Andrew Scott, Thomas Stone, Samuel Chase, William Cooke, Baker Johnson, John Rogers and Thomas Jennings.

The year 1774 came on and with it the reports of trouble to the north. On June 1, the British closed the port of Boston. Maryland made a contribution of money toward the relief of that city.

The First Continental Congress met in Philadelphia in September, 1774. It was recommended that associations be formed throughout the colonies to discourage the importation and use of British goods.

In this trying year there were three sessions of the County Court, those of March 22, August 23, and November 22. Ralph Forester served as Sheriff and Thomas Sim Lee as Clerk for the three terms. Thomas Dent served as Foreman of the Grand Jury for the March term, Hezekiah Wheeler, for the August term, and James Mulliken for the November term.

At the March term there were ninety-seven civil actions before the Court. All were trying to collect their debts before the impending storm broke. Among the plaintiffs were: John Glassford & Company of Scotland, John Buchanan & Son, Judson Coolidge; James Brown and Company; George and Andrew Buchanan, Peter Campbell & Co.; George Oswald & Co., Simson Baird & Co., and Cunningham, Findlay & Co., all European firms; and

Edward Magruder & Co., Christopher Lowndes, and Alexander Hamilton, county merchants.

There were three petitions requesting the appointment of Land Commissions to settle the boundaries to certain tracts: (1) Thomas Gantt requested for "Sete Pleasant." The Court appointed Joshua Beall, John Hall, Richard Henderson and Joseph Pope. (2) Benjamin Walls asked for a Commission to settle uncertainties in boundaries in the tract known as "Brook Court." John Harris, Thomas Gantt, Jr., Truman Skinner and Moses Amobe were appointed on that Commission. (3) Elizabeth Beall requested the same treatment for her five hundred acre tract, and on her Commission the Court appointed John Baynes, Thomas Clagett, Thomas Dent and Nathaniel Newton.

William Cooke moved the admission of Alexander Contee Hanson to the bar of Prince George's County. At the August term, Joshua Beall, Christopher Lowndes and Richard Henderson were appointed by the Court to examine the request of a petition then before the Court and report to the next Court the wisdom of changing the course of a road between the Deep Branch Bridge and James Hunt's land, a distance of two miles.

At this term there were fifty cases on the civil docket. The criminal dockets were light, and the offenses the same as they have been from the beginning of the County Court.

There were five petitions filed requesting that Land Commissions be appointed to settle boundary problems for certain tracts of land. (1) Sarah Cole petitioned for a Commission to fix the boundaries for a tract of land known as "Stones Delight." The Court appointed on that Commission Thomas Clagett, Luke Marbury, Nathaniel Newton and Samuel Bond. (2) James Thomas requested in his petition the same treatment for the tract of land "Pascum." The Court named James Collins, Gerard Truman Greenfield, James Wilson and James Truman. (3) George Naylor petitioned for the same as the above two for his tract of land known as "Twiver." John Harrison, Leonard Waring, John Beadon and Edward Swann were appointed as Commission to care for that petition. (4) William Stevens owned a tract of land known as "Wheelers Folly" and asked the Court for a Commission to establish boundaries. George Fraser Hawkins, Thomas Clagett, Luke Marbury and Nathaniel Newton were named to handle that petition. (5) And finally Benjamin Jacob and others were interested in fixing boundaries to a tract known as "Evan's Range." Edward Hall, son of Henry, Thomas Williams, Jeremiah Belt, and Joshua Clarke were appointed to care for that problem.

The county was growing in population and business. A small index may be the number of ordinaries licensed each year. That the reader may have an idea of those operating the taverns and public places of entertainment just before the battles of Lexington and Bunker or Breed's Hill which were to occur with the



coming of the next spring and summer, I shall list those licensed for the next year.

Jacob Wirt, Bladensburg: This gentleman was the father of William Wirt, a future Attorney General of the United States. Richard Carnes, Piscataway; Nathaniel Rontee, Magruder's Warehouse; William Urquhart, Upper Marlboro; Wait Still Singleton Church, Bladensburg; John Elias Martin, Bladensburg; Henry Bradford, Bladensburg; Joseph Wilson, Piscataway; Samuel Collard, Eastern Branch Ferry; Zachariah Wade, below Piscataway; Lucy Hardy, Piscataway; John Dorsett, Nottingham Town; Samuel Nichols, Queen Anne Town; Thomas Rose, Queen Anne Town; Mary King, Upper Marlboro; and Margaret Bigson, Upper Marlboro.

In three months, on came the November term. The criminal docket for this term was light, only eleven presentments by the Grand Jury but the civil docket had one hundred and eleven cases, the largest number at any term during this unsettled and troublesome time.

According to the record of the Court, those attorneys practicing before the Court during the year 1774 were: William Cooke, Daniel Dulany, Richard Hall, Thomas Jennings, Baker Johnson, John Rogers, Andrew Scott and Thomas Stone.

Those persons serving as Justices on the County Court during the period of time between January 1, 1770 and December 31, 1774, were Joshua Beall, John Baynes, John Cooke, James Crow, Thomas Clagett, David Craufurd, Richard Duckett, Jr., Thomas Gantt, George Hardy, Jr., George Fraser Hawkins, John Harrison, Richard Henderson, Christopher Lowndes, Alexander Howard Magruder, John Read Magruder, Jeremiah Magruder, Luke Marbury, Alexander Symmer, Joseph Sprigg and William Loch Weems.

## CHAPTER 13

### A LOOK AT COUNTY LIFE: 1770-1774

We have just completed a review of the legal history for the County for the five years that just preceded the Revolution. Now let us look in on the family, business, social, religious and political lives of those people. The windows through which we look shall be the columns of the *Maryland Gazette*.

In the pages of that great little paper one reads many news items that are amusing as well as informative. We shall begin with reading a letter dated January 11, 1770, and directed to the Editor of the *Gazette* and he in turn as requested by the writer published it in the issue of his paper dated April 5, 1770. "On the 27th inst. died Mr. Robert Hanson of Charles County, a young gentleman whose good qualities entitled him to the esteem of all who knew him. About twelve months before his death he leased out to Joseph Aderton, a surgeon, for a few years that part of his paternal estate on which is the family burying ground, that a little time before had been paled in; and having heard that Mr. Hanson had frequently expressed an earnest desire to be buried with his forefathers, I applied to Mr. Aderton for liberty to bury him with them to which he made a most unprecedented and unchristian like denial, and gave for the reason that his wife was timorous and fearful and would by no means agree to have Mr. Hanson buried in the graveyard. I said to Mr. Aderton, Mr. Hanson is dead, he could not possible cause trouble for any one. To this he replied that I have told my wife that and her reply is always 'that's what he says that he's dead, but I can't believe anything Mr. Hanson says.' Mr. Aderton has made use of the graveyard as a horse pen. I therefore to justify my conduct to Mr. Hanson's friends for not burying him where he desired and let the world know that a brute may be walking around in human shape; and desire that you will have this printed in your *Gazette*.

Signed Girard Fowke."

In the issue of April 12, 1770, the *Gazette* tells us that "several ships from Great Britain being daily expected to arrive in the Patuxent River with European Goods, the inhabitants of Prince George's County thought it

necessary to meet in order to appoint proper committees to support the association. Accordingly at this day at Upper Marlboro the following persons were appointed for the Patuxent District. For Upper Marlboro, Edward Sprigg, Joseph Sprigg, Osborn Sprigg, William Weems, Benjamin Hall (son of Francis), Humphrey Belt, David Craufurd and Stephen West.

For Queen Anne, Mordecai Jacob, William Wootton, Richard Duckett, Jr., Robert Tyler, James Mullikin and Edward Hall.

For Nottingham, John Cooke, William Bowie, Joseph Sim, Allen Bowie and Truman Skinner.

For Magruder's Landing, Alexander Magruder, Levin Covington, Thomas Gantt, Jr., George Gantt, Thomas Truman."

The historian J. Thomas Scharf, tells us that on June 9, 1770, the people of Prince George's County met and declared their determination not to import any goods from Britain notwithstanding all taxes have been removed from all goods save tea.

The *Gazette* of August 16, 1770, informs us that on Friday Night last died at her home in Upper Marlboro on the fifty-sixth year of her age, Mrs. Mary Hepburn. Her death being sincerely lamented by all who had the pleasure of her acquaintance to whom she was endeared by her amiable and exemplary conduct in the several relations of life."

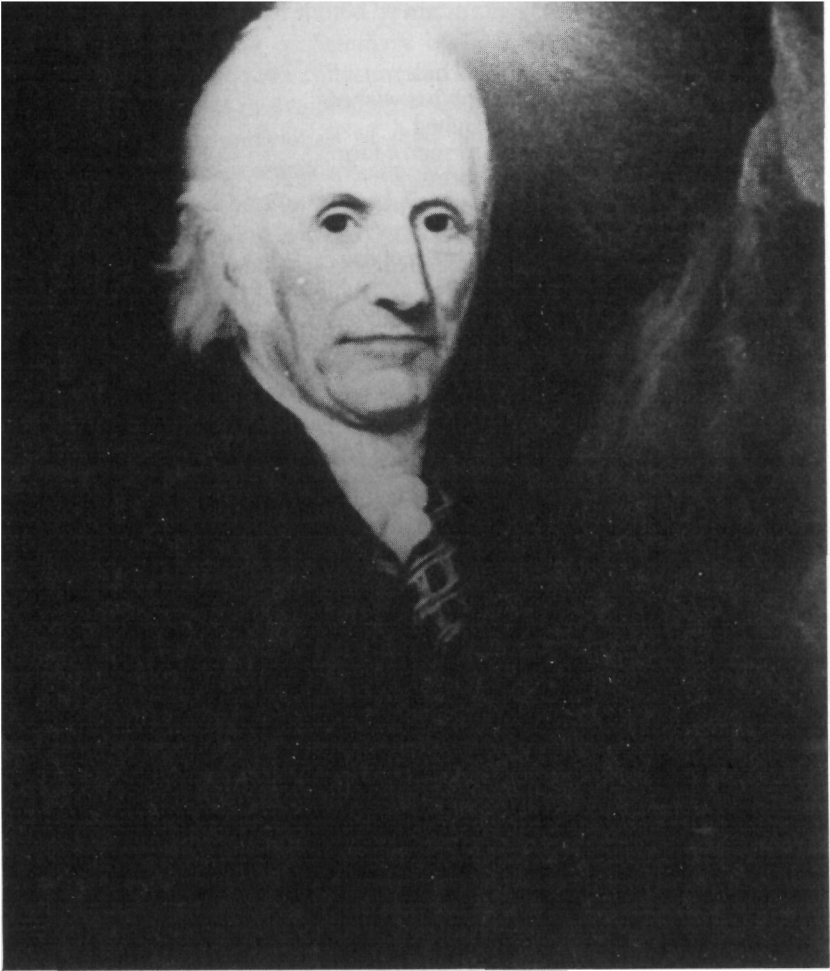
J. Thomas Scharf, the historian, tells us that on October 15, 1770, the "Committee on Inspections" re-shipped all contraband goods to London.

The issue of the *Maryland Gazette* dated November 8, 1770, informs us that "on November 1, 1770, the Reverend Mr. William Brogden, in the sixtieth year of his age and Rector of Queen Anne's Parish departed this life. He was a man universally known and respected for his probity, extensive knowledge and for his strict and exemplary life in his vocation. His latter days were much embittered of disorders under which he labored for several years and to which at last he fell a victim. He left four sons and one daughter."

On February 22, 1771, at a meeting of planters held in Upper Marlboro, the following resolution was passed: "Whereas it is apprehended that a private inspection of tobacco, as nearly similar as may be to the mode prescribed under the late inspection law is the most likely method as can now be fallen upon to prevent the inconvenience to the merchants and planters which would otherwise follow from the loss of the law.

"It is therefore agreed that Mr. Benjamin Brooks be inspector at Upper Marlboro warehouse and he has taken the voluntary oath before Mr. David Craufurd one of the Justices of Prince George's County Court."

The *Gazette* on June 13, 1771, acquaints us with the sad news that "on last Friday Mr. Ephraim Gover of Prince George's County, his wife and a child about three years of age, being on the road leading from Pig Point to Herring Bay were unfortunately overtaken by a sudden gust and took shelter under a



GABRIEL DUVALL  
*Photograph by James Shreve*

large poplar tree. A bolt of lightning struck the tree killing the two horses and the boy on the spot and Mr. Gover received so severe a shock that we are told his recovery is doubtful. Mrs. Gover was not much hurt.' Death was close at hand for those people of the 1770's.

But all their thinking did not concern death, taxes, non-importation of British goods, and possible war. The *Gazette* in its November 21, 1771 issue, published a little poem that shows us that they also appreciated the lighter and more gentle things of life, among which was feminine beauty.

To Miss Julia, putting on her Hat

In pity Julia veil those eyes  
Those nameless Beauties hide:  
For which many a nymph has wished  
Full many a swain has sighed  
Such sweetness joined to such a form  
Each youthful bosom warms  
For beauty's Queen herself must yield  
To Julia's budding charms  
Thus when bright sol at noon of day  
His genial warmth displays  
We bless the gloomy transient Cloud  
That dims his dazzling rays.

The January 9, 1772 issue of the *Gazette* gives notice that John Read Magruder and John Hepburn have dissolved their partnership as of January 1, 1772, in their business conducted in Upper Marlborough.

The issue for the *Gazette* dated January 30, 1772, contained the following notice: "The trustees for the Poor for Prince George's County having purchased one hundred acres of land according to an act of the Assembly to build a poorhouse for the poor of the said County, do hereby give notice that they will meet at Upper Marlborough on Monday the second day of March 1772 in order to contract with workmen to build a brick building for the above purpose. There are on the land very good clay, sand, water, wood and scantling. Any persons inclineable to apply on that day, or before, may leave their proposals in writing with any of the trustees.

John Fendall Beall  
Nathaniel Magruder  
Stephen West  
Edward Sprigg  
Nathaniel Offutt."

In its issue published January 30, 1772, the *Gazette* makes this comment about the weather: "The winter has been in general very mild until Sunday evening last, when it began to snow which continued without intermission until Tuesday night.

"Yesterday morning we had again the appearance of fine moderate weather, but in the evening it began again to snow very fast which continued all the night. It is supposed that the depth where it is not drifted is upward of three feet and it is with the utmost difficulty that people pass from one house to another. The great quantity of snow has chilled the water to such a degree that though the frost has not been severe for these few days yet our navigation is entirely stopped by the ice."

The *Gazette* in the July 30, 1772 issue published the following dated July 21, 1772. "Whereas sundry Gentlemen of the Counties of St. Mary's, Charles, Calvert and Prince George's have expressed a desire that the Free

School lands of each of these counties should be sold and that the money arising from the sale thereof should be put into a general fund for the purpose of forming an Academy or Seminary of Education in some healthy and agreeable situation, the most convenient to the said Counties collectively; and Whereas also a sum of twelve hundred pounds and upwards has already been subscribed by many individuals of these and other Counties towards the furtherance of so benevolent a scheme. We the underwritten, elected by the majority of the subscribers to the said Twelve Hundred pounds, as trustees of the above plan, conceiving it to be of very general and considerable importance do request a general attendance of the inhabitants of each of the said Counties at Lower Marlboro on Monday before the fourth Tuesday in August, being the 31st day of the said month in order to more maturely consider this problem and instruct us as to where and how we shall finally complete this useful design.

Benedict Calvert  
William Fitzhugh  
George Plater  
Henry Addison  
Thomas Thornton  
Thomas John Clagett  
Jonathan Boucher  
Thomas Gantt  
Edward Gantt  
Benjamin Mackall'

During the session of the General Assembly held in the town of Annapolis from September 25, 1770, until November 2, 1770, there was passed an act to build a parish church in Queen Anne Parish in Prince George's County, the preamble to which read as follows: "Whereas it has been represented to the General Assembly that the parish Church in the said parish is so much decayed as makes it absolutely necessary that a new one should be built, it is therefore, thought fit by this General Assembly that it should be enacted: That the Justices of the County Court be required to levy 150,000 pounds of tobacco on the taxables in Queen Ann Parish in three equal assessments of 50,000 pounds together with the Sheriff's salary of five pounds per hundred to be levied January 3, 1771-72-73. The new Church to be built in or near the place where the old Church stands."

Here is another piece of interesting reading taken from volume 62 of the *Archives of Maryland*, which quotes from page 332 of the Vestry Proceedings of Queen Anne Parish, St. Barnabas Church at Leland, 1705 through 1773. This entry was made at a Vestry meeting held October 14, 1770. Those present were Captain Thomas Gantt, Richard Duckett, John Duvall and Walter Williams and the entry reads: "The Vestry being informed that the Parish petition for new Church is mislaid or lost it is ordering that the Clerk send a copy of the said petition to this General Assembly now sitting."

At the session of the General Assembly held October 12 until November 30, 1771, an Act was passed directing the Justices to place a tax of 96,000 pounds of tobacco on all taxables of Prince George's Parish to build a new Parish Church at or near the place where the old one stood at Rock Creek. This act was passed November 4, 1771.

At the same session of the Assembly an act was passed November 20, 1771, directing the Justices of Prince George's and Charles Counties to levy on all taxables in St. John's Parish, commonly called King George Parish, 56,000 pounds of tobacco to make repairs to the upper and lower chapels.

In the issue of the *Maryland Gazette* under the date July 30, 1772, there appeared a public notice to all persons interested in the consolidation of the Free School funds in Calvert, Charles, Prince George's and St. Mary's counties to meet in Lower Marlboro on August 31, 1772.

I have not discovered any record of what happened at this meeting; however, in the *Gazette* under date of November 12, 1772, I read the following notice: "Such of the inhabitants of the Counties of St. Mary's, Calvert, Charles and Prince George's who approve the plan of uniting the schools of those Counties are requested to meet at Benedict Town on Tuesday the 15th of December next to consider further on the most proper expedient to carry this useful plan into execution. The gentlemen who were Commissioned to view the several places thought of for the situation of the proposed seminary will then attend and assign the reasons why they have given the preference to the place known as 'Cool Springs' which they trust will meet with general approbation. In the meanwhile subscription papers will be handed about by Gentlemen of the Counties concerned and an opportunity afforded to such who are disposed to promote this beneficial design.

Benedict Calvert  
William Fitzhugh  
George Plater  
Henry Addison  
Thomas Thornton  
Henry Greenfield Sothoron  
George Dent."

In the session of the Assembly held March 23, 1774, an act was passed continuing the Act of 1771 abolishing that of the June term of the County Court.

At the same session was passed an act to unite the free schools of St. Mary's, Charles and Prince George's counties.

That act provided that one school should be built at Cool Springs, in St. Mary's County, and to be known by the name of Charlotte Hall. There were to be twenty-one trustees, seven from each county. The president was to be Robert Eden or the Governor or Commander-in-Chief of this Province for the time being.

Those appointed by the act were to act as trustees until their successors were chosen. It is very evident that Calvert County did follow the three Counties named in the Act:

*For St. Mary's County:* George Plater, Reverend George Goundrill, John Reeder, Thomas Bond, Richard Barnes, Philip Key and Henry Greenfield Sothoron.

*For Charles County:* Richard Lee, Reverend Isaac Campbell, William Smallwood, Francis Ware, Josias Hawkins, George Dent, and Dr. James Craik.

*Prince George's County:* Benedict Calvert, Reverend Henry Addison, Josias Beall, Robert Tyler, Joseph Sim, Thomas Contee and Dr. Richard Brooke.

On June 22, 1774, a general convention met at Annapolis and continued by adjournment from day to day until the 25th day of the month. This Convention was called in response to Great Britain closing the Port of Boston.

Those attending from Prince George's County were Robert Tyler, Joseph Sim, Joshua Beall, John Rogers, Addison Murdock, William Bowie, Benjamin Hall (son of Francis), and Osborn Sprigg.

Matthew Tilghman was chosen as Chairman and John Duckett, Clerk.

Matthew Tilghman, Thomas Johnson, Jr., Robert Goldsborough, William Paca, Samuel Chase were to be deputies for this Province to attend any meeting of the Colonies. It was suggested that September 20 and Philadelphia be the place for the next meeting.

The *Maryland Gazette* under date of September 29, 1774, tells us that "on Friday last at his seat on the Potomac River greatly lamented, Thomas Addison died. He left a widow and several small children to deplore the loss of a tender husband and an affectionate parent."

J. Thomas Scharf tells us that in August, 1774, the ship *Mary and Jane*, Captain George Chapman, arrived in St. Mary's River with eleven chests of tea consigned to Robert Findlay of Bladensburg, Robert Peter of Georgetown, and several merchants at Norfolk, Virginia. The Committee of Correspondence held a meeting in Frederick County, August 11, 1774, and recommended that the tea be returned to England in the same ship.

The Continental Congress met in Carpenter's Hall in Philadelphia on September 5, 1774.

On October 15, 1774, the ship *Peggy Stewart* arrived in Annapolis with seventeen packages of tea containing 2,320 pounds, which was consigned to Williams and Company in Annapolis. After much discussing between those involved, threatening remarks by the county people and the owners of the boat and the tea, and after Stewart's appeal to Charles Carroll of Carrollton received



an unfavorable reply, Stewart set fire to the ship on October 15, 1774, and she burned with her cargo off Windmill Point.

The *Gazette* of October 27, 1774, tells us that ‘‘Wednesday the 19th instant that Mrs. Rachel Addison, the wife of the Reverend Henry Addison died at her home on the Potowmack River. She was the second daughter of the late Honorable Daniel Dulany of Annapolis. She was the worthy daughter of a worthy father.’’

In the little village of Upper Marlboro, at the time of the meeting, surrounded by ‘‘Meadows brown and sear,’’ a group of serious minded men had gathered. It was in the month of November, 1774, the exact date of which I have not been able to determine, and they had gathered to carry out certain directives enacted by the Continental Congress, it having met in Philadelphia September 5, 1774.

My friends, read those names with care, with understanding of what they mean to us. They represent unusual men, fearless men and determined men that had gathered in that little village in the valley of the surrounding hills to help sweep away the accumulated rubbish of the centuries that had collected around the theory of government and thus prepare a clean space where they might help lay the foundations of a new nation free of all influence on the part of monarchs, dictators, and conquerors.

John Rogers, an able lawyer of his generation was chosen moderator and Hugh Lyon, Clerk.

Those present were: Richard Duckett, Jr., Thomas Gantt, Sr., Col. Joshua Beall, William Deakins, Sr., Abraham Boyd, Walter Bowie, Jonathan Slater, William Berry, Basil Waring the 3rd, Thomas Williams, Walter Williams, Thomas Sprigg, Jr., George Lee, John Addison, Enoch Magruder, John Brown, Patrick Beall, John Low, Ignatius Wheeler, Luke Marbury, Nathaniel Newton, John Beall, James Hawkins, William Lyles, Jr., Hezekiah Wheeler, Richard Dent, Dr. William Beanes, Thomas Dent, George Fraser Hawkins, Jonathan Burch, Jr., Thomas Truman, John Perry, William Magruder, Levin Coventon, Capt. Jeremiah, Thomas Morton, Sr., James Truman, Thomas Gantt, Jr., John Cooke, Dr. Richard Brooke, Dr. Leonard Hollyday, Truman Skinner, Allen Bowie, William Bowie, William Newman Dorsett, Robert Bowie, William Greenfield, Matthew Eversfield, David Craufurd, John Rogers, Humphrey Belt, William Beanes, Sr., Addison Murdock, Samuel Hepburn, Nathaniel Magruder, Edward Sprigg, Osborn Sprigg, John Hepburn, John Contee, Robert Whitaker, William Loch Weems, Benjamin Berry, Sr., Tobias Belt, Robert Tyler, Richard Duckett, Sr., Jeremiah Magruder, Edward Hall, son of Henry, Barrick Duckett, Isaac Lansdale, James Mullikin, Thomas Boyd, Marsh Marreen Duvall, Dr. Robert Pottinger, Captain James Crow, Samuel Snowden, Thomas Snowden, William Hall, Daniel Clark, Joshua Clarke, Benjamin Harwood, Nicholas Watkins, and Benjamin Hall, son of Benjamin.

The meeting named as members of the Committee of Correspondence: Dr. Richard Brooke, John Rogers, Captain William Bowie, John Cooke, David Craufurd, John Contee, Addison Murdock, John Hepburn, Robert Tyler, Josias Beall, Osborn Sprigg, Richard Duckett, Jr., Matthew Eversfield, and Captain Joshua Beall.

The following were chosen as delegates to a Provincial Convention: Dr. Richard Brooke, Josiah Beall, William Bowie, Addison Murdock, Walter Bowie, Thomas Gantt, Jr., George Lee, Osborn Sprigg, Edward Sprigg, and David Craufurd.

The names set out above were copied from J. Thomas Scharf's *History of Maryland*.

Yes, friends, men and women a thousand years hence will stop to read those names with pride, fervor, and a slight quickening of the heart beat. That gathering of men on that November day in 1774 will always mark a spot where the spirit of man rose to unusual heights, that it might preserve for future generations certain rights by which we may and those that follow us in the march of the centuries may build a better world.

A history of Prince George's County would be incomplete without reference to the "Sot Weed Factor."

This piece of satirical writing was the work of Eben Cooke, who visited Maryland in the year 1700, and it gives a picture in the most interesting manner of the way of life in Piscataway. The village at that time contained many factors representing English firms engaged in buying tobacco and selling goods manufactured in England. The poem was first published in London in the year 1708 and was reprinted by Jonas Greene in his *Maryland Gazette* in the year 1731. To print the entire poem would take considerable space, so I shall give you some excerpts from it by which you may become so interested that you will seek out, and read the entire poem.

"Cook speaks of Piscataway as that shoar  
Where no sence is found and  
Conservation is lost and manners drowned",  
He tells that, "In a session of Court he discovers  
a reverend Judge, who to his shame  
Of all the bench could write his name."  
Cook then goes on and writes of the people of Piscataway  
who unloaded his goods upon his arrival in the year 1700.

"Where soon repaired a numerous crew  
In shirt and drawers of Scotch Cloth blue,  
With neither stockings, hat or shoes,  
Those sot week planters crowd the shoar,  
In hue as tawny as a moor:  
Figures so strange no God designed  
To be a part of human kind:  
But wanton nature void of rest

Moulded the brittle clay in jest  
Where all things were in such confusion  
I thought the world at its conclusion.  
I heard of planters on the ground  
Overwhelmed with pounce dead drunk we found;  
Others were fighting and contending  
Some burn their clothes to save the mending  
A few whose heads by frequent use  
Could better bear the potent juice  
And gravely debated State affairs.’

Cook strolls about in this confusion and finds himself in the woods, where he is frightened by a wolf and then suddenly hears a female voice shrieking: “You rogue, drive home the steers,” and looking up sees a youth driving a herd of steers. This youth invites Cook to his master’s home, and he entertains him with cider, cider-pop, and a hearty supper of pone, milk, mush and hominy served in wooden dishes. Cook goes on to speak of drink and victuals without payment.

“For Planter’s table you must know  
Are free for all that come and go”.

After drinking some more rum with the head of the house, a maid shows him to his bedroom, the best room in the house upon the ground floor where there is a bed with a mattress stuffed with feathers standing in the corner. However, he soon had visitors, as cats, dogs, hogs, pigeons, chickens, ducks, and geese walked in with annoying ease and entered and left at their convenience. This became so annoying that he left his bed and went into the orchard to try to get some sleep, but there he found no relief for there he was kept awake by the croaking of hundreds of frogs.

## CHAPTER 14

### COUNTY MEN RESIST BRITISH ACTIONS

The Maryland Convention met between July 26 and August 14, 1775, at Annapolis. Present from Prince George's County were Osborn Sprigg, Benjamin Hall, Thomas Gantt, Jr., George Lee, Thomas Contee, Robert Tyler, Col. Joshua Beall, John Contee, William Bowie, Walter Bowie, Dr. Richard Brooke, David Craufurd, Josias Beall and Stephen West.

On July 31 the Convention directed the Committee of Observation for Prince George's County to summon all witnesses to seizure of Christopher Lowndes' brig *Harriott* by his Majesty's ships-of-war and carried into Boston. The ship had cleared for Barbados.

On August 1, Thomas Sim Lee and John Rogers appeared.

A resolution was passed that no flour, wheat, or other grain or provisions be exported to any part of the world.

On August 14, the Convention ordered that forty companies of Minute Men be raised in the province and Prince George's County's share would be three.

Matthew Tilghman, John Beale Bordley, Robert Goldsborough, James Hollyday, Richard Lloyd, Edward Lloyd, Thomas Smythe and Henry Hooper of the Eastern Shore and Daniel of St. Thomas Jenifer, Thomas Johnson, Jr., William Paca, Charles Carroll, Barrister, Thomas Stone, Samuel Chase, Robert Alexander and Charles Carroll of Carrollton-Western Shore, or any nine of them were to be a Council of Safety for the Province.

The Committee of Observation for Prince George's County met at the house of Richard Carnes in Piscataway, August 4, 1775. Those present were William Digges, Jr., Chairman; William Beanes, Jr., Luke Marbury, Thomas Dent, Edward Edelen, Nathaniel Newton, Thomas Claggett and Richard Carnes.

At this time it shall be my pleasure to give you copies of correspondence between the Council of Safety and Prince Georgians during the years 1775 and 1776. These letters are copied from the *Archives of Maryland*:

Prince George's County Novr 10th 1775

Gentlemen. It is at the request of several persons of Fortune and Character that I am induced to inform you how partially matters were Conducted with regard to the nomination of Field officers to the Battalion on the upper part of Patuxent, there are six Companies in the Forrest but three below which gave them an advantage which they took of Nominating whom they pleased. I was present when the Nomination was made and objected strongly to their naming but four, by arguing that they would by that means give you no Alternative whatever but as they had previously agreed on their men what I said availd nothing. I have now only to inform you that the persons polled for that day besides those recommended were Mr. Barton Lucas, Mr. Thomas Snowden, Mr. Walter Bowie, Benjamin Ogle, Esquire, Mr. James Mullikin, Mr. Reason Beall, Mr. William Turner Wootton and myself any of whom in my humble opinion are equally entitled to your Notice in every respect with those returned, therefore it is to be hoped you will pay no regard to such a recommendation.

I am Gentn with much Respect  
Your most Humble Servt  
Robt Tyler.

Jany 23-1776

Gentlemen :

I have been honored by the Convention with the enclosed Commission which I now return to you with a prayer to be excused from accepting of it.

The precarious and declining state of my health renders me incapable of executing the office, either with benefit to my Country, or reputation to myself and therefore I think it my duty to refuse it.

I am Gentlemen with the Greatest Respect  
Your most ob Hble Servant  
Addison Murdock

On January 27, 1776, Committees were appointed in the counties to collect all the silver and gold coin in the counties. Thomas Contee, Stephen West, and William Turner Wootton were appointed as the Committee for Prince George's County.

To Colonel Joseph Sim

Sir:

Upon inspecting the Return made by the Prince George's County Committee of the Nottingham Company, we find that Mr.

Fielder Bowie hath been elected first Lieutenant, Mr. William Newman Dorsett second Lieutenant and Mr. Thomas Hoyer Ensign thereof.

In the line of Preferment generally adopted in the Military Department, on the promotion of the Captain the first Lieutenant succeeds him and the other commissioned Officers in like Manner, by which means the nomination of a new Ensign alone will become necessary.

The Council have thought it most expedient to follow this Mode, but look upon themselves at full Liberty to deviate therefrom on special and good Reasons. It does not appear to them from your Letter or otherwise that the Gentlemen, the Company wish not to be promoted, have done any Act to forfeit the good Opinion of their Country or that they are in any manner disqualified.

We have sent Capt. Bowie's Commission, but keep back the Commissions for the other Officers' till we have your reasons or that of the Company for departing from the Line of Preferment.

20th Feby. 1776

Upper Marlboro March 7, 1776

Gentlemen: I beg leave to enclose you some accounts from Gentlemen whose waggons and carts were employed in bringing the records to this place.

The reason the gentlemen give me for their accounts being so high, the waggons & c were detained two days waiting for the Records.

If you approve of the accounts be please to order the amount paid Mr. Richard Hall.

I am Gentl with great respect  
Your most obedient Servant  
Thomas Contee

Bladensburg 10th March 1776

Gentlemen: on the receipt of your letter of the 8th instant I had ordered my Battalion to rendezvous about half way between this & Queen Anne. But as we yesterday evening & this morning recd at this place 51 whole & one broken barrel & twenty kegs of gun powder & twelve muskets, I have altered the place of rendezvous to this town. As by your orders I am to hold my Battalion in readiness to march at a moments warning, I shall keep them or

such part of them as can be tollerably armed, on duty till I receive your farther orders thereon: I hope by the return of this messenger I shall receive your orders as well with respect to my conduct in keeping the whole or/a part of the Battalion on duty, as likewise with respect to the disposition of the powder, as it may not be altogether safe to keep the powder near the navigable waters: If there should not be an immediate call for it, I think Snowdens iron works would be a proper place to lodge it, as it will be nearly convenient to Annapolis Baltimore & this place.

I am Gentn your most Obedt Huml Servt  
Josa Beall

Bladensburgh 18th April 1776

Gentlemen. It is with reluctance I take up my pen to address you on a matter I would wish to be silent on, /was I not urged to do it by the strongest entreaties of a Company inferiour to none in the province, whom I respect, and who I have the highest satisfaction in obliging. My resigning has thrown the Company into great confusion and concern for fear Mr. William Hamilton, my first Lieutenant, should take place as Captain, who they look upon not to be worthy, or in any respect proper for that office; but perhaps may be recommended by the Colonel through prejudice to me, as I would not condescend to serve under him; if it so happens that he should be appointed Captain, it will be the utter distruction of the Company, as they are determined not to serve under him. I would not willingly interfere with this Gentlemans private character, therefore shall only relate the matter to hour Honours how he came to be appointed Lieutenant, which was, as he had been a soldier several years in the last war, I imagined he must have been better quallified than any other person I had the opportunity of getting at that time, however found myself much deceived for he was as ignorant as those who had never seen a musket thrown in their lives, and surprizingly awkward in every respect and still continues so. There are many young men in the company who are much better qualified in every respect, and I believe as many so as in any Company in the Province. Mr. Hamilton is a poor man and has a wife and several children, and no person to work for them but himself, therefore cannot make the appearance that an Officer ought to make, is a person of no Education, neither is he qualified in any respect whatever to keep company with the other Gentlemen Officers, which is a material objection by the Company, as they would not choose to serve under an officer who could not keep company with, and be looked upon by other officers but more particularly, as he is esteemed a very improper person in

other respects, and of more conscience to those under him. There are other objections which I do not choose to meddle with, yet I hope have said enough to evince to you how very displeasing he is to the Company, and the ill consequences that might arise, in case of his appointment, and what I can with much truth and certainty assure would come to pass (i.e.) the breaking up of a Company of much conscience. Relying on your Honours wisdom in not appointing a person so disagreeable (as nothing but my particular desire to have the Company kept together and be satisfy'd could have induced me to write in this manner) I remain with the utmost respect Gentlemen,

Your mo. obedt hble. Servt  
Andrew Beall

To Captain Rezin Beall

Sir:

We received yours of the 29th and am sorry to hear you are not properly accomodated with houses at Drum Point. We expected there were good houses there sufficient. Under the present circumstance we have come to a resolution that if houses cannot be got, Barracks should be erected under the inspection of the Committee, sufficient together with the house at the Point to hold the one half of your company, and request you would apply to them for that purpose.

The arms were sent you by Capt Thomas, we believe they are not so good as they ought to be, especially the locks, we wish we could supply you with better immediately, but have not any just now, we expect we shall have enough soon, --- we have ordered some guns from John Yost at George Town which Coll Beall will send you down in a few days --- the money for your subsistence we would have sent, but Mr. Ristean never came near us, Colo Smallwood delivered us your Letter; the Regular method is to transmit us your Account by some safe hand and we will order you the Cash, and other necessaries you may want.

P.S. When we get our Rifles which we expect daily we will change, and give you rifles for some of the worst of your musketts.

3rd June 1776

To the Honble Council of Safety of Maryland:

Richard Bennett Hall of Prince Georges County, Captn of a Company in the twenty fifth Battalion of the Militia of Maryland, begs leave to represent to your Honourable Board, that James Mullikin appointed First Lieutenant of the Company which he



commands, has at divers times endeavoured to injure your Memorialist in the opinion of his neighbours by Misrepresentation, thereby creating divisions in the said Company, to the great detriment of the service and particularly by using abusive language to your Memorialist when in the execution of his duty, and by striking and abusing one of the privates of the said Company on the day of Muster—all of which your Memorialist submits to your Honours and prays that a Court Martial may be appointed, for hearing and determining this matter and (if your honours think proper) that the said Court be composed of officers from Col: Joseph Sim's Battalion in Prince Georges County.

Annapolis 18th June 1776

To Captn Rezin Beall.

Sir.

As we are apprehensive that the ship of war on her return down the Bay may make some attempt to land, either to procure provisions or make depredations, we have therefore sent you 43 musquets and 17 Rifles in good order, that you may be enabled to defeat any such designs. You will by the return of the Cart send us such of the arms as you now have, that are so defective and bad that cannot be used. We imagine that these muskets and rifles are more than you will want at Drumpoint and that the overplus you will send to Captn Thomas—we expect that arms are arrived at Port Tobo for the Troops stationed there before this Time.

25th June, 1776

July 6, 1776

#### ORDER OF COUNCIL

Ordered That a General Court-Martial be held for the Tryal of Captain Richard Bennett Hall; Jeremiah Ryley and Jonathan Wright Lieutt of Captn Boyd's Company, and Lieut Jas Mullikin of Captn Hall's Company, on the twenty fifth Day of July at Upper Marlbro: and that Major John Rogers be President of the said Court, and the following Persons members of the said Court.

Captn David Craufurd  
Captn Luke Marbury  
Captn Trueman Skinner

Captn Fielder Bowie  
Captn Thomas Trueman  
Captn Hezekiah Wheeler  
Captn Robert Wade  
Captn Michl Lowe  
Lieutt Humphrey Belt  
Lieutt John Smith Brookes  
Lieutt Henry Hill  
Lieutt Henry Brookes

Piscattaway Wednesday July 24th 1776

Dr Sir. I received your favour by last post. You have no doubt an account of our situation from the proceedings of the enemy up Potomack. I took the liberty last week to mention the want of more powder to Piscattaway & c. As you said nothing on the subject in your letter, permit me to mention the matter again, as there's uneasiness from the apprehensions of the people, on acct of the small quantity we have. I hope your hbl board will consider the matter, and order for the best. I have the satisfaction to say our people have shewn a manly disposition, (on Monday last, when from the alarm guns from the Virgn Vessels, fired in their way up to Alexa, the enemy were expected every hour up) they marched to the shore with great firmness. I was with them all the day, and from their behaviour make no doubt they would have behaved well had the enemy appeared and tryed them. I much wish they were provided better if it can be done. I am this morning so unwell with the cholic, that sitting to write is uneasy and prevents adding further than that I am with real esteem for your hbl board.

[To Jenifer]  
Dr Sir, Your most Obedt Servt  
Josia Beall

Prince Georges County Aug. 7th 1776

Gentlemen. On the late alarm of Lord Dunmore's fleet coming up the River Potowmack, it was thought necessary that the neighbouring militia should be called out for the defence of the inhabitants, and as I was at that time absent in Frederick, an application was made to Major T. Sim Lee who, as you will observe by the letter inclosed, ordered Captn Marbury's, Capt. Wheelers, Capt Baynes, Capt. Wades and Capt Leran's Companys

to march which they did and continued on the banks of Potowmack untill discharged.

You have inclosed Capt. Baynes Acco for the time his Company was in this Service, and he now waits on you for the payment of his account.

By the appointment of Capt. John Addison as Lieut. Colo to the Flying Camp, Capt. Bayne succeeds to the command of his Company as first Lieutenant, he therefore would be glad to receive his commission for his several officers who rise of course.

I am gentlemen with great regard  
your most obed' serv.  
Joseph Sim

Capt. Wade also waits on you with his account and will receive the money for Capt. Bayne who declines going up and will likewise receive the Commissions for Capt. Baynes Officers.

I am gent. your Most Obed. Serv.  
Joseph Sim

Samuel Hawkins Bayne Capt.  
William Bayne first Lieutenant  
Richard Stonestreet second Lieut.  
John Corn, Ensign

(Lyon to Council.)

Prince George's County  
August 10th 1776

Gentlemen: To comply with your request for purchasing arms and blankets, the Committee of Observation for the County aforesaid find it necessary to have a sum of money not exceeding fifty pounds for that purpose. If you think proper they would be glad to receive that sum by the first safe hand and am for and on behalf of the Committee.

Gentlemen, you mo Hbl Serv'  
Hugh Lyon

(R. Tyler to Convention.)

Gentlemen. Comformable to your request I met my Battalion on Friday last when I assisted all in my power to raise the Company

wanting to reinforce the American Army at New York, and am very sorry to inform you there was the greatest backwardness that could be in our young men. I also was at the meeting of Colo Sim's Battalion the next day, which behaved with the same lukewarmness. There are several gentlemen recruiting, viz. Mr Levin Covington, Mr Abraham Boyd and Mr Richard Wootton, but am afraid a company will not be made especially as the people will be divided with regard to their commander. I am of the opinion that were we ordered by the Convention to meet our Battalions together at Upper Marlborough we should be able to settle all such differences and by that means make out a company. I should be glad you would fix on a day for our meeting it would save us the trouble of meeting on that acct Monday next would answer very well. All which I submit to your Honours and am Gentlemen,

Your most obedt Hble Servt  
Robt Tyler

Monday 16th Sept 1776

(Council to Sim)

Colo Joseph Sim, Prince George's County

Sir

We send by Capt L. Covington the Bounty money for raising a Company of Militia in yr County. We do not send the month's pay advance because we think the Company ought to be in some forwardness before that money is issued. Armes are to be borrowed or impressed; you are to have a Meeting of Field Officers and Captains on Monday next, by order of Convention; when the recommendations are completed, we will send down warrants & money for Guns on having the appraisement returned.

19th Sept.

## CHAPTER 15

### ACTORS IN THE DRAMA OF 1775-1776

During the years 1775-1776 much was happening in the county. Men were preparing for war. Disloyalists were smoked out and many left the county.

One of the most prominent Tories in the county was the Reverend Jonathan Boucher, Rector for Saint Ann's Church in Annapolis. Just before the outbreak of hostilities, the Reverend Boucher was transferred to Saint Barnabas Church at Leland, Prince George's County. He tells us of his unpleasant experiences as the war clouds became darker and darker.

These events that I am about to relate were taken from his book *Reminiscences of an American Loyalist*, which he wrote after his return to England just as the Revolution was breaking and was re-written by his great-grandson some one hundred odd years later.

The Reverend Jonathan Boucher relates that he "dined with Mr. Addison Murdock, a gentleman of considerable respectability and a near relation of my wife, in a large company of men of different parties and opinions among others was Dr. Brookes and Mr. Osborn Sprigg, a very great patriot.

"Dr. Brookes with the very best intentions gave as a toast, 'May the Americans all hand together in accord and concord! Prompted no doubt by an evil genii I said before I well knew what I was saying, in any cord Doctor so it be a strong cord.' Mr. Sprigg took fire immediately but the explanation I made satisfied everybody else. When his time came to give a toast he offered the following 'Damnation to General Gage, his troops under his command and to all who wish well to them'."

He next related his experience when he went to Saint Barnabas Church in Queen Ann Parish at Leland, Prince George's County to which parish he had been appointed by the then Royal Governor, Sir Robert Eden.

"When the day came for me to go to Saint Barnabas in Queen Ann Parish, I set off from Annapolis accompanied by Mr. Walter Dulany, a major in the Provincial Loyal Regiment and arrived at

Saint Barnabas about  $\frac{1}{4}$  of an hour before time for service. I found Mr. Harrison at the desk and also learned that he expected to hold the service. The church was filled with not less than 200 armed men commanded by Mr. Osborn Sprigg who soon let me know that I was not to preach. I told him that the only way he would stop me was to take away my life, after much discussion between those present. So at the proper time with my sermon in one hand and a loaded pistol in the other, like Nehemiah I prepared to ascend the step of the Pulpit and was stopped by my good friend Mr. David Craufurd of Upper Marlboro, who said under no circumstances would he permit me to go into the Pulpit. What a scene of confusion followed. I seized Sprigg in the collar at the one hand, and in the other I held my cocked pistol and I assured him that if the least violence was offered me by him or any of his cohorts I would blow his brains out. I said if you wish, you may lead me to my horse. This he did and at his order his drums played the Rogue's March all the way we went. To the crowd assembled I proclaimed him to be a complete coward and scoundrel.''

A debate was carried on between Samuel Chase and William Paca on the side of the colonists, and by Jonathan Boucher on the side of Great Britain in the columns of the *Maryland Gazette*. This debate went on for quite some time and in the *Gazette*'s issue of March 18, 1773, appeared this poem addressed to Reverend Jonathan Boucher;

“Is not the care of souls a load sufficient?  
Are not your holy stipends paid for this?  
Were you not bread apart from worldly noise,  
To study souls, there cares and their diseases?  
The province of the fool is large enough  
To fill up every cranny of your time  
And leave you much to, answer, if one wretch  
Be damn'ed by your neglect.'”

The Reverend Jonathan Boucher married Miss Eleanor Addison, niece of Reverend Henry Addison of Oxon Hill. When Boucher had to leave the colonies on account of his Tory leanings, he attempted to persuade his wife to remain in the Province. This, however, did not meet her approval and she insisted on going with him. Her health was not too robust and after arrival in England, her health continued to fail until March 1, 1784, when she died.

At some time after her death, while examining her papers, he came across this little poem that she had written just before she left America:

“Did I but purpose to embark with thee  
On the smooth surface of a summer's sea  
While gentle zephyrs play in prosperous gales,  
And fortune's favor fills the swelling sails.

But would forsake the ship and make the shore  
When the winds whistle and the tempest roar?  
No, Boucher, No: one sacred oath has tied  
Our loves, one destiny, our life shall guide;  
Nor wild or deep our common way divide.’’

An election was held in Prince George’s County, August 1, 1776, to select delegates to the State Convention that convened in Annapolis on August 14, 1776.

Prince George’s County Court decreed that every taxable capable of bearing arms was qualified to vote. This was contrary to the enactment by the Provincial Assembly of 1678, as it provided that only freemen possessed of 50 acres of land or a visible estate of forty pounds should exercise the right of suffrage. Because of that statute, another election was necessary. At the second election, Benjamin Hall, Luke Marbury, Osborn Sprigg, and Walter Bowie were chosen as delegates.

Let us make an examination of the records of that time and learn something about those men.

*Walter Bowie*, the son of William Bowie and his wife Margaret Sprigg Bowie, was born at Mattaponi, near Nottingham in Prince George’s County, Maryland in 1748. He was educated in the Reverend John Eversfield’s School near Nottingham, the public schools of Annapolis, and Craddock’s School near Baltimore.

His father bought and conveyed to him a large farm near Collington known as “Darnall’s Grove” and later as “Locust Grove” and then “Willow Grove.”

He was interested in a large commercial enterprise situated at Queen Ann’s where he shipped tobacco to Europe and imported merchandise. Walter Bowie married Mary Brookes on May 16, 1771. He was prominent in politics and with the beginning of the trouble with Great Britain he stepped to the front to risk his life and his property for the Colonies.

In March, 1774, he attended a meeting of the freeholders in Upper Marlboro and with Robert Bowie and Allen Bowie was appointed a committee to carry out the resolutions of the Continental Congress in Prince George’s County.

He signed the famous “Declaration of the Association of Freemen of Maryland.” He was appointed a member of the Committee of Correspondence and in 1776 was chosen as Second Lieutenant in a company of militia raised in Prince George’s County. He was later raised to the rank of Major of Militia.

He was chosen as one of the four delegates to represent Prince George’s County in the Convention that met in Annapolis from August 1 until November 11, 1776, to frame the first State Constitution.

Walter Bowie was elected to the House of Delegates from Prince George's County for the sessions of 1780 to 1784, and to the State Senate for the session of 1801.

In 1802 he was elected to the United States House of Representatives to fill the unexpired term of William Richard Sprigg and was re-elected in 1805. He refused a third term.

Walter Bowie died on November 19, 1810, and was buried at his home place, "Locust Grove." The *Baltimore Republican*, in announcing his death, referred to him as "Patriot of the Revolution".

*Benjamin Hall*, the eldest son of Francis and Dorothy Lowe Hall, was born in the year 1719 and married Elinor Murdock on March 7, 1757.

He was active in the interests of the colonies and when the trouble began with the Mother Country.

He was chosen as one of the four delegates to the Constitutional Convention held in Annapolis in 1776. He took the place of Thomas Sim Lee after Samuel Chase offered a resolution disqualifying the future governor because the rules to be followed in all elections as set up at a previous convention had not been complied with.

Benjamin Hall lived at "Pleasant Hill" which had also been the home of his father and grandfather. The date of his death I have not been able to establish, but it was sometime between February 14 and April 2, 1803. His will bears the date February 14, 1803, and on April 2, 1803, his will was offered for probate by the witnesses thereto, Humphrey Belt, Jr., Clement Brooke, and Richard Lamar.

*Luke Marbury* the only child of Luke Marbury, Sr.; and his wife, Elizabeth Beanes Marbury, was born near Piscataway in the year 1745. He was one of the county's largest and most successful planters.

In 1770 he married his first cousin, Elizabeth Beanes of Upper Marlboro. He occupied the positions of Justice of the Peace and Judge of the County Court. When the troubles began with Great Britain, he was a strong advocate for opposition on the part of the colonies and was always a delegate to the many meetings held by the citizens in Upper Marlboro.

Luke Marbury was chosen as a delegate to the Convention that framed the Constitution of 1776. He was commissioned Captain of a company of militia recruited in the Piscataway neighborhood and participated in the campaign in the North in the Autumn of 1776 and was mustered out with his Company at the end of the year.

A few months later Captain Marbury was ordered to the seat of war and in September 1777, was commissioned a Colonel of Militia. He was captured at the Battle of Germantown and held as a prisoner of war until March 26, 1781, spending three and one half years as a prisoner of the British.



After the war he was elected to the House of Delegates.

I have not been able to establish the date of his death. However, it was before April, 1809, as in that month and year his will was probated.

The fourth delegate to the Constitutional Convention in 1776 was Osborn Sprigg.

It has been difficult to establish with certainty some of the facts about his life. I have been unable to establish the date of his birth, but do know that he was the great-grandson of Thomas Sprigg, the immigrant who established "Northampton," and who lived, and died there in the year 1704. Our Osborn Sprigg was born at "Northampton," his parents being Osborn Sprigg, Sr., and his second wife, Rachael Belt Sprigg.

He married Sarah Gantt, Mary Smith, and is reported to have married Martha Cranford. At the time of her marriage to Sprigg Martha was the widow of William Hamilton and Charles Clark.

Osborn Sprigg signed "The Association of Freemen of Maryland." He was also one of the most outspoken and firmest patriots in the colonies. He was chosen as one of the four delegates to write the Constitution of 1776. He was also a member of the Convention that met to ratify the Federal Constitution between April 21 and 29, 1788.

He died at his home, "Northampton," between November 28, 1814 and May 11, 1815. His will was dated the first date and the second date is the time that his will was offered for probate in Upper Marlboro.

We read of a meeting of the Committee of Observation for Prince George's County being held on Friday, August 4, 1775, at the home of Richard Carnes in Piscataway and those present were: William Digges, Jr., who acted as chairman; William Beanes, Jr., Luke Marbury, Thomas Dent, Edward Edelen, Nathaniel Newton, Thomas Clagett, and Richard Carnes.

I shall briefly and partially outline the provisions of our First Constitution.

The Constitution of 1776 contains forty-two articles in the Declaration of Rights and Sixty Articles.

It provides that the governor be elected for a one year term for not more than three consecutive terms. It provides that he be at least twenty-five years of age, own property worth L5000 in value, and be a resident of the state for five years prior to his election. He would not have the power of veto but could appoint the civil officers. He was in command over the militia, could grant reprieves and pardons, and prevent the departure of shipping.

Annually on the second Tuesday of November, the senators and delegates were by joint ballot, to choose five of the most "sensible, discreet and experienced men above 25 years of age, residents of the State above three years next preceeding the election and own property above the value of one thousand pounds current money to be members of the council.

“All freemen above 21 years of age having a freehold of fifty acres of land in the County in which they offer to vote and residing therein and all freemen having property in the State above the value of thirty pounds current money and having resided in the County in which they offer to vote one whole year next preceeding the election shall have the right of suffrage and shall meet at the Court House on the first Monday of October in each year and cast their votes, viva voce for four delegates for each County who must be residents of the County where they are chosen one year next preceeding the election be above 21 years of age and have real or personal property in the State above the value of five hundred pounds current money.”

Section 14 of the Constitution provided the following: “That the Senate be chosen in the following manner: All persons qualified to vote for Delegates shall on the first Monday of September 1781 and on the same day in every fifty days thereafter elect viva voce by a majority of votes two persons for each County qualified as those elected as Delegates to be electors of the Senate.”

Those elected as electors of the senators were to meet in Annapolis on the third Monday of September, 1781, and on the same day every fifth year thereafter. Those chosen as senators were to be above twenty-five years of age, residents of the state above three whole years next preceeding the election, and having therein real and personal property above the value of one thousand pounds current money.

The electors were to elect fifteen senators, nine from the Western Shore. All nine senators for the Western Shore could come from one county and the same possibility applied to the Eastern Shore.

The Chancellor, all Judges, the Attorney General, Clerks of the General Court, the Clerks of the County Courts, and the Registers of the Land Office, were to hold their Commissions during good behavior. All were to be appointed by the Governor with advice and consent of Council.

The Sheriffs were to be elected every third year. After serving three years they were ineligible for the next four years. The Sheriffs had to be over twenty-one years of age, inhabitants of the county and have real and personal property in the state above the value of one thousand pounds current money.

The General Assembly met annually on the first Monday of November and oftener if necessary.

There were to be a Court of Appeals, Court of Chancery and Court of Admiralty, a Chancellor, and the General Court, formerly the Provincial Court.

The Register of Wills appointed for each county was to be commissioned by the governor on the joint recommendation of the Senate and House of Delegates.

Section 61 of that Constitution tells us that “to introduce the new government of election shall be held for the electors of the Senate on Monday

the twenty-fifth day of November, 1776, and that the electors of the Senate meet at Annapolis on Monday the ninth day of December, 1776, and there choose Senators, and that an election be held on Wednesday the eighteenth day of December for delegates to serve in the General Assembly and for Sheriff. The said elections be held by such persons in the same manner and under the same qualifications as hereinbefore directed; the returns shall be made to Council of Safety for the time being and the General Assembly shall meet in Annapolis on Monday, the tenth of February, 1777.

“That the election in Prince George’s County shall be held by William Beanes, Enoch Magruder and Jeremiah Magruder or any two or one of them.”

The Constitution was never submitted to the voters for ratification or rejection.

Its closing paragraph makes it operative by its own declaration which reads “This form of Government was assented to and passed in Convention of the Delegates of the Freemen of Maryland, begun and held in the City of Annapolis, the fourteenth day of August one thousand, seven hundred and seventy-six. BY ORDER OF THE CONVENTION.”

Section 59 provides the manner by which any part of it may be repealed or amended.

It provided: “That this form of Government and the Declaration of Rights, and no part thereof, shall be altered, changed or abolished unless a bill so to alter, change or abolish the same shall pass the General Assembly and be published three months before a new election and shall be confirmed by the General Assembly after a new election of Delegates. It also provides that if the repeal or change relates to the Eastern Shore particularly, it shall only be made upon two thirds of each branch of the General Assembly concurring.”

Let us return to the proceedings in the County Court during those two exciting years.

The battle of Lexington and Bunker or Breed’s Hill had been fought in 1775, and the Continental Congress at Philadelphia had in 1776 published to the world the Declaration of Independence.

Those serving as Justices for the years of 1775-1776 were: Joshua Beall, Christopher Lowndes, William Lock Weems, David Craufurd, Alexander Symmer, John Harrison, James Crow, John Baynes, John Read Magruder, Richard Henderson, Thomas Gantt, Jr., Thomas Clagett, Truman Skinner, Jeremiah Magruder, Luke Marbury, and Alexander Howard Magruder.

Frank Leeke was Sheriff and Thomas Sim Lee was Clerk of the Court for that period.

Those serving as Foremen of the Grand Juries were: Charles Burgess, March, 1775; James Hawkins, August, 1775; Clement Wheeler, November, 1775; and Thomas Duckett, for the three terms in 1776.

Those practicing as attorneys according to the Court records were: Thomas Jennings, Richard Hall, Andrew Scott, John Rogers, William Cooke, Baker Johnson, and Thomas Stone.

Before the March, 1775, term there were twenty-two civil cases and eight criminal presentments.

Three petitions for Land Commissions were before the Court:

(1) Benjamin Beall requested the appointment of a Land Commission to establish boundaries to a tract of land known as "Nicholls Hunting Quarter." The Court appointed Jeremiah Belt, Walter Williams, Thomas Williams, and Henry Hilleary.

(2) Elijah Davis made the same request for the same reason as set out above for a tract of land known as "Rancher's Adventure." The Court appointed James Wilson, Leonard Waring, Moses Arme, and Jesse Hallam.

(3) The third petition was filed by Addison Murdock for the tract known as "Beall's Hunting Quarter." On this petition, the Court appointed John Read Magruder, David Craufurd, Edward Sprigg, and Benjamin Brookes.

The August term, 1775, was an extremely busy term. There were 152 civil cases on the docket and nine criminal presentments.

At the November term in the same year, there were fifteen presentments on the criminal docket and forty nine cases on the civil docket. Sixteen summons returned, unable to be located.

John Turnbull was allowed 320 pounds of tobacco for erecting stocks and a whipping post in the town of Bladensburg.

The Court passed an order that New Scotland Hundred be divided into two parts. The upper part of the said hundred was to retain the former name. The underpart was divided from the Eastern Branch with the Beaver Dam Branch to the south of Cabin Branch and with that branch to the main road leading to Upper Marlboro through Benjamin Berry's plantation to the edge of the parish and from thence as New Scotland Hundred usually runs to the mouth of Oxon Run and to be distinguished by the name of Oxon Hundred.

At this term John Holmes filed a petition for a land commission to establish boundaries to a tract of land known as "The Beginning."

At the March, 1776 term, there were twenty-four cases on the civil docket and eleven presentments on the criminal docket.

Francis Clement Dyer presented a petition requesting the appointment of a Land Commission to establish permanent boundaries to a tract of land known as "East End Edelen's Hog Pen Enlarged."

The August term convened August 27 and the dockets both criminal and civil were greatly decreased. There were twelve criminal cases and ten civil cases.

The Court was still conducted as the Court of the Right Honorable Henry Harford, Absolute Lord and Proprietary of the Province of Maryland.

Jesse Duvall petitioned the Court for a Land Commission to establish the boundaries to a tract of land known as "Welshes Chance."

Jeremiah Moore was awarded a contract to build a wooden bridge over the Northwest Branch of the Eastern Branch of the Potomac River at his father's, George Moore's plantation, just below the present bridge, he to be paid 20,000 pounds of tobacco for the undertaking.

At the November term which convened on the 26th of the said month, the Court set up Grubb Hundred which was to begin at the mouth of the Southwest Branch near Mrs. Clagett's and running up said Branch so far as to include Col. Joseph Sim's and Matthew Eversfield's in Mt. Calvert Hundred, the line of Grubb Hundred to continue so as to strike Mattapany Branch at the lower part of Capt. Leonard Brooke's plantation.

On the criminal docket there were nineteen cases. On the civil docket there were sixteen cases.

Walter Williams and Enoch Magruder were appointed pressmasters.

Land commissions were requested by Rezen Beall for "Plummers Pleasure," John Lovejoy for "Press Merry Mouth," and James Smith for "Moore's Plains."

The Revolution was then upon those people and the State of Maryland was about to be launched by the elected representatives soon to meet in the General Assembly that was to meet in about two months. I shall give you the names of the constables first to serve under the State.

Mattapany Hundred  
Prince Frederick  
King George's  
Piscataway  
Collington  
Mount Calvert  
Western Branch  
New Scotland  
Rock Creek

Eastern Branch  
Upper Marlboro &  
Charlotte  
Bladensburg  
Horsepen  
Nottingham  
Hynson  
Oxon

Leonard Boteler  
Richard Brightwell  
John McDaniel  
Francis Wheat  
Walter Williams, Jr.  
Richard Keen Scott  
Zephaniah Lowe  
Haswell Magruder  
John Lansdale, Jr.  
William Pearce  
William Wilson Selby

Zacariah Owen  
Adam Craig  
Caleb Clark  
Henry Webb  
Thomas Wilcoxon  
Samuel Lanham

The Court adjourned until Thursday, January 20, 1777.

Before leaving those two years that were so full of history, let us take a look at the files of the *Maryland Gazette*.

September 17, 1775: "On Saturday night last we had a most violent storm from the Northeast which for several hours blew a near hurricane with heavy rain; the water rose three feet perpendicular above the common tide; A great quantity on the State House was torn up and the Market House (Annapolis) was blown down. The damage sustained in the surrounding Counties we are told is very considerable.

September 21, 1775: "At a meeting held the 12th day of September the following gentlemen of the Committee of Observation for Prince George's County were present: John Rogers, Robert Tyler, A. H. Magruder, Enoch Magruder, William Lyles, Jr., William Beanes, Thomas Williams, Edward Hall, Col. Joseph Sim, Col. Joshua Beall, Abraham Boyd, Walter Williams, Thomas Contee, Basil Waring 3rd, James Mullikin, Benjamin Hall, Sr., William Turner Wootton, John Crow, Thomas Gantt, Jr., Richard Bennett Hall, Addison Murdock, Thomas Sim Lee, David Craufurd, Joshua Beall and Leonard Holliday.

"Levin Covington, Robert Bowie and John Hawkins Lowe were appointed to enroll a company of Minute Men, and they appointed Col. Joshua Beall and Col. Joseph Sim or either of them to view the Companies of the Minute Men to be raised by the persons above nominated.

"The following persons were appointed to be a Committee of Correspondence for the County: Thomas Sim Lee, Benjamin Hall, son of Francis, David Craufurd, Addison Murdock and John Contee.

"The following persons were appointed to a committee for licensing suits agreeable to the resolves of the late Provincial Convention:

"David Craufurd, Addison Murdock, John Contee, William Beanes, William Bowie, Benjamin Hall, son of Francis, and William Turner Wootton.

"The following persons were appointed to receive all voluntary contributions hereafter to be made in this County according to a resolve of the said Convention: Thomas Gantt, Jr., Samuel Chew Hapburn, Thomas Duckett, William Murdock and Luke Marbury."

In the issue of May 2, 1776 appeared the following verse by Milton. It was in keeping with the times:

"Oh! Shame to men! Devil with Devil Damn'd  
Firm concord holds; men only disagree  
of creatures rational, though under hope  
of heavenly grace: And God proclaiming Peace;  
Yet live in hatred, enmity and strife  
Among themselves and levy cruel wars  
Wasting the earth, each other to destroy."

## CHAPTER 16

### DURING THE REVOLUTION, COUNTY LIFE: 1777-1779

The years 1777 to 1779 were three years of privation, denial, suffering and death for the American colonists and Maryland was carrying her share of the fighting.

The County Court met on March 25 with only three Judges present so it was adjourned until the third Tuesday of the following May.

It met again on May 20, 1776, with the Commissions to the Justices issued in the name of the State of Maryland and signed by Richard Sprigg as Chancellor.

At the March term, Frank Leeke appeared as Sheriff and Thomas Sim Lee, Clerk. For the succeeding terms of Court through November, 1779, Thomas Duckett appeared as Sheriff and John Read Magruder as Clerk.

On August 26, 1777, the August term convened with James Hawkins as Foreman of the Grand Jury. This was a busy term as the Grand Jury presented the following indictments: unlawful sale of liquor, 24; assault and battery, 4; unlawful measure, 1; neglect of duty on roads, 5; giving birth to base born children, 15.

The Constitution of 1776 provided that all public officers, officials and attorneys-at-law should take an oath of allegiance to the United States of America and the State of Maryland. At that session appeared John Rogers and Andrew Scott and qualified as attorneys.

Maureen Duvall was appointed constable for Horsepen Hundred.

November 25, 1777, saw the Court convene for the November term with Thomas Dent as Foreman of the Grand Jury.

The business for that term had dropped considerably: The number of indictments were: Neglect of road duty, 2; unlawful sale of liquor, 3; breach of Peace, 1; baseborn children, 2; giving false measure, 1.

The following were appointed constables under the new government organized under the Constitution of 1776. Mattapan, Thomas Hoye; Prince

Frederick, Richard Brightwell; King George, Thomas Stevens; Piscataway, Francis Wheat; Collington, Isaac Simmons; Grubb, Francis Boone; Mount Calvert, John Selby; Western Branch, Cornelius Duvall; New Scotland, Haswell Magruder; Patuxent, William Nichols; Rock Creek, Walter Queen; Eastern Branch, Isaac Walker; Upper Marlboro, William Hutchinson; Bladensburg, John Tilly; Horsepen, Caleb Clark; Charlotte, William Keadle; Nottingham, Henry Webb; Hynson, Caleb Henley and Oxen, Samuel Lanham.

John Waring petitioned the Court for the appointment of a Land Commission to establish boundaries to a tract of land known as "Jamaica."

Robert Peck Brookes was appointed drummer for the Court.

David Craufurd and Thomas Clagett were appointed to examine the county levy and to rectify errors.

Twenty writs were returned *non est* (unable to locate) indicating that many were not living at their last addresses.

The Court at this term passed an order that Washington Hundred be cut out of Mattapony Hundred, beginning at the lower part of said Hundred to the mouth of Spicer's Creek and landing on said Creek and Branch to the head thereof near William Soper's Plantation, thence running to the main road leading by the said Soper's Plantation in such manner as to leave the said Soper's Plantation in the ancient Hundred thence along said main road which leads from the Reverend John Eversfield's Brick Church to Mattawoman.

On March 24, 1778, the Court convened for the March term with Thomas Dent as Foreman of the Grand Jury. The indictments that were returned: housebreaking, 3; larceny, 3; poisoning slaves, 2; neglect of duty on public roads, 3; unlawful sale of liquor, 4; giving birth to base born children, 2; and assault and battery, 1.

Four petitions were filed requesting appointment of Land Commissions to establish boundaries to certain tracts of land: Benjamin Jacob and Richard Higgins for "Part of Evans Range," Thomas Gantt, for tracts known as "Brooke's Grove" and "Park Hall," William Berry, for tracts known as "Attwood's Purchase" and "Hamilton," and William Bowie the third, for a tract known as "Thorpland."

Samuel Tyler was sworn in as the first Register of Wills for Prince George's Court at this session of Court.

Thomas Stone, Benjamin Galloway and Rinaldo Johnson took the oaths and qualified as attorneys-at-law at this term of Court.

The Court ordered Joshua Beall, Thomas Clagett and David Craufurd to supervise building a place in the Court House to hold the records of the Orphans' Court.

The August term convened on August 25, 1778, with Thomas Dent again acting as Foreman of the Jury. The indictments presented by the Grand Jury



were: neglecting duty as a supervisor, 2; unlawful measure, 2; breach of the peace, 6; baseborn children, 9; unlawful sale of liquor, 16; drunk, 1; and refusing to defend the State, 4.

Rinaldo Johnson was appointed prosecuting attorney at this term.

Thomas Stone, John Allen Thomas, Gabriel Duvall and Richard Ridgley took the oaths and were admitted to practice law.

Land Commissions were requested by Nathaniel Wilson for "Reissued," George Naylor for "Thathoms," and Aquilla Wheeler for "Adventure" and "Hog Pen."

Eleasa Knight told the Court that her husband had gone to camp, and she was without subsistence. The Court granted her ten pounds current money.

The following persons made application for permits to operate ordinaries in the bleakest period of the Revolution.

Charles Nevit, Broad Creek  
Peter Carnes, Bladensburg  
Walter Dent, Piscataway  
Samuel Cole, Eastern Branch Ferry  
John Elias Martin, Bladensburg  
Thomas Baldwin, Road from Bladensburg to Annapolis  
Joseph Wilson, Piscataway  
Alexander Bunnell, Queen Ann  
John King, Magruder's Warehouse  
Christian Hillerigle, Bladensburg  
Thomas Rose, Queen Ann  
Elisha Crown, Bladensburg  
Zachariah Wade, Road from Piscataway to Port Tobacco  
Henry Webb, Nottingham  
Margaret Gibson, Upper Marlboro  
Jan Urquhart, Upper Marlboro  
Matthew Wigfield, Eastern Branch Ferry  
John Mahew, Road from Bladensburg to Upper Marlboro  
Charles Lansdale, Piscataway.

Also applying for ordinaries were: Henry Bradford, Alexander Thomas, Rubin McDaniel, James Short and Monica Clifford, whose locations of businesses are not shown.

There was an interesting case before this term of Court entitled: "Jacob Wirt et al vs Michael Colgan." It recited that "on November 17, 1776, Jacob Wirt, Uriah Wirt, Joseph Wirt, William Wirt, Catherine Wirt, Elizabeth Wirt and Henrietta Wirt in the name of Caleb Cahn their lessee, recovered against Paul Rough the possession to Lot Two in Bladensburg containing one acre of land and by that proceeding petitioners were delivered said lot August 25, 1778. Delivery was made in the presence of Zachariah Owen and Peter

Carnes, both freeholders and residents of Bladensburg and was made by Thomas Duckett, Sheriff. The plaintiffs were William Wirt, his father, brothers and sisters.”

William Wirt was born and reared in Bladensburg, and later in life became Attorney-General of the United States, and at a convention held in Baltimore in 1831, he was nominated as a candidate for President by the Anti-Masonic Party. He received seven electoral votes.

David Craufurd and Samuel Chew Hepburn were appointed to examine the levy for the present year.

On November 24, 1778, the Court convened for the fall term with Thomas Dent as Foreman of the Grand Jury. The following presentments were returned by them: larceny, 2; neglect of bridge, 2; baseborn children, 8; assault, 2; depreciating continental currency, 1; contempt, 1; unlawful sale of liquor, 4.

The March term of Court convened March 23, 1779, with Edward Sprigg as Foreman of the Grand Jury. The criminal docket was very light and the civil docket had thirteen cases.

Requests for licenses to operate ordinaries were filed by James Ritchie at Upper Marlboro, Lewis Duvall, on the road from Upper Marlboro to Broad Creek and Richard Thralls, the location not given.

A Petition was filed by Thomas Clement Dyer for a Land Commission to establish boundaries to a tract of land known as “East End of Edelen’s Hog Pen.”

Thomas Jenings appeared and took the prescribed oaths and was admitted to practice law.

The summer came and on August 24, 1779, the August term sat and met with John Addison as Foreman of the Grand Jury. Presentments returned were: violation of liquor laws, 33; selling goods without certificates, 14; assault, 3; baseborn children, 4. The civil docket consisted of 26 cases.

Petitions for Land Commissions were filed by the petitioners shown for the establishment of boundaries for the tracts shown. Basil Waring for “Hearts Delight,” Jeremiah Riley for “Godsyard,” Singleton Wooton for “Riley’s Discovery,” Francis Freeland for tracts “Piney Hedge,” “Becks Addition to Second Meadow” and “Osborn’s Lot Parcel Enlarged,” George Cross for “Orphan’s Gift,” and John Furgurson for “Hamilton,” “Hamilton’s Addition” and “Hamilton’s Adventure.”

John Read Magruder wanted the location of the road from Upper Marlboro to the Eastern Branch Ferry changed through his plantation.

November 23, 1779, was the day that the November term met in Upper Marlboro with Thomas Dent, Foreman of the Grand Jury. Presentments at

that term were: violation of liquor laws, 7; assault, 1; harboring deserters, 2; baseborn children, 4; contempt of Court, 1; disorderly conduct, 16.

It was ordered that David Craufurd and Samuel Hepburn make a contract with some person to build a bridge over the western branch near Upper Marlboro.

It was ordered that Josiah Beall, Christopher Lowndes and Abraham Boyd make a contract with some person or persons to build warehouses at Bladensburg.

It was ordered that Leeke and Hepburn make a contract with some persons to build a repository for records of the Orphans' Court in the Courthouse.

It was ordered that Messrs. Craufurd and Samuel Hepburn examine the records of this county and make a report to the next August Court.

Land Commissions were requested by the following persons for the tracts of land shown: John Brown for part of "Patowmack Landing" and part of "The Forest," Christopher Lowndes for "Gordon's Pasture," Nathan Soper for "Jones' Less Riles Neglect," Robert Pottinger for "Joice Major's Lot," and "Pottingers Desire," William Loch Weems for "Billingsly," and Frank Leeke for a tract known as "Gray Eagle."

At that term sixteen cases were continued and six bench warrants issued.

Constables appointed at that term were: Mattapany, Thomas Dorsett, son of Thomas; Prince Frederick, Richard Brightwell; King George, Thomas Blacklock, Jr.; Piscataway, Francis Wheat; Collington, Walter Hilleary; Grubb, Francis Boone, son of Henry; Mount Calvert, John Smith Selby; Western Branch, William Moodie; New Scotland, Josiah Beall; Patuxent, Isaac Lansdale; Rock Creek, Aquila Wheeler; Eastern Branch, Ralph Jones; Upper Marlboro, Wiseman Clagett; Bladensburg, Peter Carnes; Horsepen, Frederick Clarke; Charlotte, Wiseman Clagett; Washington, George Gantt; Hynson, John Evans; and Oxen, James Tannahill, Jr.

Those serving as Justices of the County Court between January, 1777 and December 1779, were: Abraham Boyd, John Brown, James Beck, William Berry, Joshua Beall, Fielder Bowie, Thomas Boyd, John Smith Brookes, David Craufurd, Thomas Clagett, Thomas Gantt, Jr., Richard Henderson, John Harrison, Samuel Chew Hepburn, George Lee, William Lyles, Jr. Christopher Lowndes, Frank Leeke, John Read Magruder, Alexander Howard Magruder, James Mullikin, Thomas Macgill, Henry Lozier, Alexander Symmer, Truman Skinner, Osborn Sprigg, Thomas Williams and William Loch Weems.

According to the Court records for the years 1777 to 1779, the following gentlemen qualified themselves under the 1776 Constitution and did practice before the County Court: Samuel Chase, William Cooke, Gabriel Duvall, Rinaldo Johnson, Baker Johnson, Thomas Jenings, Richard Ridgley, John Rogers, Thomas Stone, Andrew Scott and John Allen Thomas.

The Senatorial electors met in Annapolis on December 9, 1776, and elected the fifteen members of the first Maryland Senate. The Constitution provided that nine should be chosen from the Western Shore and six from the Eastern Shore.

The nine from the Western Shore were: George Plater, William Paca, Daniel of St. Thomas Jenifer, Charles Carroll the Barrister, Thomas Johnson, Charles Carroll of Carrollton, Thomas Stone, Brice Thomas Beale Worthington, and Thomas Contee.

Those from the Eastern Shore were: Matthew Tilghman, Joseph Nicholson, Robert Goldsborough, Turner Wright, James Tilghman and Samuel Wilson.

At the election held at the Court House in Upper Marlboro on December 18, 1776, Osborn Sprigg, Jeremiah Magruder, Walter Bowie and David Craufurd were elected as members of the first House of Delegates.

Thomas Contee of Prince George's County was chosen as one of the nine Senators from the Western Shore, and I believe it proper to give you some information concerning that gentleman. I quote from Mrs. Bowie's book:

“COL. THOMAS CONTEE, fourth son of Alexander Contee and his wife Jane (Brooke) Contee, was born at Brookefield, near Nottingham, Prince George's County, Maryland, about 1729, and inherited through his mother “Brookfield,” the original home of his ancestor Maj. Thomas Brooke, its first owner. During the Revolutionary period he took a conspicuous position; was chairman of various meetings of the citizens in Marlboro; member of the House of Burgesses, a delegate to the first State convention held at Annapolis in 1775, and was one of the signers of the ‘Declaration of the Association of the Freemen of Maryland’.

“In 1776 was commissioned major of militia by the Council of Safety, and instructed to inspect the newly raised troops and to aid in the equipment to confer with the Continental Congress as to the proper organization of the army and the general plans for defense. Was elected to the State Legislature, and for many years was chairman of the Republican Party in Prince George's County. He executed a will a few days prior to his death in January, 1811, and is buried at ‘Brookefield’ (now called the ‘Valley’) in the family graveyard. Colonel Contee was married about 1751 to Sarah Fendall, who was born October 28, 1732. Mrs. Thomas Contee is described as a very beautiful woman with a wealth of golden hair. She died March 20, 1793.”

The legislature convened February 5, 1777, by order of the Council of Safety.

Thomas Sprigg Wootton was elected Speaker of the House of Delegates and Daniel of St. Thomas Jenifer, President of the Senate.

Richard Ridgely was appointed Clerk to the Senate and Gabriel Duvall, Clerk to the House.

On February 13, 1777, Thomas Johnson was elected Governor by the Legislature. The vote stood Johnson, 40; Samuel Chase, 9; Matthew Tilghman, 1; George Plater, 1; and William Paca, 1.

On February 14, 1777, the Legislature elected Charles Carroll, Sr., Josiah Polk, Jr., John Rogers, Edward Lloyd and John Contee as members of the Governor's Council. John Contee was from Prince George's County. Ten days after his election he forwarded his resignation to the General Assembly as follows:

“Ordered That the following Resignation of Mr. John Contee be inserted, as follows

February 24th 1777.

Gentlemen:

The honour conferred upon me by the General Assembly in appointing of me a member of the Council to the Governor of this State claims my sincerest acknowledgements, and for which I do return unfeigned Thanks. Shod be exceedingly glad (was it in my Power) to undertake that honourable Trust, but am prevented by the great Danger at this Time in Annapolis of taking the Small Pox, and the dreadful Idea I have of receiving that Disorder in the natural way will I hope by every discreet Person be thought a reason sufficient for my not attending. It is my Intention to get inoculated as soon as it can with Convenience be done, after that should I be thought worthy of Confidence in this Government will cheerfully undertake the Post, to which I may be appointed. As I profess myself a Friend to the Cause of Independence, am desirous to lend a helping Hand towards the support of it.

I presumed it necessary to trouble you with these few Lines, that the Council might be informed thereof, and proceed to elect another member in my stead.

I am Gentn  
John Contee”

Whereupon James Brice Esquire was elected by ballot in his stead.

Thomas Johnson was inaugurated as Governor of Maryland on March 21, 1777, at the State House or the Stadt House as it was known then. A great throng of people had assembled in Annapolis for the occasion, and there was much pomp and ceremony, parades by military organizations, music and the firing of cannons. It was a gala day for all, and at the Coffee House nearby, parties were drinking thirteen toasts to the success of the new government.

The Council of Safety was disbanded the following day, March 22, 1777.

Chapter 7 of the Acts of 1777 abolished the office of Commissary General. The Orphans' Court and the office of Register of Wills were established at this first session of the State Legislature.

Under the new organization to handle probate matters, the Governor was to name seven Justices of the Peace in Prince George's County, those appointees to be approved by the Governor's Council. Sessions of the Orphans' Court were to be held the second Tuesdays of June, August, October, December, February and April.

At the session convened October 31, 1777, religious tests for jurors were abolished. Chapter 16 of that Session provided that jurors be twenty-five years of age, be freeholders of fifty acres of land and be chosen from the freeholders having the most wisdom and experience.

Chapter 8 of that session directed that 2,000 men be raised for the army of which Prince George's County's share was to be 100 men. That Act also provided that each recruit, (who enlisted for three years), be given a bounty of fifty acres of land and forty dollars above the Continental bounty. He would also be furnished with a pair of shoes and stockings by the State over and above the Continental allowance and he would be exempt from taxes during his enlistment.

County Courts were directed to allow subsistence to needy families of enrollees.

Chapter 9 passed at that session provided that the business of the Orphans' Court might be conducted by two Judges.

At the Session of the Legislature convening March 17, 1778, Chapter 7 provided that William Beanes, William Bowie, Enoch Magruder, Nathaniel Magruder and Edward Sprigg be constituted a Committee to raise supplies for the army.

At the session of the Legislature that assembled March 9, 1779, Chapter 9 was passed. This Act dealt with the election of vestries, and provided that all vestries should consist of seven members, two members of which should be elected each year.

The members of the various parishes were to meet June 5, 1779, and elect vestry men, and thence on each Easter Monday thereafter. Records were to be kept of births, marriages and deaths.

Chapter 8 of the Acts of the General Assembly convening November 8, 1779, goes on to say: "Whereas it is represented to the General Assembly, by the inhabitants of Prince George's County that the present situation of the warehouses for the reception of tobacco in the town of Bladensburg is so low that great losses have been frequently sustained from floods and high tides and that the charge of the necessary repairs would exceed the expenses of erecting new warehouses that the Justices of the Prince George's County Court are hereby authorized and required to agree to purchase of the Commissioners of

Bladensburg part of a lot in said town laid out and reserved for a market lot. A surveyor to survey and lay out the lot and the Justices are then authorized to build and finish one or two warehouses.’’

Chapter 32, passed at that Session, appointed Thomas Clagett, Alexander Howard Magruder, and Richard Duckett as a committee to secure flour and forage of which the Army was in great need, and to forward the same over land, as waterways were not practicable on account of interference by ice.

Chapter 35 of that Session provided that all property in the state be assessed and taxed at the rate of five pounds per 100 pounds of property. The assessors for Prince George’s County were to be William Beanes, William Bowie, Nathaniel Magruder, Edward Sprigg and John Contee.

As I was browsing through a volume of the *Archives of Maryland*, I came upon a letter written one hundred and ninety years ago. It had been written by an earnest, tired and discouraged woman pleading for justice in the pay she was receiving for the part she was playing in the American endeavor to bring about victory for the Continental Army over the forces of Lord Cornwallis. Here it is. I shall let it speak for itself.

“To the Honorable the Governor and Council

Humbly Sheweth; that your petitioner has been a nurse at the hospital for about a year, she has been diligent and carefull in her office, which she your petitioner humbly beg for an augmentation to her pay, as she only is allowed two dollars a month. She has at the present time sixteen men for to cook and take care of She your petitioner as since she has been a nurse had a great deal of trouble. She is obliged to be up day and night with some of the patients and never has been allowed so much as a little tea or coffee which she your petitioner hopes your honors will take this petition into your consideration and your petitioner in duty bound will ever pray.

Alice Redman

P.S. She: your petitioner out of that two dollars per month is obliged to buy brooms and the soap we wash with if your honors will please to relieve your petitioner your petitioner will ever be bound to pray

A. Redman’’

The *Maryland Gazette*, in its issue of October 30, 1777, informs us that Stephen West, Walter Bowie, Jeremiah Magruder and John Contee were elected to represent Prince George’s County in the House of Delegates.

The issue for December 24, 1779, tells us that George Plater, James Forbes, Thomas Johnson, John Hall, Edward Lloyd and John Harrison had been elected to the Congress of the United States.

That same paper informs us that William Lyles was appointed Continental Agent for Prince George’s County.

As the result of an election that had recently been held, about which there was some unfavorable comment, Thomas Boyd and James Mullikin made the following report under date of October 9, 1779:

“The subscribers certify that at an election begun and held at the Courthouse in Upper Marlboro Town on Monday the 4th day of October and continued from day to day until Thursday the 7th of October for the purpose of electing delegates and a Sheriff on the examination of the ballots, the poles being closed, disclosed, that Thomas Williams received 448 votes and Fielder Bowie 360 votes.

“To this report Mr. Fielder Bowie filed his petition not dated directed to the Governor and Council.

“His Excellency, The Governor in Council Showeth: That an election was held for the office of Sheriff for Prince George’s County according to the Constitution and form of Government on Monday the third of October and your petitioner believes that same was not fairly conducted and prays that the same be set aside for the following reasons:

“That the Justices for a considerable time refused to appoint a Clerk and contrary to the intention of balloting opened the tickets as they were delivered in.

“That after much altercation a Clerk was appointed who was so neglectful of his duty that he never entered the name of any person who gave in his ballot by which your petitioner believes that many of the voters were induced contrary to every rule to give in their suffrages more than once.

“Your Petitioner therefore prays that a new writ of election may issue for the official of Sheriff in said County, if after hearing it shall appear just.”

Under date of November 2, 1779, Alexander Contee, Clerk to the County Court, sent Mr. Bowie the following note:

“On hearing the petition of Fielder Bowie alleging that the election for Sheriff was not fairly conducted and praying that the same may be set aside and having the said Fielder Bowie and also Thomas Williams returned as having the greatest number of votes at the said election and examining said witnesses as were forwarded by the parties, and duly considering the same and the allegations by the parties. It is adjudged by this Board that the said election was fairly and properly made and is a valid election.”

On October 21, 1779, the following letter was mailed by Fielder Bowie:

“Sirs: With the advice of some of my friends and acquaintance I have declined my intention of controverting the election for Sheriff



in our County, it would be giving the people the trouble of going through another election choice; therefore on considering the matter, I gave it up.

With great respect, your  
Very humble servant  
Fielder Bowie.”

## CHAPTER 17

### BEFORE THE END OF THE REVOLUTION: 1780-1782

These three years saw the close of the Revolution and victory for the American Army.

During this time, for the nine terms of Court, Thomas Williams served as Sheriff while John Read Magruder served as Clerk to the County Court.

The March term convened March 28, 1780, with Joshua Clarke as Foreman of the Grand Jury, and it made the following presentments:

One, for not cutting a tree out of the ford in the Southwest Branch, for blocking road from Basil Beall's to Charles Hodges; four persons, for failure to give an accounting of cash and plate; four persons for giving birth to baseborn children; eight for violation of liquor laws; one for the larceny of a bottle of rum; two for assault; and two for neglect of duty as overseers of public roads.

The dockets were composed of 24 criminal cases and 16 civil. There were also issued three peace warrants, two bench warrants and fourteen cases were continued.

Petitions were made for the appointment of Land Commissions to establish boundaries to the tracts of land by the petitioners named below:

Clement Hill	“Bassett”
Benjamin Berry	“William and Mary Increased”
Abraham Young	“Knoch”
Garland Carr	“Maddox Folly”

Archibald Boyd was admitted to practice law at that term.

The Court for the August term sat on August 22, 1780, with Thomas Dent, Foreman of the Grand Jury. The business for this term was light.

Henry Nicholls was appointed drummer for the Court, and Robert Baden the new Standard Keeper.

Petitions were made for Land Commissions to establish boundaries for certain tracts of land as listed herewith: Mordicai Jacob, “Part of Darnall's

Grove," Josias Hawkins, "Archer's Pasture," John Brightwell, "Spimmum," John Talbot, "Talbot's Lot," Haswell Magruder, "William and Mary Increase."

David Craufurd and Samuel Hepburn, filed a report showing all records to be in good condition.

Court adjourned until the fourth Tuesday of the next November.

I have been unable to locate a record for the November, 1780, term.

The March term for 1781 met March 20 of that year with Henry Brookes as Foreman of the Grand Jury.

At that session, John Allen Thomas was paid twelve pounds, ten shillings for serving as States Attorney, and Samuel Tyler was paid six shillings, three pence for serving as Register of Wills.

The Grand Jury returned presentments for the following offenses: assault and battery 9; interfering with an officer 1; violations of liquor laws 3; possessing stolen goods 2; giving birth to a baseborn child 2.

Applications for licenses to operate an ordinary were requested by: Mary B. Scott, at Bladensburg; John Nevitt, at Piscataway; and Ruben McDaniel, at Broad Creek.

Land Commissions to fix boundaries for the following tracts of land:

Walter and Oswald Brooke for "Black Walnut Thicket;" Edward Burch for "Burch's Venture;" and William Truman Greenfield for "Part of Brookfield" and part of "Addition to Brookfield."

Jeremiah Belt petitioned for a Land Commission to establish boundaries to a tract of land known as "Recovery."

At that term of Court, seventeen continuances were granted.

The November term for 1781 convened November 28 of that year with Benjamin Brookes Foreman of the Grand Jury. The business before the Court was of a minor nature.

Two applicants requested licenses to operate ordinaries: William Johns at Nottingham and Henry Bradford at Bladensburg.

Dockets show five cases for violation of liquor laws, one for neglect of public duty and nine civil cases.

The Battle of Yorktown had been fought and the surrender of Cornwallis made five weeks previous to this session so we may presume that much of the war pressure had been lessened and much of the excitement incident thereto quelled.

On March 26, 1782, those with legal or county business assembled in the town of Upper Marlboro. Thomas Dent was again chosen as Foreman of the Grand Jury. The presentments were few and the business light. Twenty-four criminal cases were quashed and the civil docket consisted of 29 cases.

There were three applications for licenses to operate ordinaries: Isaac Rollings, at Magruder's Warehouse; Michael Adam Trier, at the fork in the road leading from Bladensburg to Baltimore; and Monica Clifford, at Addison's Ferry.

There were five applicants for permission to operate ferries, viz.: Matthew Wigfield and George Frazer Hawkins, on the Potomac River; Isaac Rollings, at Magruder's Ferry on the Patuxent River; Henry Smith, on Eastern Branch of Potomac; and Bartholomew Bromley, location not given.

The August term for 1782 convened August 27 of that year with Isaac Sansbury as Foreman of the Grand Jury that returned eleven presentments for violations of the liquor laws, seven for assault and two for neglect of public duty. At that term the Court issued three peace bonds.

There were four petitions for Land Commissions to establish boundaries for four tracts of land. The petitioners and the tracts involved were: James Haddock Smith, for "Moore's Plains;" Dorothy Piles, for "Hunter's Folly;" Richard Jones, for "Batson's Vineyard;" and Richard Jones, to change the course of a road.

Bartholomew Bromley asked the Court to approve the rates submitted by him for Mt. Pleasant Ferry. This was done.

Let us take a glance at those who survived the Revolution as business men and were licensed for the next year to keep ordinaries and the locations of their places of business.

Catherine Wire	Bladensburg
William Danford	Bladensburg
Philip Miller	Bladensburg
Brian Dailey	Bladensburg
Leonard Wood	Bladensburg
John Hoopman	Bladensburg
William Willett	Road from Bladensburg to Snowden's Iron Works
Richard Thrulls	Road from Bladensburg to Snowden's Iron Works
Ruben McDaniel	Broad Creek
Edward Lanham	near Piscataway
Bennett Edelen	near Piscataway
John Nevitt	Piscataway
John Mahew	Eastern Branch Ferry
James Moore	near the Eastern Branch Ferry
Matthew Wigfield	near the Eastern Branch Ferry
Thomas Baldwin	near McGantt's Chapel
Alexander Burrell	Upper Marlboro
Elizabeth Brookes	Upper Marlboro
Alexander Burrell	Queen Ann

Monica Clifford  
John Ijams

At Ferry opposite Alexandria  
near Eastern Branch Ferry.

The Court sat November 26, 1782, for the November term with James Pearre Foreman of the Grand Jury.

At that term of Court, Michael Jenifer Stone was the State's Attorney.

The presentments by the Grand Jury and other business at that term were light. At that term there were three petitions filed for Land Commissions to establish undetermined land boundaries: Thomas Boyd for "Ample Range" and "Essington," Dorothy Marlow, for "Marlow's Chance" and "Westmoreland," and Francis Tolson, for "Hunter's Folly."

Those acting as Justices of the County Court during the years 1780-81-82 were Joshua Beall, James Beck, Abraham Boyd, Thomas Boyd, William Berry, John Brown, John Smith Brookes, Fielder Bowie, Thomas Clagett, John Harrison, Thomas Macgill and William Loch Weems.

The Court records disclose that those practicing law during the same three years were: Michael Jenifer Stone, Thomas Stone, Thomas Jenings, Rinaldo Johnson, Gabriel Duvall, Archibald Boyd, Baker Johnson, Charles Simms, Peter Carnes and John Allen Thomas.

During the year 1780, three sessions of the General Assembly were held, viz.: March 23, June 12 and October 17.

At the March session, Chapter 11 was passed abolishing the quit-rent. At the June session, Chapter 25 was passed providing horses and wagons for the army. It provided that they might be either hired or purchased, and Prince George's County's quota was forty horses.

When the session of 1780 reconvened on October 17, the Legislature passed Chapter 26, which authorized the County Court to levy at either the June or August Courts a tax sufficient to care for the poor, and this tax was to be in real money eliminating Spanish milled dollars at the rate of seven shillings, six pence each.

At the session that met November 5, 1781, Chapter 4 was passed directing that a tax of forty-five shillings was to be levied against each and every L100 of property in the county. William Beanes, William Bowie, Nathaniel Magruder, Edward Sprigg and John Contee were named as Commissioners to meet the first Monday in 1782 and supervise the imposition and collection of that tax.

The *Maryland Gazette* in its issue of January 28, 1780, tells us that the Bay and rivers continue shut up. Several persons have gone from Annapolis to Poplar Island, Rock Hall, and Baltimore Town on the ice. Every day some one crosses to Kent Island which has not been known before by our oldest inhabitants nor has the like ever happened in the memory of man.

In the issue of the *Maryland Gazette* for October 6, 1780, we are advised that David Craufurd, Thomas Duckett and Alexander Howard Magruder were elected to the House of Delegates.

The October 17, 1782 issue of the *Maryland Gazette* announced that Thomas Duckett, Walter Bowie, Jeremiah Magruder and George T. Hawkins had been elected to the House of Delegates.

J. Thomas Scharf tells us that in 1780 a fund was solicited to finance the army, and that to that fund Joseph Sim contributed L500 in currency and four hogshead of tobacco. Another contributor was David Craufurd who gave L1000 in currency and twenty-one hogshead of tobacco.

In 1781, Governor Lee directed the purchase or confiscation of 200 cattle in Prince George's County to be sent to Georgetown. On September 4, 1781, Governor Lee advised that L500 had been sent to Prince George's County toward payment for cattle.

Let us read this interesting letter written nearly one hundred and ninety years ago. A voice out of the past is telling us of some conditions surrounding the building of this nation.

“(Stephen Steward, West River, to the Council) Agreeable to your Desier I have Strove all that in my Power to send off vessels to the Head of the Bay to take in the troops the People Pay but littel Regard to your warent a very fine schooner belonging to Mr. Letch lying In Herring bay that would Carry at lest from 70 to 80 souldiers without Bagage avoids going as Mr Letch had Dun In the same manner when you was sending Down troops last Sumer som young men I have had Prest to go In vessels to get them away Refuses going If none is to go In to the State Serviss but what chuses themselves I think If Ever you should want vessels and men again, you will git none with out you will make Exampels Mr David Weems sent up his schooner Cherfully with a Negro Skiper as to whit man would go I have likewise sent off my old Sloop with a very valubell Negro which must be taken out as the sloop Coms Down lee young fellows Prest In the nabourhood that I might have kept my Negro back but it answered no End I harlly wish to see the law Put Into Execution If any I have offer to find the vessels Provetion.” (*Archives of Maryland*, 48, page 111).

## CHAPTER 18

### MARYLAND UNDER NEW GOVERNMENT: 1783-1784

For those two post-war years John Beall served as Sheriff and John Read Magruder as Clerk of the Court. Courts met, business was conducted, and Prince George's County operated under the new government in many ways as the County had done under English rule.

For the March and August terms in the year 1783, Thomas Dent served as Foreman of the Grand Jury. For the November, 1783, and the March, 1784 terms Edward Villers Harbin was Foreman of the Grand Jury. Michael Lowe acted as Foreman of the Grand Jury for the August, 1784 term. For the November, 1784 term, the name of the person serving is not shown.

At the March, 1783, term two petitions for Land Commissions were filed. Stephen West requested that the boundaries be established for a tract of land known as "Gleanings," and the same request was made by Christopher Beanes for a tract known as "Landon."

At that term an unusual petition came before the Court when Negro James asked the Court for his freedom. His petition alleged that in 1776, as a drummer, he joined Capt. Alexander Magruder's Company, of the "Flying Camp." At that time he was a slave of Mr. Thomas Trueman. On November 16, 1776, he, with several other soldiers, were sent to relieve Fort Washington. There he was captured by the British and was held a prisoner for seven months. During that time he was transferred to New Brunswick, New Jersey. There he escaped and returned to General Washington's Army. Finally, he returned to Maryland and was then kept in slavery. He was now asking for his freedom. The case was continued until the next Court, and subpoenas was issued for John Lightner, John Leah, Elisha Richardson and Howard L. Wales.

Michael Jenifer Stone was State's Attorney at this time.

The August, 1783, term had for its attention seven petitions for Land Commissions. The petitioners and the tracts of land involved were as follows:

Notley Young	“The Inclosures”
Brock Mockbee	“Brock Hall”
Jeremiah Ryley	“Hoopyard”
Robert Whitaker	“Pentland Hills”
Joseph Edelin	“Lyons Hole,” “Friendship,” and “Foxes Den”
Thomas Henry Hall	“Pyles Lot”
John Baden of Thomas	“Exchange”

Licenses to operate ordinaries at the location shown were filed by the persons shown:

William Bates Wilson	Upper Marlboro
Elizabeth Brookes	Upper Marlboro
Richard Humberstone	Upper Marlboro
John Nevitt, Jr.	Piscataway
John Dyer	Piscataway
Edward Lanham	Piscataway
Benedict Edelin	Piscataway
William Tongue	Piscataway
John Ijams	Queen Anne
Thomas Baldwin	Queen Anne Parish Chapel
Alexander Burrell	Queen Anne
Philip Miller	Bladensburg
Benjamin Sedwick	Bladensburg
Brian Daily	Bladensburg
John Hoopman	Bladensburg
John Pearre	Bladensburg
John Macatee	Broad Creek
William Willett	Road from Bladensburg to Snowden’s Iron Works
Richard Thralls	Road from Bladensburg to Snowden’s Iron Works
Matthew Wigfield	Eastern Branch Ferry
John Lawson Naylor	Nottingham
John Allen Hoskins	Potomac River

Peregrine Fitzhugh applied for a license to operate a ferry from the head of Frasers Creek to Alexandria.

Charles Simms presented Erasmus Gantt for admission to the bar.

John Allen Thomas was State’s Attorney.

The dockets were light. The civil docket had twelve cases and the criminal docket, thirteen.

The November term for the year 1783 convened on November 25. The Grand Jury’s presentments were few, and the offenses of a minor nature. The civil docket contained forty-two cases.



There were four applicants for licenses to operate ordinaries:

George Naylor	at Magruder's Ferry
Robert Sim	at Hawkins Ferry
Clement Wilson	at Bladensburg
Peter Boswell	at Hanson's Ferry

The following persons were appointed road overseers: John Edmonston and Isaac Beall for New Scotland; Thomas Upton and Richard Kirby for Oxen; William Bowie III, William B. Lamar, Joseph Ramsey Hodges and Mordecai Jacob for Collington; John Magruder, John Smith Selby and Henry Boone for Mt. Calvert; Thomas Clagett, Tilghman Hillary, John Magruder Burgess, Richard King and John McKay for Western Branch; Elisha Green, Francis Bowie and John Brashers for Patuxent; William Ferguson and David Burns for Rock Creek; William Blackwood and William Wells for Eastern Branch; John Ryon of William, Gerrard F. Greenfield, Moses Orme and James Waring for Mattapony; James Truman for Prince Frederick; Benjamin Estep, Patrick Beall, Joseph Edelin, Charles Maddox and Benedict Edelin for Piscataway; Richard Adams for Jericho; John Bowling, Edward Edelin, Nathaniel Newton, William Smallwood Wynn, William Hoard and John Webster for King George; and Christopher Lowndes for Bladensburg.

On March 23, 1784, the Court sat for the March term. There were forty-six cases on the civil docket while the presentments by the Grand Jury were few. There were eight for violation of the liquor laws, one for assault, one for keeping ferry without a license, two for giving birth to a baseborn child, one of breach of peace, and six attachments for contempt of Court.

General Rezin Beall went on surety bond for John Beall as Sheriff.

Bartholomew Bromley secured a license to operate the Mt. Pleasant Ferry.

Thomas Clagett and William Clagett were appointed to supervise the building of a bridge over Piscataway Creek.

David Craufurd and Samuel Hepburn were appointed by the Court to supervise the construction of a bridge over Cabben Branch, and Fielder Bowie and Robert Bowie were appointed to supervise the construction of a bridge over Mattapony Branch.

At the August term that convened August 24, 1784, the civil docket was heavy with seventy three cases. The criminal docket was light with only a few minor cases.

There were two petitions for Land Commissions. George Digges filed for the tracts known as "Warbarton Manor" and "Frankland," and John Baden for the tract known as "Hargrove."

In addition to the applications filed for licenses to keep ordinaries as shown in the previous August's minutes, the following were granted: Benedict Woodward, William Dainford, John Watkins and James Johnson, all

Bladensburg; John Nevitt, Jr., Piscataway; James Moore, Eastern Branch Ferry; and John Hackerston, Upper Marlboro.

The Court met November 23, 1784, for the November term and the record of that session fails to disclose much business.

Thomas Rose was an applicant for a license to operate an ordinary on the road from Bladensburg to Snowden's Iron Works. John Gantt and Richard Craik were admitted to the practice of law.

Edwin V. Harbin was Foreman of the Grand Jury.

Three petitions for Land Commissions were filed: Thomas Clagett for a tract known as "Hawkins Lot," Benjamin Mackall for tracts known as "Howard's Park," part of "Brookfield" and part of "Addition to Brookfield," and John Brown for a tract known as "Mt. Calvert Manor."

There were fifty-one cases on the civil docket and five presentments by the Grand Jury.

The gentlemen serving as justices for the County Court for the years 1783-1784 were: Fielder Bowie, Abraham Boyd, William Berry, Thomas Boyd, Joshua Beall, James Beck, John Brown, John Smith Brooks, John Brooke, Robert Bowie, David Craufurd, Samuel Hepburn, Richard Henderson, Rinaldo Johnson, Christopher Lowndes, Frank Leeke, James Mullikin, Henry Rozer and William Loch Weems.

Those practicing law before the Court as disclosed by the records were: Archibald Boyd, Benjamin Contee, Peter Carnes, Gabriel Duvall, Walter Evans, Erasmus Gantt, Benjamin Harrison, Thomas Johnson, Rinaldo Johnson, David Ross, Charles Simms, Thomas Stone, Michael Jenifer Stone and John Allen Thomas.

Chapter 2 of the Acts of 1783, passed at the session that convened November 3, 1783, recites the fact that on Easter Monday, 1781, British ships and barges went up the Potomac, committing hostilities against the citizens of St. John's Parish. As all the citizens of the parish had been called out on military duty, a congregational meeting was not held. This act directed that all persons qualified to vote in St. John's Parish assemble at the parish church and proceed to elect a vestry the first Monday in January, 1784.

Chapter 17 of the Acts of 1783 passed June 1, 1783, made provision for the admission of attorneys to practice before the courts of this state. No person was to practice law in this state before the Courts of Common law, Equity, Admiralty, or the Orphan's Courts except those attached to the present government, and attached to the principles of liberty and independence as happily established by the late glorious revolution.

Being a non-juror would not of itself be sufficient. The Courts were hereby given authority to examine all applicants for admission by such means as they might think sufficient. He must have been a resident of this state or some other state for two years and have studied with some attorney or solicitor for three



### MONTPELIER

Owned by Maryland-National Capital Park  
and Planning Commission

Meeting place of the Prince George's  
County Historical Society

*Courtesy of John C. Brennan*

whole years, or have been a member of the bar of a Court of Record for the state in which he claimed to have been admitted. That Act was to continue for three years or until the next session of the Assembly that should happen thereafter.

Chapter 37 of the Acts of 1784 was entitled "An Act for founding a college on the western shore which with Washington College on the Eastern Shore be joined into one College to be known as the University of Maryland, and the College on the Western Shore to be known as College of Saint Johns." The Act provided that the Reverend John Carroll, the Reverend William Smith, and Patrick Allison, Doctors of Divinity, Richard Sprigg, John Steret, George Digges, and such other persons as they or any two of them might appoint in different counties were to solicit funds.

When thirteen visitors and governors were chosen as aforesaid, three or more might give six weeks' notice, and all persons subscribing L1000 in three yearly installments should be known as Governors and Visitors of Saint John's College. And if the city of Annapolis were fixed as the proper place for

the College, then the four acres within the city of Annapolis, purchased for the use of the public from Stephen Boardley by deed dated October 2, 1744, and conveyed to Thomas Bladen then Governor of the Province, were to be used for the College of Saint John's.

At the election for members of the House of Delegates in the year 1783, Thomas Duckett, Jeremiah Magruder, George Digges and George Frazier Hawkins were chosen. On the election of 1784, Erasmus Gantt, George Digges, Walter Bowie and Rinaldo Johnson were chosen for the same responsibility.

Let us take a look at the news at that time. Much was happening. The Treaty of Peace had been validated on January 20, 1783, in Paris. The news arrived in this country on March 23, 1783. It was conveyed to Governor Paca on April 12, 1783 and he appointed April 24 as a day of public rejoicing. Oh! what a day.

A temporary building was erected on Carroll's Green, sufficient to accommodate thousands of people. The State House was brilliantly lighted, and celebrations were held simultaneously in Frederick, Upper Marlboro and Chestertown.

The State bought from James Mackubin one hogshead of rum (116 gallons), and from George Mason forty-nine gallons of claret, thirty-two gallons of Maderia, thirty-five gallons of port, fifteen pounds of loaf sugar, 176 pounds of bacon, 284 pounds of salt beef, fifty-two pounds of shoat, 126 pounds of mutton, 272 pounds of veal, 132 pounds of beef, seven lambs and twelve fowls.

They were drinking thirteen toasts in the taverns and firing thirteen cannons on the green. If those people had problems on their minds, it appears to me that the two that gave them the least concern were counting calories and contemplating the evils of alcohol.

The *Maryland Gazette*, in its issue of April 24, 1783, published the following advertisement: By Authority

For Four Nights Only  
At the theatre in Upper Marlboro  
on Wednesday the 30th day of April 1783  
will be performed a tragedy called  
The Grecian Daughter  
To which will be added a farce called  
"The Lying Valet"  
The evening will be Concluded with dancing  
Tickets to be had at the tavern at one dollar  
each as no money will be received at the theatre  
The doors to be open at six and the show to  
begin at seven."

The January 15, 1784, issue of the *Maryland Gazette* announced that Messrs. Twining and Van Horn had established a stage line between Baltimore and Annapolis making seven trips a week, one in each direction each day.

On April 22, 1784, John Read Magruder advertised for sale, his home, “consisting of 320 acres within one mile from Upper Marlborough on which are two brick dwellings with passageway between—brick kitchen adjoining all two stories high, necessary out-houses; such as wash house, negro quarters, corn house, barn, chaise house, stables for twelve horses all being built within the last ten years—300 bearing apple trees beside fruit trees of several sorts—plenty of meadow and grazing grounds—several fine springs of water”.

On June 3, 1784, Walter Bowie and Company of Bladensburg and Singleton Wootton and Company of Queen Anne were advertising European goods for sale from ships just arrived.

On June 24, 1784, William Sprigg Bowie advertised goods of impressive quality at irresistible prices for sale at his store in Upper Marlboro.

On Friday, December 19, 1783, “his Excellency General Washington arrived at Annapolis on his way to Mount Vernon. His Excellency was met a few miles from Annapolis by the Honorable Generals Gates and Smallwood and several of the principal inhabitants who attended him to Mr. Mann’s where apartments had been prepared for his reception. His Excellency’s arrival was announced by the discharge of cannon. After receiving the heartfelt welcome of all who had the honor of knowing him his Excellency waited on the President of Congress with whom he and the members of that body together with the principal Civil and Military Officers of the State dined on Saturday.”

On Sunday morning after attending religious service at Saint Ann’s Church in the ancient city, he returned the visits of the citizens and others who had waited on him, after which he dined with a number of other gentlemen.

On Monday, December 22, 1783, Congress gave General Washington a public dinner at the ballroom where upwards of two hundred persons of distinction were present. Everything was provided by Mr. Mann in the most elegant and profuse style. After dinner the following toasts were drunk under the discharge of the artillery:

- “1. The United States
2. The Army
3. His Most Christian Majesty
4. The United Netherlands
5. The King of Sweden
6. Our Commissioners Abroad
7. The Minister of France
8. The Minister of the Netherlands
9. Harmony and a flourishing commerce throughout the Union

10. May virtue and wisdom influence the Councils of the United States, and their conduct, merit the blessings of Peace and Independence
11. The virtuous daughters of America
12. Governor and State of Maryland
13. Long health and happiness to our illustrious General.”

The thirteen toasts and the firing of thirteen cannon were in honor of the thirteen states that formed the Union at that time.

That great Monday night was to live in history as long as one stone shall remain on top of another in the structure of our Nation. The State House (or Stadt House as it was known at that time) was beautifully illuminated, and a ball was given by the General Assembly at which a very numerous appearance of beautiful ladies were present.

But first let us look in on the banquet. Mr. Mann furnished the food and spirits for that gathering: 98 bottles of wine; 2½ gallons spirits, 9 pounds of sugar, a lot of limes, music, waiters and a dozen packs of cards. No mention is made of the bread and meat furnished for that occasion. The Governor instructed Colonel Mills of the Annapolis Coffee House to furnish the people with punch and grog to the value of ten pounds and ten shillings.

For the ball that closed the day, we have a more detailed account of the supplies furnished by Mr. Mann. For that great gathering of sturdy men and beautiful women that December night: eight gallons of wine, four gallons spirits, beef, tongues, chickens, turkeys, tarts, custards, cheese cakes, 502 loaves of bread, twenty-four shillings worth of cards and a box of candles.

After the revelry and merrymaking of that day, the result of lifting the yoke of war from the backs of a tired people incident to seven years of self denial, privation, suffering and the constant presence of death, the State had to pay Mr. Mann for thirty-five knives and twenty-nine forks lost. He was also repaid for twenty-eight plates, forty-three wine glasses, one dish and sixty-one broken bottles.

For a few minutes let us return to that gala gathering at the Stadt House. The *Maryland Gazette* tells us that numerous beautiful women, making a most brilliant appearance, were present. The ladies of Annapolis had always enjoyed an enviable position among the women of the province of Maryland and the other colonies. Their reputation for grace, charm and beauty extended far and wide. Contemporary writers were continually extolling their charms to the world.

And to mention one of their champions is to name William Eddis. He was a member of the British Consulate in Annapolis and appeared to have been most popular with the Annapolitans of his time just prior to the Revolution. He continually wrote letters to London singing the praises of his friends in Annapolis. Those letters were preserved in Great Britain and in the year 1792

they were published in this country. It was my good fortune to read them, and I quote from one. "I am persuaded that there is not a town in England of the same size as Annapolis which can boast a greater number of fashionable and handsome women: and were I not satisfied to the contrary, I should suppose that the majority of our belles possessed every advantage of a long and familiar intercourse with the manners and habits of your great Metropolis."

A few days before the great ball, the ladies of Annapolis met to choose the dancing partner for General Washington. Their choice was Mrs. James Mackubin, a famous beauty. (Who was Mrs. James Mackubin, and who was James Mackubin? We are told that James Mackubin was born in the year 1755 in Anne Arundel County and became a successful merchant in Annapolis. He married Martha Rolle, a daughter of Dr. Francis Rolle of London, who settled near Easton Maryland.)

So on that frosty December night, Martha Rolle Mackubin danced with General Washington down the long corridor of history and wrote her name upon the imperishable tablets that were to rest in the mists of the years, that those generations that were, and that were to come might, while receiving the blessings of their present, read the names of some of those of that generation who had given of their substance, treasure and blood; that the liberty of movement, freedom of choice and the right to make the laws under which they were to live, might be the way of life in the new nation that they were building and which their fathers had carved out of a primitive wilderness with gun, ox and mattock.

A couple of days prior to the twenty-second of December, the countryside became covered with three inches of glittering snow, and the entire Southern Maryland peninsula was resplendent with the cover of scintillating white. On that memorable Monday morning of December 22, 1783, the roads from Upper Marlboro and Bladensburg to Annapolis were lined with carriages, coaches and four chaises and broughams occupied by the Addisons, Bowies, Brookes, Craufurds, Clagetts, Contees, Ducketts, Duvalls, Eversfields, Gantts, Lowndes, Spriggs, Sims, Magruders, Marburys, Morsells, Parkers, Tylers and Woottons on their various ways through dazzling scenery to a yet more shining hour that was to come on at Annapolis with the falling of the shades of night.

And what a grand occasion it must have been, and oh, what test of strength it must have been for the weaker brothers as the *Maryland Gazette* tells us that on that night there was not a public bed within a radius of five miles of Annapolis that did not have a drunk in it!

Before we close this chapter, let me leave with you the reply of General Washington to the General Assembly of Maryland.

"To Daniel Carroll, President of the Senate, Thos. C. Deye, Speaker of the House of Delegates.

Gentlemen:

I feel myself particularly happy in receiving the approbation of the General Assembly of Maryland, for the services which my Country had a right to demand, and which it was my duty to render in defense of it.

Having happily attained the object for which we had drawn the sword, I felicitated myself on my approaching return to private life, and I must acknowledge, I anticipated an unusual degree of self gratification, in that retirement which you are pleased to consider as an evidence of patriotism.

You have rightly judged, Gentlemen, that public liberty cannot be long preserved, without the influence of those public virtue which you have enumerated. May the example exhibited and the disposition you have manifested, prevail extensively, and have to most salutary operation! For I well assured, it is only by the general adoption of wise and equitable measures that I can derive any personal satisfaction or the public any permanent advantages from the successful issue of the contest.

I am deeply penetrated with the liberal sentiments and wishes contained in your last address to me as a public character; and while I am bidding you a final farewell in that capacity be assured Gentlemen that it will be my study in retirement not to forfeit the favorable opinion of my fellow citizens.

G. Washington''



## CHAPTER 19

### THE POST-WAR YEARS: 1785-1789

Throughout this entire period John Read Magruder served as Clerk to the County Court. The Office of Sheriff was filled by John Beall for the June and September terms, 1785; and Nicholas Blacklock from the April term, 1786 through and including the September term of 1789. The terms during the year 1789 were served by Edward Lloyd Wailes. The names of the Foreman of the Grand Juries during that period have been indifferently recorded, and I shall be denied the pleasure of giving you a complete list through these years. John Macgill, April term, 1784; Edward Villers Harbin, June, 1785; Edward Willett, September, 1785; Thomas Dent, September, 1786, and then no names are given until September, 1788, when Daniel Clarke, and April, 1789, when Zachariah Berry is shown, and these are all of the Grand Jury Foremen recorded through those years.

It is my thought that as those people in those years were approaching a change in the form of the county judiciary and administrative government that was to become operative within a few years, that we too may be less articulate concerning the details of those terms of the County Court with which we are to deal immediately.

The April term for 1785 convened April 11. At that term William Kilty and Alexander Frazer were admitted to practice law.

Petitions were filed by the following petitioners for the various parcels of land as shown:

Thomas Owens filed for "Long Lane and Berry's Fance," Richard Bryan for "Pima," William Young for "Abraham Young," and Dorothy Marlow for "Marlow's Chance," "Curtisee," "Littleworth," "Part of Goodwill," "Addition to Edelin's Curtisie," "Marlow's Lot," "Small Hops," "Apple Hill," and "Hickory Plains." Thomas Duvall made a request for "Pleasant Grove," while James Edmonston asked for "Yarrow" and "Yarrow Farm." The civil docket showed eighty-two cases pending, and the Grand Jury returned seven presentments.

On June 27, 1785, the Court convened for the June term. The Grand Jury presented three presentments for selling liquor without a license, three for assault, one for housebreaking and one for larceny.

Applicants at that term for permits to operate ordinaries were:

Elizabeth Bray	Bladensburg
James Johnson	Bladensburg
John Lawson Naylor	Nottingham
Robert Humberstone	Upper Marlboro
Richard Humberstone	Upper Marlboro
Hugh Lyon	Upper Marlboro
William Danford	Bladensburg

The civil docket contained 114 cases pending.

Land Commission petitions were filed by John Lowe, Jr. for a tract known as “Ben Bridge” and Benjamin Prather for a tract known as “Prather’s Folly Enlarged.”

Benjamin White filed his bond in the matter of building a bridge over Western Branch near Upper Marlboro.

The next time the Court sat was September 26, 1785, and the Grand Jury presented eleven cases for larceny, one for assault and battery, two for breach of the peace, two for neglect of duty, and four for selling liquor without a license. The civil docket contained sixty-two cases.

The following eight petitioners requested Land Commissions for the tracts of land indicated:

Dr. Edward Gantee, Levi Gantt and Erasmus Gantt for tracts “Brook Grove” and “Park Hall,” James Waring for tracts “Waring’s Lot” and “Waring’s Lot Enlarged,” Jacob Green for “Hickory Thicket,” John Read Magruder for “Brooke Grove,” “Good Luck” and “Bells Chance,” Stephen Waters and Henry Waters for “Jericho,” William Waters for “Jericho,” Isaac Sansbury for “Thomas and Mary,” and Frank Leeke for “Gray Eagle.”

Applications were made by the following for licenses to operate ordinaries:

Edward Lanham	Near Piscataway
William Mead	Bladensburg
Brian Dailey	Bladensburg
Mareen Duvall	Queen Anne

Henry Smith asked the Court for a license to keep a ferry at the Eastern Branch Ferry.

William Loch Weems was admitted to practice law.

The spring term for the year 1786 met April 10 with the Grand Jury making the following presentments: Breaking and entering, one; murder,

one; assault and battery, three; boisterous behavior on the Sabbath, two; selling liquor without a license, three; keeping a ferry without a license, three. The civil docket consisted of 108 cases.

James Carroll of Annapolis was appointed public prosecutor.

Petitions for Land Commissions were filed by the following: Thomas Gantt for the tracts "Taylerton," "Marshams Rest," "Marsh Range" and "Addition to Cutlet," Joseph Boyd for "Tylers Pasture," Josias Sprigg Wilson for "Brashears Meadow," Charles Eversfield for "Jackson's Necessity" and "Necessity Enlarged," Overton Carr for "Deer Park" and "Wilcoxen's Underwood," Benjamin Burch for "Plymouth," and Margaret Brooke for "Poplar Neck."

The following persons made application for licenses to operate ordinaries:

Robert Wade	Broad Creek
Humphrey Beckett	location not shown
Henry Dyer	Piscataway

John Lawson Naylor applied for a license to operate a ferry at Nottingham.

The County Court next sat June 26, 1786. The minutes for that session show a notation "No Grand Jury for this session for the reason that the town of Upper Marlboro is overrun with Smallpox."

Mr. Leeke, one of the Justices of the Court reported that he had imported the following books for the use of the bench and bar, and an order was passed placing them under the care of the Clerk of the Court: Jacob's *Law Dictionary*, Burrow's *Reports*, Raymond's *Reports*, Wilson's *Reports*, Stranger's *Reports* and Cooke's *Reports*, Bacon's *Abridgement*, Blackiston's *Commentaries*, Burne's *Justice*, Richardson's *Practice Before the King's Bench and Court of Common Pleas*, Clark's *Instruction Digest of Adjudged Cases Before the King's Bench*, Crown's *Circuit Companion*, Remington's *Ejectments*, Barnes *Notes*, Forester's *Crown Law*, Gilbert's *Law of Execution*, Gilbert's *Law of Evidence*, Gilbert's *Law of Distress*, and Buller's *Nisi Prius*.

The following persons made application for licenses to operate ordinaries at locations shown:

Matthew Wigfield	Eastern Branch Ferry
James Moore	Eastern Branch Ferry
George Upton	At Ferry opposite Alexandria
Thomas Rose	Bladensburg
Bryan Daily	Bladensburg
Leonard Wood	Bladensburg
Robert Dade	Broad Creek
John Hoopman	Bladensburg
Boteler Edelen	Piscataway

The Court ordered that David Craufurd, Samuel Hepburn and John Smith Brookes contract with some person to build “a Repository for the Orphans Records,” and that Messrs. Leeke, Hepburn and Brookes contract with some person to make repairs to the Courthouse.

The Court ordered John Baden, Inspector, to pay to Thomas Gwinn thirty three pounds the balance due him for repairs to the Courthouse.

An order was also passed that Thomas Boyd and James Mullikin with two Commissioners to be appointed by Anne Arundel County contract for someone for building a bridge over the Patuxent at a place called Governor’s Bridge and also a bridge at Queen Anne. Humphrey Belt and Charles Burgess were to contract for a bridge over the Western Branch near Addison Murdock’s.

Petitions for Land Commissions were filed by the following petitioners for the tracts of land shown: Peter Brown for “Billeard,” Anthony Holmead for “Beall’s Plains,” Benjamin Berry for “Hudson’s Range” and Robert Waters for “Water’s Loss.”

An agreement signed by members of the bar appears in the record for the June, 1786 term, as follows:

“It is mutually agreed that any error arising from the continuance of cases beyond the fourth term shall be and is hereby mutually released by us.

Given under hands this 28th day of June, 1786.

Thomas Stone, Charles  
Simms, Richard Potts,  
Gabriel Duvall, Michael  
Jenifer Stone, Richard T.  
Lowndes, William Kilty,  
Archibald Boyd, J. Carroll,  
Edward Nicholls, David Ross,  
William Craik.”

Fielder Bowie and Robert Bowie were to contract with some person to erect a whipping post and stocks at Nottingham.

The next term of the County Court sat September 25, 1786.

At that term, Henry Arundel Smith qualified as Deputy Clerk of the County Court, and Elias Tucker qualified as Deputy Register of Wills.

Petitions for Land Commissions were filed by: Jesse Burch for tract known as “Dickerson Park,” Henry Waters for tract known as “Cherry Walk,” Benjamin Clark for tract known as “Moore’s Industry,” and Ninian Emerson for tract known as “Batchelors Choice.”

There were eighty-seven cases on the civil docket.

Those making application for licenses to operate ordinaries were:

William Willett	On the road from Bladensburg to Snowden's Iron Works
Thomas Baldwin	Near Brogden's Chapel
Charles Lansdale	Upper Marlboro
Mareen Duvall	Upper Marlboro

The next session of the County Court was held April 9, 1787, and at that term, William Cooke was admitted to practice.

Richard Isaac filed a petition for appointment of a Land Commission to establish boundaries for tracts known as "Isaac's Park," "Beall's Park," "Isaac's Addition," and "Martin's Fancy." All tracts were adjoining. Henry Walker requested the appointment of a Land Commission for the tract known as "Dormart Folly."

A jury is not shown in the record for that term and no reason is shown for its absence.

There was a case involving land boundaries, the parties being Stephen West and Mordecai Jacob. The tracts involved were "Widow's Purchase," 137 acres; "Evans Range," 50 acres; "Darnall's Grove," 55½ acres; and "Bowie's Addition" acreage not given.

The June term in the year 1787 convened on the 25th day of that month.

The record shows very little business. William Kilty made a motion that Thomas H. Eagan and Richard Gantt be admitted to the bar. This motion was granted.

There were three petitions for Land Commissions: Thomas Grafton Addison, a minor by Overton Carr, his guardian, requested a Land Commission be appointed to establish the boundaries for a tract of land known as "Berry." Likewise Benjamin Hall and Richard Lamar requested Commissions for "Chelsea" and Zephana Wade for a tract known as "Stony Harbor."

*Richard Cramphin qualified as a Justice of the Peace.*

The Court next sat September 24, 1787, and the record for that term was very scant and lacking in interest.

At that term Philip Barton Key was admitted to practice law.

Two petitions for Land Commissions were filed: Thomas Craufurd for the tract of land known as "Grove Hurst," Elisha Fields and Batson Taylor filed for the tracts "Stoke and Woodbridge."

There were eleven minor civil cases heard.

The April term for 1788 met on April 7 with 103 cases on the civil docket.

George Upton secured a license to keep a ferry at the Potomac Upper Ferry.

William Kilty was appointed Prosecuting Attorney.

Thomas Swann was admitted to practice law.

James Hawkins and Josias Beall filed petitions for Land Commissions to fix the boundaries to two tracts of land known as "Murdocks Folly" and "Barker's Lot."

The Court next sat June 23, 1788, and that term was an exceptionally busy one. There were 189 civil causes on the civil docket. At that term the following petition was presented:

"To Richard Henderson and other members of the Court here present we wish to present the following petitions for building bridges:

To the worshipful Justices of Prince George's County: We the inhabitants of said County respectfully represent That much of the exportable produce that formerly came to Bladensburg in the said County now goes elsewhere owing to the want of a good bridge on the great road to Frederick Town and to Baltimore over the Southwest Branch by Moore's and over Paint Branch at the Baltimore road: We therefore hope for the good of the County of which you are the guardians in order to keep up our ability to pay taxes by increasing the value of property instead of allowing it to sink, your Worships will restore to us the benefits we used to have of good bridges at the said placed, and as in duty bound we shall ever pray.

Richard Henderson, Robert Dick, Samuel Shekell, Richard Walker, John Jackson, William Hall, Isaac Walker, Joseph Pope, Jr., Josiah Jones, William Deakins, Beale Brashears, Absalom Beddo, Richard Ponsonby, Benjamin Lowndes, Richard Lowndes, John Campbell, William B. Warman, Joseph Beall, Thomas G. Watkins, Thomas Richardson, Clement Wilson, William Bruce, William Masters, William J. Jackson, Thomas Hewitt, Peter Brown, Notley Young, William Willson and William Sydebotham."

I wonder how many of those names yet remain in the Bladensburg neighborhood?

On reading the petition and the consideration thereof: "It is Ordered by said Court that Messrs. Robert Dick, Benjamin Lowndes and Robert Cramphin, contract with some person or persons for building a bridge over the Northwest Branch by Moore's and that they dispose of the old bridge; and also for building a bridge over the Paint Branch at the Baltimore Road and make a report thereof to the Levy Court in September."

The applicants for a license to operate an ordinary were:

Thomas Rose	at Bladensburg
John Nevitt	at Nottingham

Henry Dardey	at Piscataway
John F. Hardey	at Magruder's Ferry
Thomas Baldwin	Near Gantt's Chapel
John Reigel	at Queen Ann
Edward Lanham	at Piscataway
John H. Barnes	at Piscataway
Margaret Adams	at Bladensburg
Matthew Wigfield	at Eastern Branch Ferry
Gray Douglass	at Addison's Ferry
Edward Burrows	at below Piscataway
Frederick Koones	at Bladensburg
Anthony Hardey	at Piscataway
Charles Lansdale	Upper Marlboro

The applicants for a license to operate a ferry were:

Fielder Bowie	Nottingham Ferry
Richard Robey	Eastern Branch Ferry

Robert Bowie was appointed collector of the county tax assessed by the June Court, 1787.

Thomas Boyd and Richard Cramphen qualified as Magistrates.

The September term for that year convened September 22 with ninety-two causes on the civil docket. The Grand Jury returned the following presentments: assault and battery, five; refusing to help a constable, two; larceny, one; neglect of duty on the roads, three; not settling orphan's accounts, seventeen.

Edelen Dyer and George Dyer filed a petition for a Land Commission to fix the boundaries of a tract of land known as "Edelen's Hog Pen," likewise Henry Rozier for "Rozier's Gift," and James White for "Hopyard."

The spring term for the year 1789 sat on April 13. The record for that term is very meager. The appointment of road supervisors and constables constituted the bulk of the business. I shall give the names of those appointed constables:

William Grayham	Mattapony Hundred
John Ellis	Prince Frederick Hundred
Charles Thompson	King George Hundred
Thomas Scott	Piscataway Hundred
George Pope	Collington Hundred
Lingan Boteler	Grubb Hundred
Francis Hamilton	Mount Calvert Hundred
Anthony Summers, Jr.	Western Branch Hundred
Nathan Beall	New Scotland Hundred
Joseph Allen	Patuxent Hundred
John Holmead	Rock Creek Hundred

Middleton Beall	Eastern Branch Hundred
Josias Ferguson	Upper Marlboro Hundred
Benedict Woodward	Bladensburg Hundred
David Duvall	Horsepen Hundred
Andrew Miller	Charlotte Hundred
Thomas Smith	Washington Hundred
George Wade	Hynson Hundred
John Baptist Kirby	Oxon Hundred
George Cole	Nottingham Hundred

There were five hundreds in that portion of Prince George's County transferred from Calvert County in 1696. There were then at this term of Court, September, 1788, twenty hundreds. Some growth in the first one hundred years—considering, too, the loss of some hundreds in what is now Montgomery County!

The following licenses were granted to applicants to operate ordinaries and ferries:

John Hughes	Ordinary—Magruder's Warehouse
Charles Nevitts	Ordinary—Between Upper Marlboro and Alexander Ferry
Robert Wade	Ordinary—Broad Creek
Robert McDaniel	Ordinary—Upper Marlboro
Edward Griffiths	Ferry—Nottingham
William Bayley	Ferry—Hawkins Ferry

The session of the Court that sat June 22, 1789, shows very little of interest to us. We are informed that Peter Felix Manger was naturalized, and William Dent Beall filed a petition for a Land Commission to establish boundaries to a tract of land known as "Brookfield."

The record for the session of the Court that convened September 21, 1789, shows very little business. In fact, all that was shown was two petitions for Land Commissions. These were from Thomas Clarkson for a tract of land known as "Pacham," and Henry E. Dyer and George Dyer for a tract of land known as "Edelen's Hog Pen Enlarged."

Those serving as Justices of the County Court for the period from January 1, 1789, through December 31, 1789, were Joshua Beall, Thomas Boyd, John Smith Brookes, Fielder Bowie, Robert Bowie, Abraham Boyd, David Craufurd, Samuel Hepburn, Rinaldo Johnson, James Mulliken, Frank Leake, Richard Henderson and Henry Rozer.

The County Court records for the aforesaid five years disclose the names as listed here as practicing attorneys before the County Court: Archibald Boyd, William Cooke, William Craik, J. Carroll, Thomas Peter Carnes, Peter Carnes, William Dorsey, Gabriel Duvall, Thomas H. Eagan, John Fitzgerald, William Grahme, John M. Gantt, Erasmus Gantt, Richard Gantt, John



Hamilton, Thomas Jennings, Philip B. Key, William Kilty, Jeremiah Lansdale, Richard Lowndes, Shadrack Miles, Thomas D. Merrick, Edward Nichols, Richard Potts, David Ross, Michael Jenifer Stone, Thomas Stone, Charles Simmes, John Allen Thomas and William Loch Weems.

Let us turn to the Acts of the Assembly and see what legislation was passed to help build our county during the five years about which we have been writing.

Chapter 14 of the Acts of 1785 directed that Gabriel Peterson Van Horn be granted the exclusive right to set up schedules for the operation of stage carriages on the great public road from the Susquehanna River to the Potomac River by way of Baltimore. This right was to extend for a term of six years from February 5, 1786.

Chapter 27 of the Acts of 1789 established the salaries of Chancellor and Judges. It is worth quoting:

“Whereas the independence and uprightness of Judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people; and by the declaration of rights it is directed that the Chancellor and all judges should hold their commissions during good behavior, and that salaries liberal but not profuse should be secured to them during the continuance of their commissions; and that the Chancellor, or any judge ought not to hold any other office, civil or Military, or receive fees, or prerequisites of any kind; and Whereas the Chancellor and the judges, from the nature of their office, must necessarily dedicate the far greater part of their time to qualify themselves for the faithful discharge of their duty, and it is just and proper that they should receive from the public a reasonable, adequate and permanent compensation, for their service.

II Be it Enacted by the General Assembly of Maryland, That the Chancellor and the Judges, shall be entitled to receive at the rate of the following annual salaries, in current money, during the continuance of their commissions to wit: To the Chancellor six hundred and fifty pounds current money; to the Chief Judge of the General Court six hundred pounds; to the other judges of the General Court each five hundred pounds; to the Judges of the Court of Appeals each two hundred pounds; to the Judge of the Court of Admiralty two hundred and fifty pounds.

Be it Enacted, that the said salaries shall be paid quarterly out of the supplies raised every year until the General Assembly shall make other provision for payment; and the said salaries for the ensuing year, shall be paid out of the arrearages of taxes for the year seventeen hundred and eighty five.’’

Chapter 38 of the Acts of 1786 fixed the governor's salary. It read:

“Be It Enacted by the General Assembly of Maryland That the Governor for this State for the time being shall be entitled to receive at the rate of One Thousand pounds current money for his salary, and the same shall be paid quarterly out of the annual supplies until the General Assembly shall provide particular fund for payment.”

Chapter 66 of the Acts of 1786, passed March 11, 1786 dealt with confiscated British property.

“Purchases of confiscated lands to be granted title after payment of money due, survey field, and certificated filed endorsed unless Chancellor should decide to the contrary on caveat filed. The Chancellor is to sign deed, and deed to be recorded within six months from date of execution.”

Chapter 74, Acts of 1786, passed March 10, 1786 enlarged power of High Court of Chancery. It provided that

“Infants, idiots, lunatics, non compos mentes possessed of property that has been mortgaged—for which day of payment has passed.

A guardian was to be appointed by Chancellor to appear in lieu of the incompetent. The sale may be ordered by Chancellor for all or part of property covered by Mortgage. All persons proceeding under foreclosure to give bond. Chancellor to have power to appoint trustees to carry out instructions will or tryst if no one named in instrument or if those named are deceased or refuse to act.

Person dying with no personal Estate to satisfy debts; and only real Estate descending to infant or incompetent—Chancellor may order sale of real estate Chancellor to take jurisdiction over Estate of incompetents; to appoint trustees, and Committees to manage same under supervision of Chancellors.

All sales by Trustees to be made for cash except such as shall be made on terms set up by Chancellor.

Decrees by Chancellor to be enforced by Courts of Law.

Commissions to take testimony to be allowed twenty shillings per day appointed by Chancellor.

Chancellor to appoint auditor.

Witnesses and parties not appearing to be brought into Court on process of contempt.

Chapter 10, Acts of 1786 prevented the Register of Wills from Practicing Law.

“Be It Enacted by the General Assembly of Maryland; that from and after the 25th day March, 1787, no person being Register of Wills for any County in this State, shall plead as an attorney at law in any Court in the County, where he is Register of Wills for any person or persons, on any pretense whatsoever; and no Register of Wills as aforesaid shall exact, extort, demand, take, accept or receive from any person whatsoever, any fee or fees, gratuity or reward, for giving his advice in any matter or thing that will be transacted in the Court of the County where he acts as Register aforesaid, under the penalty of thirty pounds current money for every such offense.”

Chapter 22, Acts of 1787, passed May 21, 1787 appointed Commissioners to make a Correct Survey of the Town of Upper Marlboro in Prince George’s County.

“Whereas David Craufurd, William Sprigg Bowie, Edward Nicholls, Benjamin Brookes, Elizabeth Brookes, John Smith Brookes, William Beans, Jr., Bernard Shanley and Frank Leeke, proprietors of part of the town of Upper Marlboro in Prince George’s County, by their petition to this General Assembly, have set forth, that great inconveniences have arisen from the uncertain location of the said town, the boundaries thereof being decayed and prayed that an Act may pass empowering Commissioners for the purpose of making an accurate survey of the said town, and establishing permanent throughout the same, to perpetuate and ascertain the true location thereof having regard to the former streets, lanes and alleys, and not incommoding the present buildings the expenses of such resurvey to be defrayed by the petitioners, and such others as shall be benefitted thereby; which being thought reasonable.

II Be It Enacted by the General Assembly of Maryland that Doctor William Beanes, David Craufurd, John Smith Brookes, Benjamin Brookes and William Sprigg Bowie or a majority of them, be and they are hereby authorized and required, after giving three weeks notice in the most convenient public manner within the said County, and also in the *Maryland Gazette* of the time place and intentions of their meeting and after having taken an oath before, some Magistrate of Prince George’s County well and truly to execute the trust reposed in them by this act without prejudice, partiality or favor, to cause a correct survey to be made of the said town, and of the lots, streets, lanes and alleys thereof, according to the true original location of the same, to be fixed and

ascertained by proof of such location where it can be had or a proper allowance for a variation of the compass to any proff which may be had of such original location so far as to make the lines upon which an allowance for variation may be made correspond as nearly as may be with the parts proved as aforesaid, and to establish and fix permanent of stone throughout with proper marks and devices thereon, to ascertain in future the true location of the streets, lanes and alleys of the said town and to cause a correct plot and certificate of the same with proper explanations, to be returned to the Clerk of Prince George's County under their hands, who is hereby required to receive and record the same among the Land Records for his County and the original to keep in his office; and a copy of such original or the record thereof shall be conclusive evidence as to the bounds of the said town and of the lots, streets, lanes and alleys thereof.

III Provided always and Be It Enacted, that in case any building or improvements shall interfere with or stand on any street, lane or alley of said town according to the location of the said town as fixed and ascertained by the said Commissioner the same shall not be deemed a nuisance but may stand and be occupied by the present owners or possessors, but shall not be repaired or rebuilt.

IV And Be It Enacted, That the said Commissioners shall and may administer an oath to the surveyor by them appointed in virtue of this Act and to any Chain-Carrier or Chain-Carriers by them employed, to execute their respective duties as surveyor or Chain-Carrier, as the case may be, faithfully, honestly and impartially according to the best of their skill and judgment.

V And Be It Enacted, that the expense arising from the execution of this Act shall be paid by the petitioners aforesaid, and such other persons as may be benefited thereby.'

Chapter 44, of the Acts of 1787 ceded to Congress a district ten miles square in this State for the seat of Government of the United States.

Chapter 28, Acts of 1789, authorized the Justices of Prince George's County to assess and levy on inhabitants of said County the sum of one hundred and fifty pounds current money for purposes therein mentioned.

'Be It Enacted by the General Assembly of Maryland, That the Justices of Prince George's County or any three or more of them, be and they are hereby authorized and empowered at their next levy laying Court to assess and levy on owners of property in said County a sum not exceeding one hundred and fifty pounds, current money for the purpose of erecting a safe, substantial and durable bridge over the Eastern Branch of the Potowmack River near the town of Bladensburg, where the same is crossed by a great

Port Road leading from the said town to Georgetown; and that the said sum together with the usual Commission, be collected in the same manner in which other County charges are collected.

II And Be It Enacted, that the said Judges are hereby authorized and empowered to contract with a proper person or persons to build the said bridge in a good substantial and workman-like manner which said person or persons, or employed shall give bond with sufficient security to be approved by the said Justices in the penalty of five hundred and fifty pounds to build and complete the same as aforesaid.’’

## CHAPTER 20

### CHANGES IN COUNTY GOVERNMENT: 1790-1797

The year 1790 came on and with it changes were planned for the government of the county, both in the judicial and administrative branches. The year 1790 was the last year that the Court that was established in 1696 functioned.

There were three terms of the Court in 1790, viz.; April 17, June 21, and September 27. Edward Lloyd Wales served as Sheriff; John Read Magruder as Clerk of the Court; and David Craufurd, Samuel Hepburn, John Smith Brookes, Thomas Boyd, Rinaldo Johnson, Robert Bowie, Fielder Bowie, Erasmus Gantt, Richard Lowndes, Thomas Duckett, Thomas Marshall and Thomas Gantt served as Justices of the Court.

The Court records for the last year of the old order disclosed that the attorneys having business with the Court for that year were Richard Potts, Gabriel Duvall, William Kilty, Edward Nicholls, William Hammond Dorsey and Philip Barton Key.

The records for the three terms of Court held in the year 1790 are very scanty. The April 17 term shows a petition for a Land Commission filed by Richard Bennett Hall for tracts of land known as "Evan's Range," "Riley Range," "Widows Purchase," "Bowie's Addison," and "Darnall's Grove."

The June term disclosed petitions for Land Commissions filed by John Calvert for the tract "Seaman's Delight" and Caleb Clark for tracts known as "Ijams Choice" and "Clarke's Fancy."

The session of the General Assembly for 1790 assembled November 5 and adjourned on December 22. The members of the House of Delegates representing Prince George's County were Robert Bowie, Thomas Clarke, Walter Bowie and Fielder Bowie.

The General Assembly passed an act known as Chapter 33. That Act provided that the state was to be divided into six judicial districts. The first

district would be composed of St. Mary's, Calvert, Charles and Prince George's counties. Two terms of Court were to be held each year, and in Prince George's County the terms were to be convened on the first Monday in April and September. The Act stated that "the Governor and Council shall appoint one person for each district who shall reside in the district for which appointed and shall be styled the Chief Judge, who shall be a person of integrity and sound legal knowledge and there shall also be appointed by the Governor and Council for each County two persons of integrity, experience and knowledge to be styled Associate Justices all of whom shall hold office during good behavior and shall be removed from office in the manner agreeable to the Constitution."

The new Court was to have the same jurisdiction as the expiring County Court and appeals to the General Court would lie.

That act also provided that Justices of the Peace appointed for the county, or any three of them, shall meet at the Courthouse for laying the county assessment. Justices were to receive ten shillings a day for each day they attended.

The Chief Judge's salary was to be L400 per annum current money. The Associate Justices were to be paid twenty shillings per day for each and every day that they attended to the duties of their office.

That act took effect March 5, 1791. You will notice that the act provided that the Chief Justice had to possess sound legal knowledge, but that requirement was not necessary for the Associate Justices.

The *Maryland Gazette* published November 18, 1790, contained the following item concerning the death of Daniel of St. Thomas Jenifer, one of the earnest and able builders of our nation and state: "Died in the City of Annapolis in the morning of the 16th inst. in the 67th year of his age, the Honorable Daniel of St. Thomas Jenifer, Esquire, a man so well known and distinguished by his Country that an eulogium of his character is altogether unnecessary. We cannot however forbear to express our regret at the loss which the Community at large, as well as his particular acquaintances, friends and connections have sustained by the death of the accomplished gentleman, citizen and friend. In an eminent degree he possessed every useful and social virtue. The many important offices which he held under the former and past governments were discharged with the highest reputation and his benevolence, patriotism and attachment to the rights of man were conspicuous during the whole course of a long, active and well spent life."

Under date of January 17, 1791, the *Maryland Gazette* advises us that Walter Bowie and David Craufurd had been appointed Associated Justices for Prince George's County.

The first session of the County Court convened April 4, 1791, with Michael Jenifer Stone as Chief Justice and Walter Bowie and David Craufurd



INDIAN QUEEN TAVERN OR GEORGE WASHINGTON HOUSE

Bladensburg

Photograph by Lawrence W. Nelson, ca. 1945

Loaned by Mr. and Mrs. Edward D. Proctor



as Associate Justices. Michael Jenifer Stone was from Charles County. John Read Magruder was Clerk of the Court and Edward Lloyd Wailes served as Sheriff. Those gentlemen served in the same capacities for the four terms of Court held during the years 1791 and 1792.

At the April term of the Court in 1791, John Dodson was appointed crier.

Thomas Buchanan was admitted to the practice of law upon the motion of William Kilty.

Petitions for Land Commissions were granted to John Read Magruder for a tract of land known as "Good Luck," and to Priscilla Chew for a tract of land known as "Witchcraft."

The September term for 1791 convened on the 5th of September.

At this term an application to practice law was filed by William Kilty on behalf of Levin Belt, requesting that the said Levin Belt be admitted as an attorney of the Court. The Court appointed Philip B. Key and Richard Sprigg, Jr., to examine Levin Belt as to his knowledge and abilities on the law and reported: "Wednesday morning the 7th of September, 1791. In pursuance of the request of the Court of Prince George's County; we the subscribers have examined the said Levin Belt and are of the opinion that he possesses sufficient legal knowledge to entitle him to qualify as an attorney and to be admitted to practice in the Court.

Signer Philip B. Key  
R. Sprigg, Jr.

"Whereupon the said Levin Belt takes the oath as an attorney and also the oath to support the Government of the United States and the State of Maryland."

At that term of Court, petitions for Land Commissions were granted to John Addison, Jr., for a tract of land known as "Gisborough" and Zephaniah Wade for a tract known as "Stony Harbor."

The General Assembly for the year 1791 adjourned December 30, 1791, and the members of the House of Delegates from Prince George's County were Walter Bowie, Thomas Marshall, Thomas Clarke and Thomas Gantt.

At that session, Chapter 28 was passed which prohibited swine from running at large in the streets of Bladensburg.

Another interesting act passed by that session of the General Assembly was known as Chapter 48 of the Acts of 1791, also known as "An Act for the benefit of William Wirt", and it provided:

"Whereas it is represented to this General Assembly by the Petition of William Wirt, a minor that he is the youngest son of Jacob Wirt, deceased, and entitled by the last will and testament of his father, to one moiety of a house and lot in Bladensburg in Prince George's County known by the name of the Brick Store;

that he has received a classical education and is now engaged in the study of the law, but his personal estate, with the annual value of his real estate, are insufficient to enable him to prosecute his studies with any advantage; and it is prayed by the said William Wirt with the consent of his nearest friend, and those interested in the other Moiety of the said house and lot that a law should pass appointing trustees to sell and dispose his moiety of the said house and lot and to apply the same to the finishing of his education.

“Be it enacted by the General Assembly of Maryland, that Joseph Hall and William Pitt Huntt be and they are hereby appointed trustees to sell and dispose of the said William Wirt’s moiety or interest of and in a lot and house in Bladensburg in Prince George’s County devised to the said William Wirt by his father Jacob Wirt, with full power to execute a deed of conveyance for the same and the monies arising therefrom to apply towards the education of the said William Wirt; provided the said Joseph Hall and William Pitt Huntt shall enter into bond with security to be approved by the Orphans’ Court of Prince George’s County for the faithful compliance with the direction of this Act, and for the application of the monies as aforesaid; and provided that nothing in this act shall be taken or construed to effect the right of any other portion to the said moiety of the said lot and house or any part thereof other than the said William Wirt or those claiming under him.”

That William Wirt, that boy from Bladensburg we refer to in that act, became the Attorney General of the United States, being appointed to that office by President James Monroe on November 15, 1817.

The members of the House of Delegates for the year 1792 were Walter Bowie, Thomas Clark, Richard Sprigg, Jr., and Richard Alexander Contee.

The records of the County Court for the years 1791 and 1792 disclose that Edward Nichols, Gabriel Duvall, Thomas Stone, Archibald Boyd, William Hammond Dorsey, Philip Barton Key, David Ross, Richard Sprigg, Jr., and Levin Belt were practicing law before the Court.

During the session of the General Assembly for the year 1792, Chapter 71 was passed directing that all real and personal property with some few exceptions be assessed by five Commissioners to be known as Commissioners of the Tax. Those appointed to do this work for Prince George’s County were David Craufurd, Richard Duckett, Sr., Clement Hill, Osborn Sprigg and Robert Bowie.

In keeping with the custom of the times, a time that reflected much suffering, privation, illness, death, and a slow recovery from a war that had separated the country from the past and launched the political and economic life upon the uncharted sea for the future, the *Maryland Gazette* in its

publication of October 25, 1792, placed upon its first page a doleful factual bit of verse.

“As those we love decay, we die in part;  
String after string is severed from the heart;  
Till loosen’s life, at last but breathing clay  
Without one pang is glad to fall away  
Unhappy he who latest feels the blow,  
Whose eyes have wept o’er friends laid low  
Dragg’ed lingering on from partial death to death,  
Till dying all that he can resign is breath.”

During the years 1793-1795, the County Court met twice each year. Michael Jenifer Stone served as Chief Judge and David Craufurd and Thomas Duckett served as Associate Justices.

William Dent Beall served as Sheriff for the year 1793. William John Jackson was Sheriff for the years 1794-1795, while John Read Magruder was Clerk of the Court for 1793, and John Read Magruder, Jr., the Clerk of the Court for the years 1794 and 1795.

At the term of Court that met on April 1, 1793, Notley Young appeared as Foreman of the Grand Jury. The record for that term of Court disclosed that Gabriel Duvall, John M. Gantt, William Hammond Dorsey, Edward Nicholls, Philip Barton Key, Richard Sprigg, Jr., Thomas Buchanan and Walter Brooke had paid fees of L 3 for licenses to practice law.

At the September term of 1793, John Read Magruder gave notice that he intended to resign as Clerk of the Court.

Peter Carrice was naturalized.

At a session of the Court held December 2, 1793, William John Jackson qualified as Sheriff and John Read Magruder, Jr., was appointed Clerk of the Court in lieu of his father.

At the term of Court which began on April 7, 1794, William H. Dorsey, John M. Gantt, William Kilty, Gabriel Duvall, Levin Belt, Philip B. Key, Richard Sprigg, Edward Nicholls and Thomas Buchanan were granted licenses to practice law.

The fall term convened on September 1, 1794. At that term William Kilty moved that Daniel Clarke, Jr., and Henry Warfield be admitted to practice law. Licenses were issued to both of them.

For the 1793 term of the General Assembly, Walter Bowie, Turner Wootton, Richard Alexander Contee and Richard Sprigg were elected members of the House of Delegates. For the 1794 term of the Assembly, Turner Wootton, Walter Bowie, Richard Sprigg and Thomas Clarke were chosen.

On June 12, 1794, the following gentlemen were appointed officers in the militia from Prince George’s County; Brigadier General, Uriah Forrest; Lt.

Colonels: Walter Bowie, Benjamin Brookes and William Dent Beall; Majors: Thomas Snowden, Philip Hill, Patrick Sim, Stephen West, John H. Beanes and Robert Bowie.

The *Maryland Gazette* under date of September 26, 1793, announced the death of Mrs. William Beanes on September 9 and the death of Frederick Stone, son of Thomas Stone at Princeton, September 4.

The same publication informs us that on November 28, 1794, St. John's College conferred the A.B. degree upon John Bowie Duckett. The same honor was conferred upon Alexander Contee Magruder. He was not present, however, to receive it on account of illness.

On December 26, 1794, the General Assembly passed an act known as Chapter 53 of the acts of that year, which provided: "That any five Justices of the Peace shall be and are hereby authorized and required on some day authorized and required on same day between the first day of March and the first day of October annually to meet at the Court Houses of the respective Counties to adjust the ordinary and necessary expenses of their several counties including the allowance for the poor of the several counties and for the repair of the county roads.

The Clerk for each County Court was to keep an account of assessment rate.

Bridges over streams dividing two counties were to be built and maintained by the two counties equally.

They shall appoint constables and overseers of roads."

Justices serving on the Levy Court were to be allowed ten shillings per diem for each day they attended these meetings.

The first meeting of the Levy Court under the provisions of that act was convened in Upper Marlboro on April 6, 1795, and those present were Samuel Hepburn, John Smith Brookes, Robert Bowie, Turner Wootton, Thomas Contee and Gabriel Peterson Van Horn.

This meeting was the beginning of the Levy Court that became the Board of County Commissioners that was responsible for the administration of the county's affairs until 1971 when the present charter became effective.

An act of the General Assembly directed that the county be divided into districts, which was done in the following manner: Nottingham and Mattapony Hundreds, the 1st District; Mt. Calvert Hundred, the 2nd District; Prince Frederick Hundred, the 3rd District; King George Hundred, the 4th District; Piscataway Hundred, the 5th District; Charlotte and Upper Charlotte Hundreds, the 6th District; Oxon Hundred, the 7th District; Hynson Hundred, the 8th District; Eastern Branch Hundred, the 9th District; Collington Hundred, the 10th District; Horsepen Hundred, the 11th District; New Scotland and Bladensburg Hundreds, the 12th District; Rock Creek Hundred, the 13th District; Eastern Branch Hundred, the 14th

District; Patuxent Hundred, the 15th District; Washington Hundred, the 16th District; and Grubb Hundred, the 17th District.

The following supervisors for the roads were appointed: 1st District, William Morton; 2nd District, Allen Bowie; 3rd District, Thomas Smith; 4th District, Leonard Thownshend; 5th District, Samey Bonifant; 6th District, William Hutchinson, Jr.; 7th District, William Beall of Joshua; 8th District, Michael Lowe; 9th District, John Hilliary; 10th District, Austin Allen; 11th District, Richard Jones; 12th District, Andrew Hamilton; 13th District, Josiah Ray; 14th District, Josiah Jones; 15th District, Charles Ramsey Hodges; 16th District, James Gantt; and the 17th District, Francis Boone.

At the meeting of the Levy Court held April 21, 1795, the following rates of pay were established: Laborers, four shillings per day; for single horse, three shillings nine pence; for a wagon, four horses, and driver, twenty-two shillings six pence; and for supervisors, seven shillings six pence.

At that meeting a tax of three shillings nine pence was ordered levied on each 100 pounds of assessable property for the upkeep of the public roads.

The first constables were appointed by the new County administrators as follows: Mattapony Hundred, William Geayer; Prince Frederick Hundred, Levin Brightwell; King George Hundred, Basil Hatton; Piscataway Hundred, Richard Ball; Collington Hundred, Benjamin Duvall; Grubb Hundred, John Ranter; Mt. Calvert Hundred, Thomas Pownall; Western Branch Hundred, John Darnall; New Scotland Hundred, Nathan Beall; Patuxent Hundred, John Burrell; Rock Creek Hundred, Lancelot Griffin; Eastern Branch Hundred, Nathan Machew; Upper Marlboro, Rubin McDaniel; Bladensburg Hundred, Samuel Scott; Horsepen Hundred, Walter Duvall; Charlotte Hundred, John Willett; Washington Hundred, Thomas Smith; Hynson Hundred, John Maccabee; Oxon Hundred, John Manley; and Nottingham Hundred, Thomas Ball.

At the meeting of the Levy Court held May 5, 1795, the Justices of the Peace attending were Samuel Hepburn, John Smith Brookes, Robert Bowie, R. Cramphin, Osborn Sprigg, I. Walker, Notley Young, Gabriel Van Horn and Francis Dyer.

At that meeting a petition was filed requesting that the road from Nottingham to Magruder's Warehouse over the head of Spicer's Creek be repaired. Thomas Gantt, Rinaldo Johnson and Benjamin Mackall were appointed to supervise the repairs and to keep the same in repair for five years.

Gabriel Van Horn and Josiah Jones were directed to supervise the building of a bridge over Piney Branch Road and to keep the same in repair for five years.

Osborn Sprigg and Thomas Bowie were directed to supervise the building of a bridge over Spencer's Creek and to keep the same in repair for five years.

Thomas Duckett and one member from the Levy Court of Anne Arundel County were to supervise the building of a bridge over the Patuxent River at a place called Governor's Bridge and to keep the same in repair for five years.

Samuel Hepburn and John Smith Brookes were appointed to supervise the building of a bridge over Charley's Branch; Richard Cramphin and Isaac Walker were to supervise the building of a bridge over Beaver Dam Branch near Benjamin Stoddart's meadow.

At the meeting of the Levy Court held the following day, May 6, 1795, Nicholas Young and Francis Clement Dyer were appointed to supervise the purchase of two acres of land in the town of Piscataway and to erect thereon a warehouse to hold seven hundred hogsheads of tobacco.

Thomas Bowie and Robert Bowie were appointed to supervise the purchase of two acres of land in Nottingham Town and to erect thereon a warehouse to hold two hundred and fifty hogsheads of tobacco.

At the meeting of the Levy Court held June 9, 1795, Thomas Moreland was appointed Constable in lieu of Basil Hatton for King George Hundred. Edward Boteler was appointed Road Supervisor in lieu of Allen Bowie for the second District, Allen Bowie being then deceased.

John Darnall was appointed Road Supervisor in lieu of John Hilleary for the ninth district, Hilleary having refused to serve.

David Duvall was appointed Road Supervisor for the eleventh district in lieu of Richard Hall, Hall having refused to serve.

At the meeting of the Levy Court called for December 8, 1795, Robert Bowie, Rinaldo Johnson and Francis Clement Dyer were the only Justices of the Peace to appear in Upper Marlboro so that meeting was postponed until January, 1796.

The two sessions of the County Court for 1795 were held. They began on April 1 and September 7, of that year.

At the April term Jonathan Wilmer, William Marbury, Truman Tyler and Allen B. Duckett were admitted to the bar and granted licenses to practice law.

Joseph Thomas was granted a license to operate a ferry at Oxon Ferry on the Potomac.

Henry Warfield qualified as Prosecuting Attorney by taking the required oath of office.

The following licenses were granted to operate sundry businesses in the county:

Henry Compton	Ferry	Magruder's Ferry
Ignatius Blandford	Ordinary	Eastern Branch
Christian Wallers	Selling liquor	Piscataway
Daniel Casey	Selling liquor	Washington, D.C.
Mark Ward	Ordinary	Federal City

Matthew Wigfield	Ferry	Eastern Branch
Francis Sherrard	Retail liquor	Bladensburg
Thomas Williams	Ordinary	Federal City
Ignatius Boone	Selling liquor	Nottingham
Benjamin Hodges	Retail liquor	Queen Anne

Walter Dorsey was granted a license to practice law for twelve months.

The record for the September term, 1795, is very meager and contains nothing of historical value. There were some cases of inconsequential misdemeanors and small suits which do not call for repeating.

The records for the years 1793, 1794 and 1795 disclose the following attorneys having business before the County Court for those years: Gabriel Duvall, William Hammond Dorsey, Philip Barton Key, Thomas Buchanan, John M. Gantt, Edward Nicholls, Richard Sprigg, Jr., Walter Brookes, Levin Belt, William Kilty, Daniel Clarke, Jr., Henry Warfield, Allen Bowie Duckett, William Marbury, Jr., Truman Tyler and Jonathan Wilmer.

At the election held in Prince George's County in 1795, those elected to represent the county in the House of Delegates were: Edward H. Calvert, Turner Wootton, Walter Bowie and Thomas Bowie.

The County Circuit Court convened on April 4, 1796 and on September 5, 1796.

Michael J. Stone served as Chief Judge for both terms, while David Craufurd and Thomas Duckett were Associate Justices for both terms. Joseph Boone served as Sheriff and John Read Magruder, Jr., as Clerk of the Court for both terms.

At the April term, Allen B. Duckett, James Cooke and Archibald Van Horn were admitted to the practice of the law.

It was also ordered by the Court that a seal be procured for Prince George's County, the expense of securing the same be laid before the Levy Court. The seal was to be the figure of justice with a balance and a sheathed sword with the motto, "Fiat Justicia."

John Ahston petitioned the Court at the April term to appoint a Land Commission to establish the boundaries to two tracts of land known as "Carrollsbury" and "Cheney's Addition."

At the September term Walter Dorsey produced his commission appointing him public prosecutor.

Arthur Shaff and James Johnson were admitted to practice law.

Beale Duvall qualified as Justice of the Peace.

William N. Dorsett presented a petition to the Court for the appointment of a Land Commission to establish the boundaries of a tract of land known as "Mount Calvert Manor."

For the year 1797 the two terms of the Circuit Court were held on April 3 and September 4.

The following Officers of the Court served for both terms:

Chief Judge, Michael J. Stone; Associate Justices, David Craufurd and Thomas Duckett; Sheriff, Joseph Boone and Clerk of the Court, John Read Magruder.

At the April term Henry Trueman Compton petitioned the Court for appointment of a Land Commission to establish boundaries to a tract of land called "Wiltshire" at the head of Zacheriah Swamp.

Charles Eversfield also petitioned the Court to appoint a Land Commission to establish the boundaries to a tract of land called "Eversfield's New Pembury," formerly "Rencher's Adventure."

Richard Hall Hammond, William Sprigg and John Johnson were admitted to the practice of law.

The seal ordered by the April Court, 1796, was rejected as not suitable.

At the September term James Cooke moved that William Cranch be admitted to practice law, and Philip Barton Key moved that Luther Martin be admitted to practice law before the County Court.

Thomas Contee Bowie qualified as Deputy Attorney-General for the State.

The records for the Court for the years 1796 and 1797 show the following gentlemen practicing law: William Kilty, Allen B. Duckett, James Brooke, Archibald Van Horn, Arthur Shaaf, James Johnson, Philip Barton Key, Richard Hall Harwood, William Sprigg, John Johnson, Thomas Stone, Walter Dorsey, William Cranch, Luther Martin and Edward Nichols.

At the meeting of the Levy Court held April 18, 1796, those Justices attending were Samuel Hepburn, John Smith Brooke, Robert Bowie, Osborn Sprigg, Gabriel Van Horn, Thomas Contee, Turner Wootton, Henderson Magruder, Nathaniel Craufurd, Francis Clement Dyer, and Notley Young. Samuel Tyler, James Mullikin and Baruch Duckett reported their appraisal of a lot in Queen Anne Town, the property of Major Thomas Lansdale, at 250 pounds.

Osborn Sprigg and Turner Wootton were directed to contract and supervise the construction and maintenance for five years of a bridge over the branch near Queen Anne running through the Plantation of the Messrs. Murdocks.

Turner Wootton and Henderson Magruder were to supervise the construction and the maintenance for five years of a bridge over Thomas Boyd's Mill Branch.

Nathaniel Craufurd and Thomas Owen Williams were authorized for the construction and maintenance of a bridge for five years over Cabin Branch between Benjamin Berry's and Thomas Owen Williams' property.



At the meeting of the Levy Court held May 3, 1796, an order was passed that Rock Creek Hundred be divided and a new Hundred to be known as Columbia Hundred be established. The lines were to be as follows: "From the mouth of the Tiber or Goose Creek to where the old road leading from Bladensburg to the City of Washington crosses the said branch thence with the said road to the extremity of Rock Creek hundred thence down the Eastern Branch and up the Potomac to the mouth of the Tiber, the beginning."

It was also ordered at that meeting of the Levy Court that the full sum of three shillings and nine pence limited by law shall be levied on every one hundred pounds of assessable property in the county for repairing the public roads in the county.

At the meeting held December 2, 1796, those taking the oath as members of the Levy Court were John Smith Brookes, Robert Bowie, Francis Clement Dyer, Henderson Magruder, Gabriel P. Van Horn and Nathaniel Craufurd.

Thomas Harwood was appointed collector of tax.

At that meeting, a petition of sundry inhabitants of Mattapany—middle part hundred stated that the road which struck out of the main road leading from Nottingham through the plantation of Mr. Benjamin Mackall and passed by the plantations of Samuel Townshend, Jr., John Lawson Naylor and the widow Wall into the main road leading into the Federal City Piscataway "hath been used from time immemorial as a road to Nottingham, and the said petitioners were informed that the said road would be shortly stopped up unless it be made a public road which will be attended with great inconvenience not only to the said petitioners but to numbers who carry their tobacco to Nottingham warehouse and to people who travel from Nottingham towards Piscataway, the way being a nearer than any other and the road level and dry; and we pray that the same be put into the Overseer's Warrant and made a public road: It was passed that the petitioners be granted the effect of their prayers."

An order was passed that John Smith Brookes and James A. Magruder be appointed to supervise the repairing and erecting of shelves in the Courthouse.

An order was passed directing that Gabriel P. Van Horn and Isaac Walker supervise the building and maintenance for five years a bridge over the Easternmost Branch of the Paint Branch.

Another order was passed directing that Henderson Magruder and Major Thomas Lansdale supervise and maintain for five years a bridge over Brooke Branch, near Queen Anne Town.

The General Assembly passed two acts of general interest to Prince George's County during the years 1796 and 1797.

Chapter 69 of the Acts of 1796 provided that a turnpike road from the City of Washington to Baltimore Town be laid out and established.



### SEAL OF THE PRINCE GEORGE'S COUNTY COURT

Designed by Edward B. Stabler  
*Courtesy, W. Waverly Webb*

At the same session a resolution was passed directing that Walter Bowie, Levi Gantt, Benjamin Lowndes and Thomas Duckett, with others whose names were not given, were appointed to examine the road situation and to establish the best route between the City of Washington and the City of Annapolis and to report to the next session of the Legislature.

At the election held in the autumn of 1796, Walter Bowie, Allen Bowie Duckett, George Calvert and William Baker were chosen to represent Prince George's County in the House of Delegates.

In October 1797, Thomas G. Addison, Walter Bowie, Allen Bowie Duckett and George Calvert were elected to represent Prince George's County in the House of Delegates.

A glance at the *Maryland Gazette* for the two years with which we are now dealing brings to our attention more bits of poetry that to me reflects the

thinking of those people that were shaping the course of this nation at that time.

They were a rugged people living without the modern comforts that we deem necessary. They accepted disease and pestilence as part of life, and they buried more of their dear ones under the age of twenty-five years than over that age.

The ill were cared for at home by other members of the family, and the approach to death was witnessed by those around them.

So I am passing on to you the thoughts couched in the lines of those bits of verse appearing in the *Maryland Gazette* in its issue of July 21, 1796.

“Philosophy consists not  
In any schemes of idle speculation:  
The rule and conduct of all social life  
Is her great province”

Thompson

And the other item “Walk Slowly” was comforting, I am sure, to many anguished souls:

“If you should go before me dear, walk slowly down the ways of death well worn and wide, for I would want to overtake you quickly and seek the journey’s ending by your side. I would be so forlorn not to descry you Down some shining high road when I came: Walk slowly dear and often look behind you and pause to hear if someone calls your name.”

Adeline Love

## CHAPTER 21

### THE NEEDS OF A GROWING SOCIETY: 1798-1802

During 1798 and 1799, there were four terms of the County Court: April 2 and September 3, 1798 and April 10 and September 2, 1799.

The following officials served for those four terms: Michael Jenifer Stone, Chief Judge; David Craufurd and Thomas Duckett, Associate Justices; Notley Maddox, Sheriff; and John Read Magruder, Jr., Clerk of the Court.

At the April term 1798, Robert Brown, Stephen Cook, John Davidson, Thomas Hicks, William Lovering, Alexander McCormick, James Maitland, John Pringle, Isaac Reed, Owen McDermott Roe, Alexander Robertson, James Sellers, Robert Spiden, Mary Sweeny, and David Waterstone, all of Great Britain, were admitted as citizens of the United States.

Nicholas Conlon and Alexander Lewis Joncherez of France were admitted as citizens of the United States.

At the same term of Court, Thomas Contee Bowie moved for the admission of Alexander Contee Magruder to the Bar of Prince George's County.

John M. Gantt moved that James Morsell and John Hewitt be admitted as members of the Prince George's County Bar.

Allen B. Duckett moved for the admission of Henry H. Chapman to the Bar of Prince George's County.

At the session of the Court that convened September 2, 1798, William Kilty moved that John Bowie Duckett be admitted to the Prince George's County Bar.

The new seal for the Court was presented and accepted as satisfactory.

At that session of Court, Redmond Purcell, John Lenore and George Bladen, all of Great Britain, and Peter Savary of France were admitted to American citizenship.

Mareen Duvall filed a petition asking that a Land Commission be appointed to establish the boundaries of a tract of land known as "The Plain."

At the session of the County Court which convened on April 1, 1799, John Livingston and Alexander Mitchell of Scotland and Thomas Jones of Ireland were admitted to citizenship of the United States.

These names appear as practicing attorneys before the Prince George's County Court during the years 1798-1799: Thomas Contee Bowie, James Cooke, Henry H. Chapman, Allen B. Duckett, John Bowie Duckett, John M. Gantt, John Hewitt, Philip B. Key, William Kilty, John Sewell Morsell, Alexander Contee Magruder, Edward Nicholls, Richard Sprigg and Truman Tyler.

At the September term, 1799, Kidd Morsell, Joseph Jones, Joseph Peach Elson and Samuel Farr filed a petition for the appointment of a Land Commission to establish the boundaries of three tracts of land known as "Isaac's Park," "Beall's Park Enlarged," and "Isaac's Addition". Those tracts adjoined the properties of John Benson, William Prater, Ann Prater and Lucy Howard. All the property involved was situated in Eastern Branch first Hundred.

The Court appointed Captain Thomas Richardson, Richard Ponsonby, Thomas G. Watkins, Walter Bowie and Thomas Beall as members of the Land Commission to settle those problems.

Mareen Duvall and Leonard Hilleary also filed petitions requesting the appointment of Land Commissions to establish the boundaries to two tracts of land known as "The Plains" and "Diamon" respectively.

John B. Bowie, Enos D. Ferguson and John Hewitt qualified as Deputy Sheriffs for that term.

During the years 1798 and 1799, John Smith Brookes, Robert Bowie, Richard Cramphin, Nathaniel Craufurd, Francis C. Dyer, Samuel Hepburn, Rinaldo Johnson, Nicholas Young, and Gabriel Peterson Van Horn served as members of the Levy Court.

At the meeting of the Levy Court held in Upper Marlboro, May 2, 1798, it was ordered that Gabriel P. Van Horn and Richard Cramphin arrange with some party or parties to construct a bridge at Riddle's Ford over the Eastern Branch and supervise the maintenance of the same for a period of five years.

At the July 10, 1798 session, Samuel Hepburn and Nicholas Young were ordered to secure certain repairs to the Courthouse.

On September 21, 1798, a meeting was held in Upper Marlboro and an order was passed directing Richard Cramphin and Richard T. Snowden to arrange for and supervise the repairing of the bridge over the Northwest Branch near Bladensburg.

Another order was passed directing Richard Cramphin and Richard J. Lowndes to oversee the repairing of a bridge over Mattapony Branch near Nottingham.

At that meeting of the Levy Court, Samuel Hepburn was authorized to arrange for and supervise the building of a bridge over one of the branches of the Collington Branch near Upper Marlboro and to keep it in repair for five years. He was also to supervise the repair of bridges over the other branch.

Thomas Bowie and Thomas Lyles were authorized to build and to keep in repair for five years a bridge over Collington Branch near the Church of Queen Anne Parish.

On June 11, 1799, the meeting of the Levy Court gave notice to William Lovering that the Court would hold a meeting on June 22, 1799, and he was requested to present an estimate of the costs for building a new Courthouse.

The June 22 meeting ordered that the request for bids be advertised in the Georgetown paper and the *Baltimore Herald Gazette* for building a new jail. The bids would be received by John Read Magruder until July 27. The Levy Court would meet on August 3, 1799, to award the contract.

Those present at the meeting of the Levy Court held in Upper Marlboro on August 3, 1799, were Samuel Hepburn, Robert Bowie, Francis Magruder and Thomas Bowie.

At that meeting the Levy Court contracted with Thomas Jones of Washington, D. C. for building a Courthouse agreeably to the plan filed in the Court. The cost of the building was to be \$9,650 and the contractor was to have the materials of the old building. The contract also provided that the new building was to be ready by April 1, 1801. William Lovering was the architect.

The Legislature for the years 1798 and 1799 took a forward look at the needs of a growing society and, reviewing the past, enacted some legislation that was to change the face of things.

In a session of the Assembly held in 1794, Chapter 53 created the Levy Court. Its administration was a loosely put-together operation. From the roads and bridges built as the result of the orders of the Levy Court, one can see the growth that was taking place in the county as the years went by. So by Chapter 34, Acts of 1798, which became operative on January 15, 1799, the Governor was to designate seven of the Justices of the Peace in Prince George's County to constitute the Levy Court in lieu of the old practice of the membership, consisting of those of the Justices that chose to assemble in Upper Marlboro on a given day.

Chapter 104 of the Acts of 1798 stated that the Courthouse in Prince George's County was in a ruinous state and that the county did not have a jail. The General Assembly directed the Levy Court to levy \$12,000 in two assessments to repair the Courthouse or to build a new one and also to build a jail.

Chapter 115 of the Acts of 1798, effected an amendment to the State Constitution in that it changed the method of holding elections in the state. The amendment directed that the several counties of this state, for the purpose

of holding all future elections for delegates, electors of the Senate and Sheriffs of the several counties, should be divided into separate districts in the manner hereinafter directed, viz., St. Mary's County into three separate districts; Kent County into three districts; Calvert County into three districts; Charles County into four districts; Talbot County into four districts; Somerset County into three districts; Dorchester County into three districts; Cecil County into four districts; Prince George's County into five districts; Queen Anne's County into three districts; Worcester County into five districts; Frederick County into seven districts; Harford County into five districts; Caroline County into three districts; Washington County into five districts; Montgomery County into five districts; Allegany County into six districts; Anne Arundel County, including the City of Annapolis, into five districts; and Baltimore County, out of the City of Baltimore, eight districts.

Chapter 66 of the Acts of 1799 appointed Gabriel Peterson Van Horn, Thomas Snowden, Jr., Samuel Lukens, Richard Walker, John Macgill and Archibald Van Horn as a commission to lay out the village of Vansville.

In accordance with the provision directing that Prince George's County be divided into five separate districts, the County was divided into Vansville, Bladensburg, Marlboro, Nottingham and Piscataway.

Chapter 105 of the Acts of 1798 established and incorporated a medical and chirurgical faculty or society in the state of Maryland which law in its preamble read, "Whereas as it appears to the General Assembly of Maryland that the establishment and incorporation of a medical and chirurgical faculty or society of physicians and surgeons of the said State will be attended with the most beneficial and salutary consequences by promoting and differentiating medical and chirurgical knowledge throughout the State and may in the future prevent the citizens thereof from risking their lives in the hands of ignorant practitioners or pretenders of the healing art:

"The first meeting was to be held in Annapolis the first Monday in June, 1799, or as soon thereafter as fifteen members are present.

"The members shall elect a supervisory body of twelve members, seven from the Western shore and five from the Eastern shore whose duty shall be to grant licenses to such medical and chirurgical gentlemen as prove their qualifications to begin the practice of medicine and this shall be done either by an examination or by the applicant presenting a diploma from a respectable college."

The names of the five members to serve for Prince George's County were: Richard J. Duckett, William Beanes, Jr., William Marshall, William Baker and Robert Pottenger. It has been difficult to secure much information about those pioneers in the field of healing. However, I did establish the facts that Richard J. Duckett lived in the village of Queen Anne and died there in 1801. I have established the fact that William Beanes lived on Academy Hill in Upper Marlboro and died in the year 1823. William Marshall lived in Piscataway and

he was dead in 1848 but I have not been able to establish the date of his death. William Baker died in Georgetown, D.C., in 1812, but I have not been able to establish the location of his home in Prince George's County. We do know that Robert Pottenger was a member of the Committee of Correspondence in the Revolution and also was the owner of several large tracts of land on Collington Branch, but the date of his death is not definite.

The General Assembly, in passing that Act, placed a lamp in a darkened corner of those times.

History tells a great story about the work, the sacrifice, the courage and the devotion of those early men of medicine to their profession.

My check of the records available convinces me that the science of healing has made more progress in the profession of medicine since the time that Act was passed in the year 1799, than was made in all the Centuries from the day that Hippocrates rolled the first pill for a quivering Greek in Athens and the time that the two giants William Harvey and Edward Jenner appeared in England and began to roll back the clouds of ignorance and superstition, a matter of two thousand years.

It is now my purpose to give you the benefit of a few scattered incidents that in my opinion tell a great story of the men fighting pain and disease in Maryland.

In the year 1637, Henry Hooper, Chirurgeon arrived in Maryland and wrote a report for a jury of twelve planters holding an inquest over the body of a man killed by a falling tree. His report stated that his "blood bulke was broken."

Father White, in the year 1638, wrote to his supervisors at Rome "that our surgeons have cured a man of snake bite."

The year 1675 disclosed that Dr. Richard Tilghman filed a petition in the County Court for compensation for successful surgical attendance on George Hays, having cured "the bones of his cubit which had been lacerated and torn."

The first quarantine in Maryland was established in the year 1694, when the Kent County Court ordered that "by reason of a great and dangerous sickness in the neighboring Province of Pennsylvania no persons in Kent County are to entertain any stranger or strangers travelling from outside the Province of Maryland and no person in this County may travel into any part of Pennsylvania until January Court next."

The Legislature, in the year 1757, met in Baltimore City on account of the prevalence of smallpox at Annapolis, and a malignant fever prevailed in Maryland. An epizootic among horses and all near the salt water died.

The Governor appointed August 12 as a day of "fasting, humiliation and prayer."



In the year 1768 Dr. John Archer of Harford County received from the Philadelphia College of Medicine, the first medical diploma granted in America.

In the year 1790 there was a statewide influenza epidemic called "the epidemic putrid cold."

In the year 1802 Dr. James Smith established a vaccine institute at his residence in Baltimore City, and one of its objects was to provide vaccine virus gratuitously to the poor. Dr. Smith maintained this service at his own expense until 1832 and was responsible for the introduction and spread of this great boon which repeatedly arrested epidemics of smallpox.

The University of Maryland's School of Medicine was organized in the year 1813.

Between October 1811 and April 1812 there were 135 deaths from smallpox.

Between July 20 and October 20, in the year 1819, there were 2287 deaths from yellow fever in Maryland.

In the year 1831, Dr. H. G. Jamison performed retro vaccination of the cow and, with the virus obtained, successfully vaccinated 4,000 patients during the year.

Between August 4 and November 4 during the year 1832, there were 853 deaths from cholera in Maryland

Here are some figures of interest that will show the number of deaths from smallpox alone during the years recorded: 1845 - 110; 1846 - 115; 1851 - 184; 1852 - 121; 1861 - 225; 1862 - 252; 1864 - 436; 1872 - 896; 1883 - 633.

The report of the Health Department for the City of Baltimore for the year 1861, the year of the beginning of the Civil War, lists the following causes of death in the City of Baltimore: apoplexy, 34; cholera infantum, 325; consumption, 969; croup, 179; dysentery, 53; scarlet fever, 216; typhoid fever, 143; inflammation of the brain, 132; inflammation of the lungs, 105; old age, 206; disease of the heart, 98; teething, 216; adults, cause undetermined, 136; infants, cause undetermined, 686; whooping cough, 90.

Senate Bill No. 101, Session of 1888, entitled "An Act for the promotion of Medical Science" authorized the use of unclaimed human bodies; that is, those of tramps and vagabonds and all others not claimed by relatives were to be given to medical schools.

In the year 1891, the University of Maryland established a compulsory three year course in medicine.

I have related only a few of the forward steps and incidents made in the field of Medicine in the state of Maryland.

The struggle to combat disease and to relieve pain and fevers had been a great one.

My admiration goes out to those pioneers who came to grips with the killing fevers and other ills; exploring the unknown in human life; yes, with the aid of a dim light from an oil lamp; and with the aid of ill-fashioned instruments, and in many cases, none, and also without the aid of recorded precedents, and all the while death stood by and looked on ready to step in and take over at the first error.

The delegates to the House of Delegates for Prince George's County for the year 1798 were Thomas G. Addison, James A. Magruder, George Calvert and Allen Bowie Duckett.

In October 1799, Thomas G. Addison, Allen B. Duckett, William Marbury and George Calvert were elected to represent Prince George's County in the House of Delegates.

During the year 1800 there were two terms of the Circuit Court: the one convened on April 4; and the other on September 1.

At the April term Michael Jenifer Stone served as Chief Judge and David Craufurd and Thomas Duckett as Associate Justices. Notley Maddox held the office of Sheriff; John Read Magruder, the office of Clerk of the Court.

Amariah Frost, Richard T. Lowndes, Thomas Gantt, Samuel Hepburn, Gabriel P. Van Horn, Parker Wood, Jr., Thomas Bowie, Richard Cramphin, Francis Magruder, Thomas Contee, Thomas Mundell, Overton Carr, Robert Brent and Robert Bowie qualified as Justices of the Peace. Also qualifying were Henry Whetcroft, Dr. William Marshall, Thomas H. Hanson and William Baker.

Jeremiah Conley was admitted to practice law at this term of Court.

Clement Brooke filed a petition for the appointment of a Land Commission to establish the boundaries of a tract of land known as "Perry Wood" and "Beall's Hunting Quarter."

On July 18, 1800, the Court appointed the following Judges of Election:

First District: Benjamin Oden, Edward Henry Calvert and Leonard Covington.

Second District: Dr. William Marshall, Robert Augustus Beall and William Lyles.

Third District: Nathaniel Craufurd, Samuel Hepburn and Stephen West.

Fourth District: Richard Duckett, Thomas Snowden and Gabriel Peterson Van Horn.

Fifth District: Thomas Owens Williams, Benjamin Lowndes and Robert Brent.

The same Court personnel served at the September term as served for the April term.

At this term of Court, John Mackall Gantt moved for the admission to the bar of Elias B. Caldwell.

James Swann and Mary Morton petitioned for the appointment of Land Commissions to establish the boundaries of two tracts of land known as "Ludford's Gift" and "Whitson's Monday Enlarged."

Thomas Macgill presented his certificate of appointment and qualification as Sheriff.

John Wilkes Pratt, Jacob Edelin, Benedict Moore, Samuel Moreland and John B. Bowie were appointed as Deputy Sheriffs.

The two terms of the Circuit Court held during the year 1801 were convened April 5 and September 7.

The same Court personnel served at the April session with one exception, Thomas Macgill served in lieu of Notley Maddox as Sheriff.

Richard P. Lowndes, Gabriel P. Van Horn and Richard Cramphin qualified as Justices of the Peace.

John Thompson Mason moved that Robert Ware Peacock be admitted to practice law. Thomas Contee Bowie moved that Samuel Leake be admitted to practice and John M. Gantt, that Clement Dorsey be admitted to practice.

The Court appointed the following as election officials:

First District: Thomas Contee, Thomas Gantt and Benjamin Oden.

Second District: Dr. William Marshall, William Lyles and Edward Edelen.

Third District: Thomas Lansdale, Nathaniel Craufurd and Nathaniel Weems.

Fourth District: Gabriel P. Van Horn, Rezin Beall and Henry Culver.

Fifth District: Thomas Owen Williams, Benjamin Lowndes and Richard Cramphin.

The Justices of the Peace for the County were Rinaldo Johnson, Robert Bowie, Richard Cramphin, Thomas Gantt, Richard Lowndes, Joseph Noble Baynes, Nicholas Young, Thomas Contee, Gabriel Peterson Van Horn, Robert Brent, Cornelius Cunningham, Daniel Carroll of Duddington, Nathaniel Craufurd, James Somerville, Overton Carr, Peter Wood, Thomas Bowie, Francis Magruder, William Bailey, William Lyles, William Marshall, Thomas Marshall, Dr. William Baker, Henry Whitcroft, Robert Beall, Richard Forrest and Joseph W. Clagett.

On June 29, 1801, the Court received the Commissions naming Thomas Duckett and Richard Tasker Lowndes, as Associate Justices. Duckett succeeded himself, and Richard T. Lowndes succeeded David Craufurd.

Zachariah Baldwin and David Craufurd filed petitions for the appointment of Land Commissions to establish the boundaries to two tracts of land known as "Strife" and "Leith."

James A. Magruder qualified as Justice of the Peace and Charles Maddox as Coroner.

John W. Pratt and Lloyd Ellison qualified as Deputy Sheriffs.

At the April term, convened April 5, 1802, Richard Sprigg served as Chief Judge and Thomas Duckett and Thomas Contee as Associate Judges, Thomas Macgill, as Sheriff, and John Reed Magruder, Jr., as Clerk of the Circuit Court.

Michael Jenifer Stone was admitted to practice law. Benjamin Ward of Great Britain was admitted to American citizenship.

Thomas Bowie, Robert Bowie, Francis Clement Dyer, Peter Wood, Jr., Henry Culver, William Marshall, Robert A. Beall, Thomas Frederick Brooke, William Lyles, Levi Gantt, Thomas Hewitt, Joseph Cross, James G. Wood, Samuel Carr, Samuel Hepburn, Robert Macgill, and Thomas Gantt were appointed and qualified as Justices of the Peace.

The following gentlemen filed petitions for the appointment of Land Commissions to establish the boundaries for the following parcels of land: Thomas Smith for "Digburth," James Hawkins for part of "Roatfords Chance," Thomas Magruder for part of "Grey Eagle," and George Moore for the following parcels: "Silver Hills," 890 acres, "Moore's Gain," 10 acres, "Child's Portion," containing 100 acres, and "Addition to Crotch Hall," containing 41 acres.

Allen Bowie Duckett and Alexander Contee Magruder appeared as attorneys in many cases before the Court.

The September term for 1802 convened September 5, and the Court personnel was the same as it had been at the preceding term.

John Thompson Mason moved for the admission of William O. Sprigg to the bar of Prince George's County.

Benjamin Ward, Simon Cantwell, Christopher Ivory, Robert Hayes and Henry Foars, all of Great Britain were admitted to American citizenship.

There were three petitions for Land Commissions to establish the boundaries to three tracts of land as follows: William Kilty for the tract known as "Backland," William Wall for the tract known as "Wood Bridge," and part of "The Vineyard," and Ann Talbot for the tract known as "Talbot's Lot."

Benjamin Prather was granted a right of way through the lands of Thomas Rhoades so that he might have an outlet on the Baltimore-Bladensburg road. The amount of Rhoades' land involved was one-fourth of an acre and the outlet save Prather two miles travel.

Trueman Tyler and John Thompson Mason appeared as attorneys in the business of that term of Court.

Let us now turn to the minutes of the Levy Court. The minutes for the meeting held April 22, 1800, show that the members of the court were Samuel Hepburn, Robert Bowie, Francis Magruder and Thomas Bowie.

A contract was made with Thomas Jones to build a new jail for \$1,950 and the material from the old jail building.

At the meeting of May 21, 1800, Richard Cramphin was directed to arrange with the proper person for building a wharf at Bladensburg. Daniel Carroll and Robert Brent were directed to make arrangements with the proper person for building a bridge over a creek in Washington at a cost of \$250.00.

On June 3, 1800, commissions were received naming Samuel Hepburn, Robert Bowie, Richard Cramphin, Daniel Carroll of Duddington, Thomas Bowie, Francis Magruder and Thomas Mundall as members of the Levy Court.

At the meeting of May 30, 1801, a report was filed advising that the new Courthouse had been examined by the Court and found satisfactory. The Clerk was directed to return the bond to Mr. Jones, the builder.

On June 9, 1802, the Levy Court adjourned until November 5, 1802. It was then adjourned by the Clerk from day to day until January 20, 1803.

At that meeting a commission was received naming Samuel Hepburn, Robert Bowie, William Lyles, Levi Gantt and Stephen West the new members of the Levy Court.

The General Assembly for the years presently before us passed several acts that contributed to improve the environment of the countryside.

Chapter 45 of the Acts of 1800, passed December 19, 1800, naturalized Henry Joseph Stier, the builder of "Riversdale" the mansion at Riverdale, known as the Calvert Mansion.

Chapter 48 of the Acts of 1800, passed December 19, 1800, prohibited swine from running at large in Queen Anne Town.

On December 19, 1800, Chapter 60 appointing and directing Benjamin Lowndes, Richard T. Lowndes, Thomas Dick, Patrick Dougherty and Joseph Queen to lay out and supervise the construction of a road from Bladensburg to Washington, D.C.

The Act read that the present road was very circuitous and passed over bad ground. The gentlemen named in the Act were directed to lay out the new route so as to do the least injury to the property involved.

On December 31, 1801, Chapter 27 of the Acts of the General Assembly for the session of 1801, appointed and directed Henry Joseph Stier, Benjamin Lowndes, Thomas Dick, Richard Ponsonby, Patrick Dougherty, William Bruce and Richard Cramphin to organize a lottery to raise the sum of \$2,000 which sum they were to use to clean out the Eastern Branch of the Potomac River.

The State Constitution of 1776 was amended by Chapter 90 of the Act of 1801. This was ratified in the session of 1802 to read “That every free *white* male citizen of this State above twenty-one years of age, and no other, having resided twelve months in the County next preceding the election at which he offers to vote, and every free, white male citizen of this State above twenty-one years of age, and having obtained a residence of twelve months next preceding the election in the City of Baltimore or the City of Annapolis and at which he offers to vote, shall have a right of suffrage and shall vote by ballot in the election of such County or City, or either of them for delegates to the General Assembly, electors of the Senate or Sheriffs.”

Those elected to the House of Delegates at the election held in the year 1800 were James Somerville, Thomas G. Addison, Richard Cramphin and William Marbury.

The voters of Prince George’s County, in the election held in the year 1801, chose as their representatives in the House of Delegates, Robert Bowie, Peter Wood, Samuel Carr and Archibald Van Horn.

In the autumn of 1802 Robert Bowie, Peter Wood, Archibald Van Horn and Samuel Carr were elected to the House of Delegates for Prince George’s County.

Let us take a glance at the *Maryland Gazette* and read some of the interesting items published by that paper during the period with which we are dealing:

Under date of May 20, 1800, we read that the *Gazette* was authorized and requested to inform the freemen of the Fifth District, consisting of Anne Arundel County, including the City of Annapolis and the City of Baltimore, that Mr. Gabriel Duvall offered himself as a candidate at the ensuing election of electors for President and Vice President to be held the second Tuesday of the next November. Mr. Duvall advised that if elected he would vote for the able and distinguished patriot and statesman, Thomas Jefferson, Esquire, “The Friend of the People.”

The issue of the *Gazette* published April 3, 1800, advised that Sarah Jenifer, wife of Daniel Jenifer, died March 19, 1800, at her home in Port Tobacco, Charles County, Maryland.

The voters of the Fifth District, we are advised by the *Maryland Gazette* of November 20, 1800, cast 2370 votes for Gabriel Duvall and 774 for Jeremiah T. Chase, as candidates for Presidential elector.

The *Gazette* in its issue under date of November 11, 1802, advised that Gabriel Duvall had been appointed Comptroller of the Treasury of the United States.

The pages of the *Gazette*, during that period in which we are interested, contained many advertisements extolling the virtues of various medicines. Here are a few that received much publicity: Dr. Hahn’s Genuine Water;

Anodyne Elizir for headache; Damash Lip Salve; Dr. Hamilton's Grand Restorative; Dr. Hamilton's Essence and Extract of Mustard; Dr. Hamilton's Worm Destroying Lozengers (this remedy had many testimonials); Hahn's Anti-Bilious Pills; Sovereign Ointment for the itch; Indian Vegetable Specific, a cure for veneral complaints; Infallable ague and fever drops; and Dr. Hamilton's Elizir, (this received the heary endorsement of Luther Martin).

## CHAPTER 22

### COUNTY MATTERS, LARGE AND SMALL: 1803-1808

During the years 1803-1805, there were six terms of the County Court, two each year, one in April and the other in September.

John Mackall Gantt served as Chief Judge for the six terms, or three years. Thomas Contee officiated as Associate Justice for the six terms. Rinaldo Johnson was the Associate Justice for the September term in the year 1804 and the two terms in the year 1805.

John Read Magruder acted as Clerk to the Circuit Court for the six terms, the three years with which we are at present concerned.

Thomas Macgill was Sheriff for the year 1803, and Alexius Boone was Sheriff for the years 1804 and 1805.

At the term of Court convened April 4, 1803, petitions were filed for the appointment of Land Commissions: Francis C. Dyer, George Dyer and Thomas Mondall for "The East End of Edelen's Hogpen Enlarged."

Gabriel P. Van Horn, Robert Macgill, William Berry, Henry Culver, William Marshall, and Samuel Hepburn were appointed and qualified as Justices of the Peace.

At the term which convened on September 5, 1803, John Alexander of Great Britain was admitted to American citizenship.

Thomas F. Brooke, David Craufurd, Thomas Harwood of Benjamin, Richard H. Courts, James G. Woods, and Fielder Dorsett were appointed and qualified as Justices of the Peace.

Petitions for the appointment of Land Commissions to establish boundaries for the following tracts were filed by Henry Hardey for "Conveniency" and "Tyler's Advantage;" John F. Hardey for "Gardiner's Meadows;" and Isidore Hardey for "Indian Fields".



At the term which convened on April 2, 1804, Philip Thomas Baker received his Commission as Deputy Attorney General for Charles and Prince George's counties.

Philip Thomas Baker moved that William Grafton Dulany Worthington be admitted to the Bar for Prince George's County.

At the same term, John Thomas Wood, Robert Macgill, George Page, Walter T. Greenfield, Calbert Williams, Humphrey Williams and Richard D. Hall were appointed and qualified as Justices of the Peace.

The record for the September term 1804 for some reason is very meagre, and the only item of note was that Fielder Ridgway qualified as a Justice of the Peace.

At the April 1, 1805 term, Philip Thomas Baker, the County Prosecutor moved for the admission to the Bar of the county, Richard Key Watts, Gustavus Adolphus Clagett, Thomas Contee Worthington, Richard Couden Stone and Francis Scott Key.

Elijah Ryon filed a petition for the appointment of a Land Commission to establish the boundaries to a tract of land known as "The Wedge."

Francis L. Mudd qualified as a Deputy Sheriff.

On September 2, 1805, the County Court convened for its last term during that period of the history of Prince George's County with which we are presently dealing.

At that term Allen B. Duckett moved for the admission of Isaac D. Hodges. Philip Thomas Baker moved to admit Samuel Hamilton, George French and William Douglas Simms to the practice of law before the Prince George's County Court.

James G. Wood, John T. Wood and George F. Hawkins were appointed and qualified as Justices of the Peace.

William N. Dorsett filed a petition for the appointment of a Land Commission to establish the boundaries to tracts of land known as "Part of Mt. Calvert," "Gray Croft's Right," "Brooke Ridge," and "The Favour."

Leonard John Boone and Thomas Nevitt were appointed Deputy Sheriffs.

With the time with which we are now concerned the names of Augustus B. Woodward, Archibald Van Horn, Truman Tyler, Alex Contee Magruder, John Thompson Mason and Richard Sprigg appeared on the Court Records as busy attorneys.

Let us examine the records of the Levy Court and learn what happened at the meeting of that branch of the government during those three years.

At the meeting held June 6, 1803, Thomas Hewitt was directed to enter into a contract with a responsible person to repair the causeway near the mouth of the Northwest Branch on the plantation of Nicholas Lingan.

At the same meeting an order was passed for the said Thomas Hewitt to contract with a responsible party for repairing the bridge over the Eastern Branch at Bladensburg near the Spa Springs.

Richard Duvall was appointed Collector of Taxes.

A meeting was called for the next day, June 7, 1803, and the following were appointed election officials for the five election districts: First District, Gabriel Van Horn, Rezin Beall and Henry Culver; Second District, Richard Cramphin, Benjamin Lowndes and William Wasman Berry; Third District: Robert McGill, John Smith Magruder and Humphrey Belt; Fourth District: Benjamin Mackall, James G. Wood and Thomas F. Brookes; Fifth District: Francis Clement Dyer, William Lyles and Edward Edelin.

On June 11, 1803, the Levy Court adjourned until June 25, after which it was adjourned by the Clerk from day to day until September 13, 1803.

At the meeting held September 13, Truman Tyler was appointed election official in the Third District in lieu of John Smith Magruder.

At that meeting William Lyles advised the Levy Court that he did not desire to serve as election official in the Fifth District, and Jacob Duckett was appointed in his stead.

It was discovered that Gabriel P. Van Horn had moved from the sixth to the second District, and the Court, at its meeting held September 26, 1803, appointed Samuel Tyler, Jr., in the First District in the place of Gabriel Van Horn. The Court then adjourned until January 16, 1804.

On January 21, 1804, a Commission arrived naming Samuel Hepburn, William Lyles, Levi Gantt, Thomas Hewitt, William B. Beanes, Stephen West and Joseph West new members of the Levy Court.

On July 19, 1804, the Levy Court directed Thomas Hewitt and Benjamin Lowndes to contract for and supervise the repairs of a bridge over the Eastern Branch near the store of Benjamin Lowndes in the town of Bladensburg.

At the meeting held May 21, 1805, Chief Judge John Mackall was directed to purchase the following legal works for the County Court's Law Library: Hawkins' *Pleas of the Crown*; Espinase's *Nisi Prius*; Leach's *Crown Law*; Peake's *On Evidence*; Loft's *Edition of Gilbert's Law of Evidence*; Chitty *On Bills*; Tomlin's *Digest*; Powell *On Contracts*; William's *Digest of Adjudged Cases*; McNalley *On the Rules of Evidence on the Pleas of the Crown*. The Levy Court appropriated two hundred dollars to pay for those books.

Benjamin Lowndes and Richard Cramphin were ordered to have repairs made to the bridge over the Eastern Branch at the south end of the Town of Bladensburg near Lowndes' store.

On January 7, 1804, the General Assembly passed Chapter 89 of the Acts of 1803, naming Thomas Bicknell, Baruck Fowler, Osborn Williams and Jacob Walters of Anne Arundel County, and Thomas Macgill, Benjamin

Ogle, Jr., and Thomas Jones Waters of Prince George's County to build a road from the neighborhood of Richard Dorsey of Caleb, on the north side of South River in Anne Arundel County, to intersect the public road leading from the plantation of Benjamin Ogle in Prince George's County to the town of Bladensburg, and that a bridge be built over the Patuxent River at Ashton's Ford.

Chapter 42 of the Acts of 1803 named Clement Hill, Humphrey Belt, Sr., Alexander Covington, Thomas Woodward and Robert Sewell as assessors to assess the real and personal property in the State.

Chapter 22 of the Acts of 1804 made it unlawful to permit swine to run at large in the streets of Bladensburg.

Chapter 91 of the Acts of 1805 read that Colmore Duvall had built a bridge over the Patuxent River at Queen Anne in the year 1797. At that time he gave a bond to keep it in repair for ten years, and that on June 17, 1804, the bridge was swept away by an unparalleled flood of water. He further stated that he had rebuilt the bridge at the insistence of citizens and he felt that he should be helped by the two counties involved. The bill directed that Anne Arundel and Prince George's Counties should pay him \$150 each.

Another amendment to the Constitution was proposed by Chapter 55 of the Acts of 1804 was ratified by the Acts of 1805. This amendment proposed that the state be divided into six judicial districts and that "Saint Mary's, Charles, and Prince George's Counties shall be the first district; and that there shall be appointed for each of the said judicial districts, three persons of integrity and sound legal knowledge, and shall be residents of the State of Maryland, who shall previous to and during their acting as Judges reside in the district for which they shall be appointed. One of them shall be styled in the Commission Chief Judge and the other two Associate Justices, the Chief Judge with the two Associate Justices shall compose the County Court in each respective district, and each Judge shall hold his commission during good behavior; removable for misbehavior or conviction in a Court of law; or shall be removed by the Governor upon the address of two-thirds of the General Assembly." The amendment further provided that there should be a Court of Appeals composed of the Chief Judges of the several districts in the State.

The Court of Appeals would act on the Western and Eastern Shores.

Those elected to the House of Delegates to represent Prince George's County in the election held in 1803 were Peter Wood, Archibald Van Horn, Edward H. Calvert and Robert Bowie.

In the election of 1804 those elected to the House of Delegates for Prince George's County were William Lyles, William W. Berry, Alexander Covington and Alexander Contee.

Those elected to represent Prince George's County in the House of Delegates in the election of 1805 were Archibald Van Horn, Francis M. Hall, Alexander Contee and Henry A. Callis.

The *Maryland Gazette* for the three years now under consideration in Prince George's County history contains a few interesting items.

The issue dated December 18, 1803, advised that Peter Wood, a member of the House of Delegates, had died on December 7.

The issue for March 1, 1804, tells us that 500 shares of stock of the Union Bank of Maryland were to be distributed under the supervision of Edward H. Calvert, Archibald Van Horn, Thomas Snowden and Jacob Duckett.

The issue of August 3, 1804, informed the people that the Farmer's Bank of Maryland is to be established in the City of Annapolis. All interested persons in Prince George's County should obtain applications for the purchase of stock from Edward H. Calvert, Archibald Van Horn, Thomas Snowden and Jacob Duckett.

The publication under date of November 22, 1804, advises that Robert Bowie had been elected Governor.

For the years 1806 to 1808, there were six terms of the County Court, two in each year. The Court was convened in April and September in each year.

The personnel of the Court for that time were John Mackall Gantt, Chief Judge for the entire three years and Edmund Key and Daniel Clarke, Associate Justices. Alexius Boone was Sheriff for the year 1806 and Notley Maddox was Sheriff for the years 1807 and 1808. John Read Magruder, Jr., was Clerk of the Court for the entire three years.

Philip Thomas Baker was appointed County Prosecutor. The minutes of the April term, 1806, disclosed the following information:

Philip Thomas Baker moved that John Law of Washington, D. C., be admitted to practice law before the Court. The Court appointed Alexander Contee Magruder and Philip T. Baker to examine the said John Law as to his qualifications, and they reported favorably.

Philip Thomas Baker presented John Ralph, Nicholas Stonestreet and Charles Evans for admission to the bar and vouched for their qualifications. They were admitted by the Court.

Philip Thomas Baker moved the admission of Samuel Clagett to the bar. The Court appointed Thomas Buchanan and Archibald Van Horn to examine the said Samuel Clagett for qualification and the examiners made a favorable report.

Philip Thomas Baker presented Thomas Herty for admission to the bar. The Court appointed Alexander Contee Magruder and Thomas Buchanan to examine the said Thomas Herty and they reported him qualified.

William Elliott of Spain and Rosalie Eugenia Calvert the wife of George Calvert of France were admitted to American citizenship.

Tilghman Hilleary filed a petition for the appointment of a Land Commission to establish a tract of land known as the "Three Sisters."

At the September term, 1806, Philip Thomas Baker moved the admission to the bar of Francis P. Hamilton, William Chapman, Thomas H. Wilkinson and Samuel Turner.

At that session John Johnson qualified as an attorney-at-law.

George Reynolds of Ireland was admitted to American citizenship.

Andrew Hamilton and Richard Snowden were appointed and qualified as Justices of the Peace.

Philip Thomas Baker was appointed prosecuting attorney for the county.

Notley Maddox submitted his authority to serve as Sheriff, and John Darnall and Nathaniel W. Maddox and Mackall Cox were appointed Deputy Sheriffs.

At the term of the County Court convened April 5, 1807, the records show the following business was handled: Benjamin Duvall of Elisha was appointed Crier for the Court.

Philip Thomas Baker moved that James Shaw and Thomas H. Bowie be admitted to practice law.

Bernard McDermott Roe of England was admitted to American citizenship.

There were three petitions for the appointment of Land Commissions for the establishment of boundaries for certain tracts of land. The petitions and the tracts involved were:

John Read Magruder, Sr., for parts of the tracts "Friendships 2nd Addition," "Casteels," "Edmonston Range", "Casteels Addition to Crotch Hall," "Moore's Adventure," "Cricket Bat," and other tracts.

Charles Eversfield, Jr., for the tracts of land known as "Piscataway Forest," "Enlargement of Mill Dam," "Part of Potomack Landing," "The Forrest," and "Townshends Discovery."

William Kilty for the tract known as "Backland".

The records for the term of Court convened September 7, 1807, are very limited. The only two items worthy of relating are: Charles Eversfield, Jr., filed a petition as guardian for Thomas Eversfield for the appointing of a Land Commission to establish the boundaries to a tract of land known as "Brook Wood," and the Reverend William Vergnes of France was admitted to American citizenship.

The same is true of the April term of 1808. Nothing of importance or interest was recorded. At that session John Darnall was appointed Coroner, and there were two cases involving the partition of land.

At the session of the Court that convened September 5, 1808, the record discloses the following business: Alexander Contee Magruder moved the admission to the bar of James Harwood, Robert W. Bowie, John Golder, John S. Skinner, Abraham Claude and Thomas G. Addison.

The Court appointed Alexander C. Magruder and Archibald Van Horn to examine those named by the said Alexander Contee Magruder as to qualifications. They were reported by Magruder and Van Horn as qualified.

Philip Thomas Baker moved for the admission to the bar of Samuel Sprigg. The Court appointed John Johnson and Gustavus Clagett to examine the said Samuel Sprigg as to his qualifications. This was done and the report was favorable.

John Johnson moved that Nicholas C. Carroll and Gerard Causin be admitted as members of the Prince George's County Bar, and the motion was approved by the Court.

Jonathan Hannibal Burch presented his credentials to serve as a Deputy Sheriff.

Now let us turn to the records of the Levy Court.

On January 20, 1806, Commissions arrived appointing Samuel Hepburn, William Tyler, Levi Gantt, Joseph Cross, Stephen West, William B. Beanes and John Evans as members of the Levy Court.

At that term of Court, tobacco inspectors John McDaniel of Piscataway, William Wells of Queen Anne and Samuel Magruder of Bladensburg reported to the Court.

On July 12, 1806, the Levy Court appointed the following as election officials: First District, Zadoc Duvall, Rezin Beall and Thomas Greenfield; Second District, Thomas Owen Williams, William W. Berry and Azel Beall; Third District, Trueman Tyler, Thomas Woodward and Humphrey Belt, Jr.; Fourth District, Fielder Dorsett, James G. Wood and Robert Baden; Fifth District, John Manning, Francis Clement Dyer and George Hawkins.

At the same meeting William B. Beanes and John Read Magruder were authorized to contract with the proper persons for enclosing the Courthouse Square and planting trees within the same according to their best judgment and taste. They were authorized on Richard Duvall, collector of the county tax for the amount necessary for payment, the sum not exceeding one hundred pounds current money.

On January 19, 1807, a new Commission arrived naming William Tyler, Robert Bowie, Levi Gantt, Joseph Cross, Stephen West, William B. Beanes and Henry Culver as members of the Levy Court.

On February 2, 1807, Tobacco Inspectors that were present and reported to the Levy Court were: Charles Clagett and John T. Magruder of the Upper Marlboro Warehouse; Henry Boswell and Thomas Baden of the Nottingham

Warehouse; William Wells of the Queen Anne Warehouse; John McDaniel of Piscataway; Giles Dyer of Broad Creek; and James Naylor of Magruder's Ferry Warehouse.

At the July 14, 1807, meeting, Samuel Magruder, Inspector of Warehouses at Bladensburg was ordered to pay the trustees of the Almshouse, fifteen pounds fourteen shillings four pence.

Thomas Baden and Henry Boswell, Inspectors of the Nottingham Warehouse, were ordered to pay to the trustees of the Almshouse, ninety-two pounds.

Charles Clagett and John Smith Magruder, Inspectors of the Upper Marlboro Warehouse were ordered to pay to the trustees of the Almshouse, one hundred forty three pounds fifteen shillings and four pence.

James Naylor, Inspector at Magruder's Ferry, was ordered to pay to the trustees of the Almshouse, one hundred three pounds four shillings and eight pence.

John McDaniel, Inspector of the Piscataway Warehouse was ordered to pay to the trustees of the Almshouse, fifty six pounds one shilling and five pence.

William Wells and Thomas Hodges, Inspectors of the Queen Anne Warehouse were ordered to pay to the trustees of the Almshouse, one hundred eight pounds and fourteen shillings.

Richard Duvall was reappointed Collector of the County Tax.

At the meeting held November 30, 1807, it was ordered by the Levy Court that Dr. William Beanes be authorized to draw on Richard Duvall, Collector of the County Tax, the sum of forty dollars for the support of a woman by the name of Jones, and her eight children living near Upper Marlboro.

John Read Magruder, Jr., was authorized to buy twelve cords of wood for heating the public offices. John Henry Hall, who was employed to take care of the Courthouse was to have the same in his care.

On January 22, 1808, a new Commission arrived naming William Lyles, Robert Bowie, Levi Gantt, Joseph Cross, Stephen West, William Beanes and Henry Culver members of the Levy Court.

At that meeting Notley Maddox, Sheriff, was authorized to provide a house to be used as a jail at a place convenient to him for which he was to be allowed thirty pounds per annum.

The Court met every day through February and adjourned daily until the Court finally met February 29, 1808.

On May 16, 1808, the Levy Court fixed the salaries of the Inspectors at Nottingham at 100 pounds per annum and those at Broad Creek, fifty pounds per annum.

At that meeting two new roads were established. The first road led from the public road between Queen Anne and Upper Marlboro at Lansdale Branch

down the Patuxent River until it intersected a road near Joseph W. Clagett's leading to Oyster Shell Landing. The second road led from James Craufurd's gate on the main road leading from the Town of Upper Marlboro to Bladensburg until it intersected the main road leading from Annapolis to Bladensburg near Jonathan Beall's.

It was also ordered that the Supervisors of Roads be paid ten shillings per day for every day they were on the roads with the standard number of hands.

At the meeting held August 1, 1808, Benjamin Lowndes was ordered to have a bridge constructed over the Eastern Branch at Bladensburg, the cost not to exceed thirty dollars.

At that meeting the tax rate was fixed at three shillings nine pence per \$100. assessed value for the maintenance of public roads.

At the meeting of December 19, 1805, Truman Tyler and John Read Magruder, Jr., were appointed to liquidate the accounts of Thomas Harwood, Collector of the County Tax for the year 1801, and report their findings at the meeting of the Levy Court to be held first Monday in March, 1809.

The General Assembly on January 20, 1808, passed Chapter 157 of the Acts of 1807, directing that the Court Records, viz., Land, Probate, etc., were to be put into first class condition.

On December 23, 1808, the General Assembly passed an act entitled Chapter 45 of the Acts of 1808, directing the Levy Court to lay a tax sufficient to repair the causeway and erect two bridges across the Eastern Branch adjoining the town of Bladensburg.

Those chosen by the voters of Prince George's County to represent them in the House of Delegates in the election of 1806 were; Benjamin Hodges, Francis M. Hall, Henry A. Callis and Thomas Woodward.

In the election of 1808, George Page, Charles S. Perry, John C. Herbert and Josiah F. Beall were elected to represent Prince George's County in the House of Delegates.

Let us turn to the *Maryland Gazette* and see what was going on among the people of Prince George's County. In the issue of that paper published April 2, 1807, we read of the death of Ephraim Duvall of Greenbury Point on March 29, 1807.

In the October 27, 1808, issue of the *Gazette* we read that Mr. Samuel Duvall of Severn had married Miss Masy Duvall, daughter of Mr. Maren Duvall.

At that time a new source of information appears, for the *National Intelligencer* began publication in Washington, D.C., in the year 1807. In its August 21, 1807 issue we read the following: "Vansville, August 15, 1807.

At a numerous and respectable meeting of the people of this district assembled for the purpose of taking into consideration the recent violent and unexplained attack of the American Frigate Chesapeake by the British armed ship, Leopard."



General Rezin Beall was unanimously called to the chair, and Gabriel P. Van Horn was chosen Secretary. A resolution was offered and passed that John C. Herbert, Henry Culver, Josiah Jones, Thomas Richardson, Nicholas Snowden, Richard S. Jones and Gabriel P. Van Horn be appointed a Committee to handle that complaint further with the proper authorities.

## CHAPTER 23

### WAR LOOMS AGAIN: 1809-1814

Our review of the years now under consideration discloses that the personnel of the County Court were John Mackall Gantt, Chief Judge for the years 1809-1811 and the April term of 1811, and that John Johnson became Chief Judge for the September term, 1811. Edmund Key and Daniel Clarke were Associate Judges for the three years.

Notley Maddox served as Sheriff for the year 1809, John Darnall served in the same capacity for the years 1810 and 1811. John Read Magruder, Jr., acted as Clerk of the Court for the three years with which we are interested.

At the April term, 1809, Archibald Van Horn moved that Elias B. Caldwell be admitted to practice law. The motion was granted.

Alexander C. Magruder moved that Lewis P. W. Balch be admitted to practice law. The motion was granted.

Gustavus Clagett moved that Thomas Eversfield be admitted to practice law. The Court appointed Alexander Contee Magruder and Gustavus Clagett to examine Thomas Eversfield as to his qualifications. The report was favorable and he was admitted.

John Golder was appointed to represent the state in Prince George's and Charles Counties.

Then came the September term. John Golder moved that David R. Geddes, John C. Summers and John B. Morris be admitted to practice law. The motion was granted.

George Reynolds of Great Britain was admitted to American citizenship.

Three petitions were filed asking that Land Commissions be appointed to establish boundaries to three tracts of land: Gerard H. Snowden for the tract known as "Linthicum's Lot," Thomas Contee for the tract known as "Reed's Swamp," and Thomas Mundell for the tract known as "Wheeler's Folly."

Thomas H. Clagett, Horatio Clagett, Thomas Ramsey Hodges and George Tyler also petitioned for the appointment of a Land Commission to establish the boundaries to a tract known as "Calvert alias Elizabeth Manor."

The Court next met April 2, 1810, and at that term John Golder moved that Enoch M. Lowe be admitted to the bar. The motion was granted.

John Golder also moved that John Lee be admitted to practice law. The Court appointed Alexander Contee Magruder and John C. Law to examine the said John Lee for qualifications. The report was favorable and Lee was admitted.

Augustus William Preenso of France was admitted to American citizenship.

The next term that convened September 3, 1810, was another term for which the records are few and of little importance.

The only items that I found to be of interest was that John J. Donaldson was admitted to practice law, while the Reverend William Vergnes became a citizen.

On April 1, 1811, the Court met for the April term.

Alexander C. Magruder and John Law moved for the admission of John Lee to the Prince George's County Bar. John Law also moved for the admission of John Stephen.

We are to hear much of this gentleman as a Judge of the Court of Appeals of Maryland and as the ancestor of a family that was for several generations to furnish able and honorable descendants.

Dennis Magruder filed a petition for the appointment of a Land Commission to establish the boundaries to a tract of land known as "Part of North Hampton."

Thomas B. Morris and Jonathan T. Burch qualified as Deputy Sheriffs.

The autumn term of the County Court for the year 1811 convened on September 2, 1811. At that term Lloyd Hilleary made application for admission to the Bar of Prince George's County. The Court appointed John Law and Samuel Sprigg to examine his qualifications. The report was favorable and Lloyd Hilleary was admitted.

Edmund B. Duvall made application for admission to the bar. The Court appointed Alexander C. Magruder and Samuel C. Clagett to examine the applicant as to qualifications. The report was favorable and the applicant was admitted.

Michael Whalen of Ireland was granted American citizenship.

The records of the Court for the three years under study disclosed that the attorneys having business with the Court were: Philip Barton Key, Arthur Shaaff, John Golder, John Johnson, Gustavus Clagett, Thomas Buchanan, Allen Bowie Duckett, Alexander Contee, Philip Thomas Baker and Archibald Van Horn.

The Levy Court is next to receive our attention. On January 20, 1809, a new Commission named William Lyles, Robert Bowie, Levi Gantt, Joseph Cross, Stephen West, William B. Beanes and Henry Culver members of the Levy Court.

At the meeting held July 18, 1810, George Calvert and Richard T. Lowndes were authorized to arrange for the building of a stone arch to a bridge on the stage road between Bladensburg and the City of Washington in Rock Creek Hundred, not to cost more than \$200.00. It was also ordered that John Smith Brookes and Fielder Dorsett arrange for the building of a wharf at Upper Marlboro, not to cost more than \$150.00

At that meeting a petition was presented from sundry inhabitants of the second part of Collington Hundred, setting forth that "the road along which they have to convey their tobacco and other articles to the town of Upper Marlboro passes near the said town on a hill so immensely steep that it is all times attended with great difficulty and danger to descend with a loaded wagon or cart; and often it is utterly impractical—that is such a precipice that no one can ascend or descend in a carriage—a few will venture down even on horseback —that by changing the road so as to make it run around the hill on the east side striking out of the present road near the foot of the hill and intersecting it on the top near Benjamin Allen's gate a safe and good road may be made and the expense attending it will not be considerable."

That petition was referred to Charles Clagett, John Hodges of Thomas, and Thomas Brooke to view, survey, plat and make the return to the Levy Court.

On January 21, 1811, a new Commission arrived naming William Lyles, Joseph Cross, Stephen West, William B. Beanes, John I. Wood, Joseph Hunt and John Duvall members of the Levy Court.

At the June 29, 1811 meeting, Thomas Brookes made a report on the road named in the petition, and recommended that the said proposal as shown by the plat filed with their report, be adopted.

On August 5, 1811, a tax rate for roads was established at three shillings nine pence per 100 pounds of assessable property.

At that meeting, William B. Beanes, John Hodges of Thomas and Henry Waring were ordered to arrange for the building of stone bridges over Collington Branch at John H. Hall's Mill near Upper Marlboro.

Archibald Van Horn and Richard Hall were directed to arrange for the building of a bridge over Cabin Branch between Benjamin Berry's and Thomas Owen Williams', at a cost not to exceed fifty dollars.

Election Officials appointed were:

First District: Zadoc Duvall, Josiah Jones, Henry Culver  
Second District: Benjamin Belt, Levi Sheriff, George Simms

Third District: John B. Bowie, George Hilleary,  
John Hodges of Thomas  
Fourth District: Fielder Dorsett, James G. Wood, Robert Baden  
Fifth District: John Manning, Thomas Young, Elijah Jones

Richard Duvall was appointed Collector of the Tax.

The General Assembly passed an act on December 27, 1811, known as Chapter 130 of the Acts of 1811, directing that Francis Magruder, John S. Magruder and Elisha Gray were hereby appointed to lay out and open a road from the Eastern Branch Bridge in the District of Columbia towards Robert Dodson's tavern, from the place where the line the said district intersected the said road to a bend in the same about one-half mile from the tavern.

Chapter 221 of the Acts of 1811 proposed an amendment to the Constitution and this Amendment was ratified in the session of 1812: It provided:

“Section 1. That the time of the meeting of the General Assembly shall be on the first Monday in December in each year, instead of the first Monday in November, as it now provided by the Constitution on form of government.

“Section 2. The governor of this State shall be chosen on the second Monday of December, in each and every year, in the same manner as is now prescribed by the Constitution and form of government; and the Council to the governor shall be elected on the first Tuesday after the second Monday of December, in each and every year in the same manner as is now prescribed by the Constitution and form of government.

“Section 3. All annual appointments in this State shall be made in the third week of December, in every year in the same manner as the Constitution and form of Government now directs.”

At the election held in the year 1809, Edward H. Calvert, John C. Herbert, Francis Magruder and Charles Perrie were chosen as members of the House of Delegates to represent Prince George's.

In the year 1810, Joseph Cross, Francis M. Hall, John C. Herbert and Robert W. Bowie were chosen to carry out the same responsibility.

In the year 1811, at the election for that year, Francis M. Hall, John C. Herbert, James Somerville and Henry A. Callis were elected as members of the House of Delegates.

Let us turn the pages of the *Maryland Gazette* and the *National Intelligencer* published during that time in which we are now interested: First, the *Maryland Gazette*. The issue of April 27, 1809, announced the death of Governor Benjamin Ogle which occurred April 21 last. He was sixty one years of age.

The issue for July 26, 1809, announced the death of Allen B. Duckett, which occurred in Prince George's County. Mr. Duckett was one of the Judges for the District of Columbia.

The issue of May 23, 1810, announced the death of Gustavus A. Clagett at Upper Marlboro.

The issue of August 29, 1810, told us of the death of Mrs. Elizabeth Brooke, the wife of Thomas Brooke and second daughter of Walter Brooke. She was twenty-eight years of age and left one infant son.

The issue of October 17, 1810, announced the death of Baruch Duckett at his seat in Prince George's County. He was in his sixty sixth year.

Now a look at the *National Intelligencer*: In the issue of September 10, 1810, we read "We have the pleasure to announce that Doctor Joseph Kent of Prince George's County has been elected as the Republican Candidate for Congress for the district now represented by Archibald Van Horn who declines a re-election. If merit ensure success there is no doubt of his election."

The issue for October 15, 1810, announced the death of Richard Stoddert, at Bladensburg, age eighteen years. He was the son of Benjamin Stoddert.

The issue of November 22, 1810, gives us the information "that on November 9th last past at his seat in Prince George's County after a long and painful illness which he bore with patience and resignation Walter Bowie, Esq. in the sixty second year of his age.

"Mr. Bowie from the commencement of the Revolution was counted among the patriots who stepped forward and took an active and decided part in opposition to the tyrannical and oppressive measures of the government of Great Britain against his Country and which happily terminated in the establishment of her independence. He was a man of unflexible integrity and unbounded liberality, and a steady, uniform and perserving supporter of the Republican form of government."

The issue of July 4, 1811, contained this item of interest: "Married at Green Hill on Tuesday evening June 22nd last past by the most Reverend Doctor Carroll, Archbishop of Baltimore, the Honorable Robert LeRoy Livingston, member of Congress from New York to Miss Anne Maria Digges, daughter of the late George Digges of Prince George's County, Maryland."

The issue of November 19, 1811, announced the death of Rinaldo Johnson.

For the three years, 1812-1814, the County Court personnel was: John Johnson, Chief Judge for the three years; Edmund Key and Daniel Clarke, Associate Judges for the three years. John Darnall was Sheriff for the year 1812. George Semmes was Sheriff for the years 1813 and 1814. John Read Magruder, Jr., filled the position of Clerk of the Court for the three years.

At the April term of 1812, Alexander Contee Magruder moved that Augustus Taney be admitted to the Bar of Prince George's County. The motion was granted.

John Mahew filed a petition for the appointment of a Land Commission to establish the boundaries to two tracts of land known as ‘‘New Park Enlarged’’ and ‘‘Covert.’’

Joseph Isaac qualified as Deputy Sheriff.

At the September term for 1812, which convened September 7, John Law moved the admission of Henry Ashton to the Bar of Prince George’s County. The motion was granted.

Joshua Naylor filed a petition for a Land Commission to establish the boundaries to a tract of land known as ‘‘Wood Borough.’’

Benjamin Berry and Jonathan Burch were appointed Deputy Clerks of the Court.

George Semmes presented his Commission as Sheriff and Edward C. Edelen, Francis Darcey, Erasmus Mitchell, James Naylor and Gabriel G. Van Horn qualified as Deputy Sheriffs.

There were several petitions from insolvent debtors.

The April term of the year 1813 was convened April 5 and William G. D. Worthington was named Prosecuting Attorney.

William G. D. Worthington moved that Edward Harwood be admitted to the Bar.

The Court appointed Worthington and Archibald Van Horn to examine Harwood for qualifications. The report was favorable and Harwood was admitted.

Worthington then moved that Henry Greenfield Sothoron Key be admitted to the Bar. The motion was approved and Key was admitted.

John Law moved that George Waterstone be admitted to practice law. The Court appointed John Law and John J. Donaldson to examine Waterstone as to qualifications. The report was favorable and Waterstone was admitted.

The September term in the year 1813 is another term without records of importance or interest. The record consists of cases involving *fi fas* debt and division of property.

Francis Edelen qualified as Deputy Sheriff at that term.

The April term for the year 1814 convened April 4. William G. D. Worthington moved for the admission to the Bar of John A. T. Kilgour. The motion was granted.

Alexander Contee Magruder moved for the admission to the Prince George’s County Bar of Walter Jones, Jr., and Luther Martin. The motion was granted.

John Clayton, Dennis Mitchell, and William Lanham qualified as Deputy Sheriffs.

William G. D. Worthington was appointed Prosecuting Attorney.

Cases on the docket involved insolvent debtors, partitioning of land and suits to quit title.

At the September 1814 term, Edward Harwood was appointed Prosecuting Attorney.

Property was offered for sale by the Sheriff. The papers in the case were endorsed "not sold for want of bidders."

The records of the Court disclose that the attorneys having business with the Court were Thomas Buchanan, James Shaw, John J. Donaldson, Philip Thomas Baker, Alexander Contee Magruder, Samuel Sprigg, Archibald Van Horn, Thomas G. Addison and Thomas C. Mason.

Let us now examine the records of the Levy Court for the three years with which we are now interested.

On January 23, 1812, the Commission arrived naming William Lyles, Joseph Cross, Stephen West, William B. Beanes, John P. Wood, John Darnall and John S. Magruder members of the Levy Court.

On August 6, 1812, the Levy Court authorized and directed George Calvert and Richard Lowndes to contract for and supervise the building of a bridge over the Eastern Branch near Bladensburg near the late Christopher Lowndes' granary.

George Calvert and Richard Ross were authorized to build a bridge over Paint Branch near Ross's property.

Jacob Duckett and Basil Hatton were authorized to build a bridge over Piscataway near the town of Piscataway. Joseph Cross was authorized to build a bridge over Beaver Dam Branch near the Widow Hickman's plantation. Joseph Cross was also authorized to build a bridge over Cabin Branch near Fielder Magruder's.

At that meeting the tax rate was fixed at three shillings five pence.

Richard Duvall was appointed Collector of the County Tax.

On December 17, 1812, the Commission was received naming Basil Duckett, William B. Beanes, Thomas Brooke, Edward H. Calvert, Thomas Smith Magruder, Thomas Mundell and William Hebb members of the Levy Court.

At the meeting held May 17, 1813, an order was passed to make and bound a road from a place called Long Old Fields and the City of Washington and Upper Marlboro to Samuel Marshall's gate about one-quarter of a mile eastward from the District Line and to make a report to the Levy Court.

It was also ordered that William B. Beanes and Henry Waring arrange for and supervise the building of a brick or wooden arch over the branch on the



road leading from Upper Marlboro to Nottingham-the point of interest being near the Town of Upper Marlboro.

Edward H. Calvert, William H. Clagett and Bennett Gwynn, as provided by the Act of the November Session, 1811, were directed to open a road leading from Piscataway to Nottingham at or near Elizabeth Mitchell's, thence across Piscataway Swamp on the west of Joseph N. Burche's plantation, thence by Edward H. Calvert's new mill, thence over the most advantageous ground to the public road leading from Spalding's tavern to the City of Washington and they were to lay off a road thirty feet wide and they were to bargain with persons whose land would be taken.

It was also ordered by the Levy Court that a road be built from a stone boundary mark at the main road in Basil Duckett's plantation and then by Bett Brashear's to intersect the main road leading from Bladensburg by Magruder's tavern toward Annapolis at a place known by the name of Lanham's Blacksmith Shop; and the same was to be added to the public roads in the third part of Collington Hundred. The same was declared by an Act of the previous session to be a public road.

It was also ordered at that meeting that William B. Beanes be authorized to have a whipping post put up on the public ground in Upper Marlboro at a cost not to exceed ten dollars.

It was ordered that Mr. Hill be authorized to have skillful workmen examine the Courthouse and the arches in the public offices and to contract for the necessary repairs to secure the walls of the said Courthouse.

We find that many of the state records and papers were ordered by the Governor and Council to be moved to Upper Marlboro for safety. They had been placed in a frame building which was deemed unsafe, and it was hereby ordered that these papers and records be removed to the Courthouse and deposited in the Court Room. William Smith was given the contract for that work.

On October 18, 1813, the county road tax was fixed at fifty cents per \$100 of assessable property. This was the first time that the tax was stated in dollars and cents.

George Semmes was appointed Collector of the County Tax, and the sureties on his bond were Francis Tolson, Bailey E. Clarke and William Dudley Digges.

At the meeting held January 17, 1814, a Commission arrived naming Basil Duckett, Thomas Mundell, William B. Beanes, William Hebb, Thomas Brooke, Edward H. Calvert and Henry Waring as members of the Levy Court.

On May 17, 1814, the Court ordered that Daniel Clarke and Henry Waring contract for and supervise the construction of a bridge over the Collington Branch on the road leading from Queen Anne's to the church on the land of Charles Hodges, at a cost not to exceed \$150.

Robert Baden and John Baden were authorized to contract for and supervise the construction of a bridge over Spicer's Creek, not to exceed \$60.

June 25, 1814, tells us that "Whereas upon an alarm that the enemy was approaching the town of Upper Marlboro, the records and papers were removed by the Register of Wills and the Clerk of the County Court to a house in possession of Dennis Magruder about eight miles from Upper Marlboro. Be it known that this Court does hereby declare that it is the Court's opinion that the act was prudent and proper and does express its full approbation of the same unanimously." (The house where the records were placed in the custody of Dennis Magruder was Mount Lubentia, the home of Mr. and Mrs. W. Beall Bowie and the childhood home of the Honorable William Bowie, now Judge of the Prince George's County Circuit Court.)

And it was further ordered by the Levy Court that "Truman Tyler, Register of Wills, and John Read Magruder, Clerk of the County Court, be authorized and are hereby directed to have boxes made for the record and papers of their respective offices, and when the same are prepared that the said records and papers lately removed upon an alarm that the enemy was approaching the Town of Upper Marlboro be brought back to the said offices and placed in the said boxes and there kept during the duration of the war in a state of readiness to be at anytime again removed when it shall be deemed necessary by any one member of this Court.

"And be it further ordered that Truman Tyler, Register of Wills and John Read Magruder, Clerk of the County Court make application to William Wells, Inspector at the Queen Anne tobacco warehouse (who is indebted to the County) for a sum of money sufficient to repay them for the expenses they have incurred by the removal of the records and papers from their offices and to the return to the same and also for the costs in furnishing the boxes referred to."

On August 1, 1814, Edward H. Calvert and William B. Beanes were authorized to contract for the construction of a bridge over Charlie's Branch on the road to Nottingham on the plantation of William B. Beanes, at a cost not to exceed \$150.

At that meeting the county tax rate was fixed at fifty cents.

George Semmes was appointed Collector of the County Tax.

On September 27, 1814, Truman Tyler was authorized to purchase locks for his office and for the Orphans' Court.

The General Assembly on December 28, 1812, passed Chapter 165 of the Acts of 1812. This Act directed "That the road in Prince George's County passing by the former residence of Gilbert Falconar across Collington to the public road that runs from Henderson's Chapel (now Holy Trinity Church) to the former residence of John Duvall be made a public road."

On December 17, 1812, the General Assembly passed Chapter 78 of the Acts of 1812. This Act laid the foundation for the turnpike from Washington to Baltimore which is now known in the Maryland State Highway system as No. One. The act incorporated a company to build a turnpike road from the District of Columbia to the City of Baltimore. The company was to have a capital stock of \$100,000 divided into shares of \$50 each. The road was to be built under the direction and supervision of George Calvert, Richard Ross, Thomas Bowie and William Fitzgerald of Bladensburg; Archibald Dorsey, Richard G. Stockett, John S. Belt and Thomas Lee, Jr., of the neighborhood around McCoy's Tavern; and William Lorman, Henry Payson, George Lindenberger and Jacob Giles Smith of the City of Baltimore.

The subscribers to stock were to choose a president, six managers, one treasurer and such other officers as they might deem necessary. Two per cent per month interest was to be paid on all payments on stock in arrears.

The road was to be laid out and built from Baltimore City to Norwood's Ferry on the Patapsco River, thence to McCoy's Tavern at Vansville, thence to the White House, Ross's Tavern and thence to Bladensburg. The road was to be sixty feet wide.

Tolls were to be collected for every ten miles and to be established as follows: twenty sheep, one eighth of a dollar; twenty hogs, one eighth of a dollar; twenty cattle, one fourth of a dollar; every horse and rider or led horse, one sixteenth of a dollar; one horse and two wheel vehicle, one eighth of a dollar; vehicle with four horses, three eighths of a dollar; all other vehicles, one fourth of a dollar. Two oxen would equal one horse.

Chapter 77 of the Acts of 1813, passed January 17, 1814, stated that the president and managers of the turnpike company were authorized and empowered to shut up all that part of the old road passing through the lands of Col. Thomas Bowie just as soon as the new turnpike road was ready.

Chapter 144 of the Acts of 1813, passed January 2, 1814, directed that a turnpike road be constructed from Edward H. Calvert's Old Mill to the District of Columbia to be known as "The Piscataway and Hynson Turnpike Company." Named as the committee to supervise the construction of that project were Edward H. Calvert, Robert Sewell, Benjamin Oden, Richard W. West, Francis Magruder, Henry Dodson and Robert Bowie.

Chapter 145 of the Acts of 1813, passed January 29, 1814, incorporated the Blanket and Woolen Manufactory situated on Paint Branch. This was done at the request of Daniel Bussard.

Those elected as members of the House of Delegates in the year 1812 were John C. Herbert, Francis M. Hall, James Somerville and Henry A. Callis.

For the year 1813 those chosen were Francis M. Hall, John C. Herbert, James Somerville and Henry A. Callis.

Those chosen at the election in 1814 as members of the House of Delegates were William Dent Beall, Henry Waring, Archibald Van Horn and Thomas Somerville.

The *Maryland Gazette*, in its issue of May 28, 1812, reported the death on May 15 last of Mrs. Mary Bowie in the sixty fifth year of her age. She was the widow of the late Walter Bowie.

The *Gazette*, in its issue of July 21, 1814, related the formation of a Bible Society for Prince George's County. Its objective was to promote the reading of the Bible. Membership dues were \$1.25 per year. Those making up its membership at its formation were Dr. Thomas John Claggett, Rev. William L. Gibson, John R. Magruder, Richard W. West, John Hodges of Thomas, Edmund Key, Truman Tyler, John J. Donaldson, Samuel Clagett, Samuel Ogle, Francis Magruder, Clement Brooke, Aquila Beall, Charles Eversfield, William Hebb, Benjamin Oden, John C. Herbert, Richard T. Lowndes, Col. Thomas Bowie, Daniel Clarke and William Marbury. Dr. Thomas John Claggett was chosen President; Rev. William L. Gibson, Vice-President; John R. Magruder, Treasurer and Richard W. West, Secretary.

The *National Intelligencer*, under date of December 25, 1813, announced the marriage of Mr. William B. Jackson to Miss Eliza B. Lowndes, daughter of Mrs. Dorothea Lowndes, at her home in Bladensburg on December 21.

The *Intelligencer*, in its issue of September 1, 1814, tells us "that a few days ago since the enemy entered that place, Dr. Thomas H. Kent died of dysentery. He was a young gentleman distinguished for the excellence of his character and the correctness of his deportment in every station of life. He has followed to the realms of immortality a lovely wife whose loss nearly a year ago he scarcely survived and whose spirit may be said to have beckoned him to the tomb."

## THE BATTLE OF BLADENSBURG

The day that men have labelled August 24, 1814, rose out of the valley of the night, crossed the eastern horizon and came down the highway of time. Accompanying that day were two outriders, high humidity and intense heat, each of which carried energy which, when combined with other forces of nature, was capable of trouble.

The village of Bladensburg greeted the dawn of another hot, humid day.

The countryside was covered with dust. Dust was everywhere, both in the houses and outside, the grass was dying and all human and animal life was suffering.

For some time, differences had arisen between Great Britain and the young nation on the Atlantic seaboard. After much debate and many proposals and counter proposals, the mother country had decided to put aside logic facts and other peaceful means and decided to settle it on the plain of Mars with iron and gunpower.

Pursuant to that decision, Great Britain had landed an army at Benedict. That army consisted of regular troops, many of them veterans of the Napoleonic campaigns. After disembarking at Benedict, the army had marched up through the Southern Maryland countryside to Nottingham, thence to Upper Marlboro and Woodyard and had camped the night of August 23-24 at Long Old Fields (now Forestville). In the early morning of August 24, it began its march to Washington by way of Bladensburg. Clouds of dust enabled those of one certain elevation to trace the march of the army and determine its exact location as it travelled on its mission of death and destruction.

The British arrived at Bladensburg at noon, wet with sweat and covered with dust.

The enemy reached Bladensburg by way of Lowndes Hill, and through the village of Bladensburg used the houses on either side of the road as cover. They were met with severe fire from the American line.

The American forces were under the command of General Winder and had been drawn up in a triangle of three roads. Those troops were soon flanked, resulting in their giving ground. Only 400 of our troops were seasoned soldiers, the others being militia. As General Stansbury remarked at the investigation after the battle, their love of life predominated over a love of country, and the retreat grew worse by the minute. It continued on through Washington and Georgetown.

The American losses were twenty six killed and fifty one wounded. The official dispatch of the British commander fixed their losses at fifty six killed and one hundred eighty five wounded. So with the passing of a few minutes, the bodies of seventy five or more men that an hour before had housed vigorous spirits became lifeless and useless things, scattered over the ground around Bladensburg.

The enemy proceeded into Washington where it carried out its designs to damage the Capitol and the White House.

“Shortly after noon the sky grew suddenly dark and the most tremendous hurricane ever remembered by the oldest inhabitant in the place came on. Of the prodigious force of the wind it is impossible for you to form any conception, roofs of houses were torn off by it and whisked away like sheets of paper, while the rain which accompanied it resembled the rushing of a mighty cataract rather than the dropping of a shower.

“The darkness was as great as if the sun had long set and the last remains of twilight had come on, occasionally relieved by flashes of wind, lightning streaming through it, which together with the noise of the wind and thunder, the crash of falling buildings and the tearing off of roofs as they were stripped from the walls produced the most appalling effect I ever witnessed and probably ever shall witness.

“This lasted for nearly two hours without intermission during which time many of the houses spared by us were blown down and thirty of our men and several inhabitants buried beneath their ruins.” (The story of the storm is quoted from a “Subaltern travelling in America” with General Ross’s army.)

The British forces left Washington the evening of August 25 and started on their march to Benedict. The army stopped at Bladensburg to pick up the wounded. In the early evening of the 26th of August, they passed through Upper Marlboro on their way to Nottingham where they camped for the night.

The people of Upper Marlboro were so happy seeing the British Army pass through their town on their way to Benedict, that much joy was in order. Dr. Beanes had arranged a small party at his home on Academy Hill in Upper Marlboro, and among those present were former Governor Robert Bowie, Dr. William Hill and Philip Weems. In the midst of the party some straggling British soldiers, far behind the main army, went into the garden and attempted to steal the refreshments. Dr. Beanes and his friends drove the stragglers away, and several of them were placed in jail.

Some of the soldiers continued on to Nottingham where they related these events to General Ross and Admiral Cockburn. The commanders became enraged and sent a small party to arrest Dr. Beanes. When this detail reached Upper Marlboro, they found the good doctor in bed as were Dr. William Hill and Philip Weems who had decided to spend the night with him. All were ordered to dress and with such speed the doctor failed to locate his eye glasses. When the detail reached Nottingham, Dr. Beanes was placed in solitary confinement.

When morning came, ex-Governor Robert Bowie went to the British camp at Nottingham to protest, and he was also placed under arrest. The next day the British High Command released ex-Governor Bowie, Dr. Hill and Philip Weems but refused to release Dr. Beanes and carried him with them to Benedict where they boarded their ships on the 29th of August, 1814.

At the time of that happening, there was living in Upper Marlboro a man by the name of Richard E. West, whose wife was a sister of Francis Scott Key.

She went to Georgetown to interest Francis Scott Key in the case of Dr. Beanes. Key became interested in the story and immediately went to President Madison. The President instructed Lt. Frederick Skinner, our representative in charge of the exchange of prisoners to seek the release of Dr. Beanes and appointed Francis Scott Key as spokesman for our government.

On September 5, Key and Skinner left Baltimore on a small sailing vessel to find the British fleet. They located it two days later near the mouth of the Potomac River and by signals were given permission to board the flagship, *The Tonnant*. Our representatives were received by Alexander Cochrane, Admiral of the Fleet, very courteously.

After a lengthy conference, Key convinced the British that his position was just, and they agreed to free Dr. Beanes. As they were planning to attack Baltimore in a couple of days they could not at the moment release anyone, not even Key and Skinner. The three Americans were placed aboard the *Minden* and the little ship sailed up the Bay as the British fleet advanced on Baltimore.

On the morning of September 14, the British gave up their attack on Baltimore. Fort McHenry had been bombarded all day the 13 of September and away into the night. All through the night Key and his friends awaited the "dawn's early light" to see if the flag that they saw "at the twilight's last gleaming" was still there.

After the mists cleared away, there was the flag in its "full glory", the "Star-Spangled Banner" with its broad stripes and bright stars flying proudly "over the perilous deep."

At 3 A.M. of September 14, the British High Command realized that Fort McHenry could not be taken and gave the order to withdraw from the scene of the battle. A boat flying the flag of truce sailed into Baltimore Harbor and unloaded Key, Beanes and Skinner.

After being put ashore, Francis Scott Key went to the Old Fountain Inn at Light and Redwood Streets and engaged a room. After his dinner he retired to his room to organize his thoughts. After a few short hours he completed writing the verses of the "Star-Spangled Banner."

The next day he went to the home of Judge Joseph H. Nicholson and showed him the manuscript of the poem. Judge Nicholson and Key had married sisters. Nicholson soon perceived that the lines could be sung to the music of a very popular tune of the times "Anacreon in Heaven."

Key and Nicholson took the manuscript to the office of the newspaper, Baltimore Patriot and it was set in type by Samuel Sands, a fourteen year old apprentice typesetter.

It was printed on handbills and distributed to the crowds on the streets that night, celebrating the great victory. Tradition tells us that it was first sung by Ferdinand Durange, a volunteer soldier from Lancaster, Pennsylvania, in front of the Old Holliday Street Theatre.

I am going to give you a few quotes from the British press expressing their opinions upon the action of the British Army in Washington.

*The London Statesman* compared the doings of Ross and Cockburn with the conduct of the buccaneers of old. "Willingly would we throw a veil of oblivion over our transaction at Washington. The Cossacks spared Paris but we spared not the Capitol of America."

*The Liverpool Mercury* commented "We will content ourselves with asking the most earnest friends of the conflagratory system what purpose will be served by the flames of the Senate House at Washington. If the Peoples of the United States retain any portion of that spirit with which they successfully contended for their independence."

*The British Annual Register* for 1814 denounced the proceedings of Ross and Cockburn as a return to barbarism and said it cannot be practiced by the victors; that it brought a heavy censure upon the British Character, not only in America but also on the Continent Europe."



## CHAPTER 24

### A BUSY POST-WAR PERIOD: 1815-1820

The personnel of the Court for the 1815-1817 years, were John Johnson, Chief Judge for the three years and Edmund Key, Associate Judge for the three years. Daniel Clark was Associate Judge during the year 1815 and part of the year 1816. John R. Plater served for part of the year 1816 and the year 1817.

George Semmes was Sheriff for the year 1815, and Basil Bowling, Sheriff for the years 1816-1817. John Read Magruder, Jr., was Clerk of the Court for the three years in which we are presently interested.

At the April term of 1815, Richard I. Morsell qualified as Deputy Sheriff, and Henry Ashton was appointed Prosecuting Attorney.

Henry Ashton moved for the admission of Thomas H. Hanson to the Bar of Prince George's County and the Court appointed Archibald Van Horn and Thomas G. Addison to examine Hanson. Their report was favorable and he was admitted. Alexander Contee Magruder moved that John Wiley of Georgetown be admitted to the Bar. The motion was granted.

Thomas G. Addison moved that Edmund Law be admitted to the Bar of this Court. The motion was granted.

Henry Ashton moved that James Boyle of Annapolis be admitted as a member of the local Bar. The motion was granted. James Boyle was then appointed Prosecutor pro tem.

Trueman Tyler was appointed Auditor for the Court.

At the September term for the year 1815, Henry Ashton moved that Frederick D. Stone of Charles County, John C. Mitchell, Ramsey Waters, William Pinkney and John Marbury be admitted to the Bar of Prince George's County.

At the April term, 1816, Henry Ashton moved for the admission of Reverdy Johnson to the Bar of Prince George's County. The Court appointed

Henry Ashton and Archibald Van Horn to determine Johnson's qualification. Their report was favorable and Johnson was admitted.

The Reverend Noble Young of Ireland was admitted to American citizenship.

Henry Ashton moved for the admission of Henry Carroll, James Somervell and Robert P. Dunlop to the Bar. The motion was granted.

Francis Scott Key moved for the admission to the Bar of James Dunlop, Jr. The motion was granted.

The Court appointed William Hutchinson the Standard Keeper.

The Court was busy with several suits to quit title.

At the September term of 1816, Henry Ashton moved that John Lockerman, Horatio Cozens and Samuel R. A. M. Garner be admitted to practice law before the Court of Prince George's County. The motion was granted.

Augustus William Preuss of Danzig, Stephen Long of Great Britain and John Peirs of France were granted American citizenship.

Richard J. Morsell qualified as Deputy Sheriff.

The April term of 1817 was another term that has not left much information for those that came on later.

We learn that Henry Ashton moved for the admission to the Bar of Addison Ridout. The motion was granted.

John Darnall qualified as Deputy Sheriff.

At the September term in the year 1817, Reverdy Johnson moved that John R. E. Chesley and David M. Forrest be admitted to the Bar of Prince George's County. The motion was granted.

Michael A. Keegan of England was granted American citizenship.

From the Court record of that time we learn that Philip Barton Key, Arthur Shaaf, John J. Donaldson, Archibald Van Horn, Francis Scott Key, Alexander Contee Magruder, John Law, Robert Jones and John Golder were the attorneys practicing before the County Court of Prince George's County.

Come with me now as we examine the records of the Levy Court.

On March 6, 1815, a new Commission arrived naming Basil Duckett, Thomas Mundell, William B. Beanes, William Hebb, Thomas Brooke, Edward H. Calvert and Joseph W. Clagett members of the Levy Court.

The Court appointed Richard T. Lowndes, John Chew and William Dudley Digges under the authority of Chapter 77 of the Acts of 1813, to extend and open the road leading down the eastern side of the Northwest Branch from Montgomery County to Bladensburg.

John Read Magruder, Jr., was authorized to secure a set of the Acts of the Assembly to replace his set destroyed by the enemy.

At the meeting of May 15, 1815, George Semmes was ordered to pay to Charles Nevitt, 200 pounds seven shillings due him as Constable in Upper Marlboro Hundred in 1812 for suppressing meetings of tumultuous Negroes.

It was ordered that Jacob W. Brashears, Inspector at the Upper Marlboro Warehouse, pay to John H. Hall, fifty-seven dollars for services rendered to the county in caring for the Court House, cleaning it, cutting wood and making fires in the Courthouse and other public offices for twelve months.

It was ordered that the Trustees of the Poorhouse be paid \$1,400 to be applied to the cost of the support of the poorhouse.

It was ordered that James Kemp and George Morton contract for the building of a bridge at Priscilla Boteler's Mill at a cost not to exceed fifty dollars.

The County tax rate was fixed at fifty cents.

It was ordered that Basil Duckett arrange for building a bridge over the Eastern Branch at a place called Riddle's Ford, the cost not to exceed \$150.

It was ordered that Basil Duckett arrange for the repair of the abutment to the bridge at Queen Anne, the cost not to exceed \$25.00.

George Semmes was appointed Collector of the County Tax.

On November 25, 1815, Joseph W. Clagett was appointed a member of the Levy Court in the place of Basil Duckett, deceased.

On February 5, 1816, a new Commission arrived naming William Hebb, Thomas Mundell, Joseph W. Clagett, Henry Waring, Robert Baden, David Craufurd and Samuel Franklin members of the County Court.

David Craufurd and Henry Waring were directed to arrange for the repair of the County jail, the cost not to exceed \$200.00.

Basil Bowling was appointed Collector of the County Tax and the tax rate was fixed at fifty cents.

William Dudley Digges was authorized to arrange for the repair of the wharf at Bladensburg at a cost not to exceed \$75.00.

Joseph W. Clagett was authorized to build a wharf at Queen Anne at a cost not to exceed \$250.00.

On October 28, 1816, Thomas Harwood and Dr. Clement Smith were authorized to build three bridges over Collington Branch on the plantation of Francis M. Hall.

On January 20, 1817, a new Commission arrived naming William Hebb, Thomas Mundell, Joseph W. Clagett, Henry Waring, David Craufurd, William Dudley Digges, and Edward H. Calvert as members of the Levy Court.

On February 21, 1817, the Court advised the people that at its last session, the General Assembly passed an Act entitled "An Act for the temporary relief of the poor" and that this meeting had been called pursuant to that Act. John Johnson, Joseph Kent, Josiah Jones, Samuel Franklin, Richard T. Lowndes, Robert Bowie, Aquila Beall, Thomas Somerville, Samuel Claggett, Francis Magruder, Francis Tolson, Dr. Colmour Beanes, William Marbury, Thomas Mundell, Alexius Sansbury, David Craufurd and Joseph W. Clagett were appointed a Committee to investigate and report on the conditions prevailing in the county which that Act was designed to remedy and report to the Levy Court March 1 next.

On March 1, 1817, it was ordered by the Levy Court that William Hebb and Henry Waring be authorized to negotiate a loan not to exceed the sum of two thousand five hundred dollars to enable the Levy Court to provide for the temporary relief of the poor as authorized by the late act of the assembly and to pledge the faith and credit of the county for the repayment of the principal and interest. The interest rate was not to exceed eight per cent. At the same meeting the Committee reported that a loan in the amount of \$1,500.00 had been negotiated with John Read Magruder, Jr., with interest at the rate of eight per cent, and that many petitioners had been helped.

At the meetings of the Levy Court held March 17, May 19 and August 6, 1817, many more petitioners were granted relief.

At the 1815 session of the General Assembly, Chapter 185 was passed on January 27, 1816, in which Richard T. Lowndes, Thomas Ferral, William B. Jackson, William A. Fitzgerald, Thomas Bowie, George Calvert, William Ross, Levi Sheriff, Samuel Sprigg and Archibald Van Horn were incorporated as trustees of the Bladensburg Academy.

As the year 1816 visited the state of Maryland, a strange phenomenon of nature came along with it. That year became known to the people of that time as the year without a summer. Frost visited the countryside in each month of that year, and the crops were greatly damaged and much suffering among the people resulted. That condition prompted the General Assembly to pass Chapter 195 of the Acts of 1816 on January 30, 1817, and was entitled "An Act for the Temporary relief of the poor in the several Counties of the State." It reads: "Whereas in the Course of Providential dispensation this State has been visited by an auful calamity of a scarcity of grain, and from a similar calamity the price of grain has been greatly augmented in other Countries so as to induce a well grounded apprehension that the poorer citizens may suffer for the want of this indispensable article of food: and Whereas it is the duty of all wise and good governments to mitigate the sufferings of its citizens as far as practicable; Therefore;

"Section One: The Levy Courts of the several Counties are authorized and empowered to assemble as soon and at such times as they may deem necessary

to levy such sums as they think needed for the poor to be allowed them as out pensioners of the various poor houses not to exceed \$30.00 to each pensioner.

“Section Two: The Levy Courts are authorized to borrow in such sums as may be thought necessary and to collect in the usual manner what tax as may be necessary to meet the obligation.

“Section Three: This Act to continue in force until the end of the next session of the General Assembly and no longer.”

Chapter 256 of the Acts of 1816 provided: “Preamble: Whereas by an Act entitled ‘An Act to Incorporate’ a company to build a turnpike road leading to Cumberland and for the extension of the Charters of the several banks in the City of Baltimore and for other purposes and its Supplements a fund has been pledged for the establishment of free schools throughout the State; and Whereas the said Act and its several Supplements have directed that the said fund should be equally divided among the several Counties of the State.

“Section One. Nine persons to be appointed in each County and those persons to divide the County’s Share of the said fund in their respective Counties.

“Section Two: The persons appointed for Prince George’s County were: Richard W. West, John C. Herbert, Joseph Kent, William Marbury, Thomas Bowie, Isaac Duckett, Edward H. Calvert, Robert Bowie and Clement Brooke.”

Chapter 40 of the Acts of 1816, passed January 3, 1817, appointed James A. Beall, Thomas H. Clagett and Levin Edelen as Commissioners to construct a road from Piscataway and Samuel Bond’s through the lands of the heirs of John H. Beanes, William Lyles and Joseph Boarman to Piscataway Creek and the cove fishing landing belonging to Mary Boarman.

Chapter 268 of the Acts of 1816, passed February 5, 1817, authorized John Read Magruder, Truman Tyler, John Hodges of Thomas, Henry Ashton, Thomas B. Hodges and William B. Beanes to conduct a lottery for the purpose of raising \$20,000.000 to be paid over within three months after the drawing to the Philomathean Society at Upper Marlboro; and they in turn were to use the same within a year to establish a public library and free school.

Chapter 16 of the Acts of 1817, passed January 5, 1817, was an act to establish and incorporate a company under the title of “The Planters Bank of Prince George’s County.” The bank was to be located in Upper Marlboro and to have a capital stock of \$200,000.00 divided into 8000 shares of \$25.00 each.

The subscription book was to be opened in Upper Marlboro under the direction of John Read Magruder, John Hodges of Thomas, and William Hill. The charter was to continue in force until the expiration of the year 1835 and until the end of the next session of the General Assembly which would occur thereafter.

Chapter 30 of the Acts of 1816 was finally ratified on January 13, 1817.

In that Act, William Hebb, Notley Maddox, Francis Tolson, Sr., Edward H. Calvert, Dennis Boyd, Joseph M. Jackson, Jr., and Alexander Sansbury were authorized and empowered to lay off Prince George's County into six election districts in lieu of five districts. By this act, the Sixth District was erected and Spalding's District came into being.

Chapter 146 of the Acts of 1816, passed January 29, 1817, was entitled "An Act to Incorporate the Philomathean Society of Upper Marlboro in Prince George's County, Maryland." The object of the Society was to promote literature and science.

The members named in the act were: William Beanes, William Hill, Henry Ashton, Truman Tyler, John Read Magruder, Richard W. West, Samuel Claggett, Reverdy Johnson, John Hodges of Thomas, Benjamin Brookes, Benjamin Lee, George Wilkinson, Thomas R. Hodges, Gustavus R. Brown, Thomas Sparrow, Basil Bowling, Philemon Chew, Henry Waring, Edward Harwood, Samuel Sprigg, Robert W. Bowie, Francis M. Hall, William D. Claggett, Jonathan N. Burch, William Wootton, George Semmes, Clement Brooke, William B. Beanes, William R. Hall, James Somerville, John Contee, John Hill, Fielder Gantt, Aloyesus M. Keegan, Henry H. Chapman, John H. Brown, Thomas Brooke, Benjamin Young, Benjamin H. Clarke, Charles H. W. Wharton, Frederick D. Stone and Augustus Taney.

Chapter 169 of the Acts of 1817, passed February 12, 1818, named Robert W. Bowie and Samuel Sprigg the Commissioners of the Planters Bank.

Chapter 123 of the Acts of 1816, passed January 27, 1817, authorized and empowered John S. Magruder, John Darnall, Nathan Summers, Benjamin Duvall of Elisha and Henry Dodson to meet on or before July 1 next at Long Old Fields and lay out Middletown.

The delegates to the House of Delegates chosen to represent Prince George's County in the year 1815 were Thomas T. Somerville, William D. Beall, Edward H. Claggett and Archibald Van Horn.

Those chosen for the same office for the year 1816 were Francis M. Hall, Thomas Somerville, Henry A. Callis and George Semmes.

Those chosen at the election held in 1817 were George Semmes, William D. Digges, James Somerville and Samuel Claggett.

The *Maryland Gazette*, in its issue of May 25, 1815, told us that on May 20, the Right Reverend Bishop Kemp ordained the Reverend Mr. Noble Young to the order of the priesthood. The ordination took place at Easton.

The *Gazette's* issue under date of February 29, 1816, contains this interesting item: "Thursday last being the birthday of General Washington a number of gentlemen met at Gambrill's Tavern on the head of the Severn where they partook of an elegant dinner prepared by Mrs. Gambrill for the

occasion. Major Philip Hammond was called to prayer as President, and Capt. David Stewart named as Vice President. The day was spent with great satisfaction and harmony. After dinner many toasts were drunk. One to John C. Herbert: "When poverty and misery had nearly ruined many the people resolved to place their trust in his talents, virtue and patriotism as their member of Congress."

The *Gazette*, in its issue of August 22, 1816, advised that proposals for carrying the mails would be received at the General Post Office in Washington until September 27, 1816. The following were the routes.

No. 90—From Upper Marlboro to Nottingham, Aquasco, Benedict and Charlotte Hall once a week—distance forty-six miles: Lv. Upper Marlboro every Monday at 1 P.M. and arrive Chaptico Tuesday at 2 P.M.; Lv. Chaptico every Tuesday at 3 P.M. and arrive at Upper Marlboro on Wednesday at 6 P.M.

No. 91—From Upper Marlboro to Magruder's Tavern. Lv. Upper Marlboro every Monday at 1 P.M. and arrive at Magruder's Ferry at 3 P.M.; Lv. Magruder's Ferry every Monday at 10 A.M. and arrive in Upper Marlboro at noon.

The issue of the *Gazette* of December 4, 1817, states that agreeably to a public notice by the Censors, a meeting of the members of the faculty was held in Major Bowling's Tavern in Upper Marlboro when Dr. Samuel Franklin was called to the chair and Dr. J. B. Semmes appointed Secretary. The following resolutions were submitted and unanimously carried:

"First: Resolved that in the opinion of the members of the faculty present that it is expedient to organize a Medical Society for Prince George's County.

"Second: Resolved that a Committee of three be appointed to draft a Constitution for the government of the said Society and that they report at the next meeting of the said society.

"Third: Resolved that the next meeting of the faculty be held at Major Bowling's Tavern in Upper Marlboro the second Monday in May next."

Let us look at the *National Intelligencer* of January 12, 1815. That publication advised us that John S. Morsell of Georgetown was appointed by the President and confirmed by the Senate to be an Associate Judge in the District of Columbia to supply the vacancy occasioned by the death of Judge Fitzhugh.

The same issue of the said paper advised us that Dr. Charles Eversfield died at his seat in Piscataway Forest in Prince George's County on April 30 last past in the thirty second year of his age. The cause of his death was an attack of the prevailing epidemic with which he suffered five days.

The issue of June 27, 1815, informed us that on June 22, Mrs. Dorothy Glenn, daughter of Philip Spalding, died at her father's residence. Philip Spalding was the man after whom the sixth election district was named.

The issue of the *Intelligencer* under January 6, 1816, contained this informative item—Deaths in Baltimore City for the year 1815, total 1349; males, 742; females, 607. The causes were: consumption, 218; Cholera Morbus, 167; palsy, 108; fits, 98; typhus fever, 85; bilious fever, 67. The remainder of such catalogue of diseases is enough to give a man a fever just to read them.

The *Intelligencer*, under date of April 17, 1816, tells us that Mrs. Mary M. Duckett, wife of Jacob Duckett, died suddenly on April 9 at her home in Piscataway, Prince George's County, Maryland.

The same paper in its publication of September 23, 1816, contained notices of two marriages. The first, on September 16, the marriage of Miss Elizabeth Waters and Mr. Robert O. Edmonston, both of Prince George's County. The minister was Reverend Mr. Waters. The second marriage was between Mr. Thomas Gantt of Anne Arundel County and Miss Mary S. Hall, daughter of Dr. Richard Hall, of Prince George's County. The marriage ceremony was performed September 3, 1816.

In the January 7, 1817, issue, the *Intelligencer* contained this item on drunkenness:

“Wine give life; it was death to me:  
I could not behold the morning in a sober state  
Even my bones are now thirsty  
Stranger sprinkle my grave with wine:  
Empty the Cup and go  
Farewell, Ye drinkers.”

Those serving as officers of the Court during the three years, 1818-1820 were John Johnson, Chief Judge for the period, and Edmund Key and John R. Plater, Associate Justices for the full three years. Joseph Isaac served as Sheriff for the year 1818 and George Lanham for the years 1819 and 1820.

Edward Harwood was Clerk of the Court for the year 1818 and half of 1819, while Aquila Beall served in that capacity for half of 1819 and the year 1820.

At the April term of 1818 Reverdy Johnson moved for the admission to the Bar of Julius Forest. Henry Ashton moved for the admission of Nicholas Brewer, Jr., Aloysius M. Kegan and John R. E. Chesley moved for the admission of John I. Brooke. Julius Forest then moved for the admission of William W. King and Lewis A. Cozzens. All motions were granted and all the gentlemen mentioned were admitted to the Bar of Prince George's County.

At that term John Stephen and John Marbury were appointed examiners.



That we may have some idea of the growth of the business in the county at that time, I am going to give to the reader a list of licenses granted by the Court at that April, 1818 term.

Josias Young	Retail liquor	Nottingham
Thomas Cook	Ordinary— Rossborough Inn	Near Bladensburg
Philemon Chew, Jr.	Retail liquor	Nottingham
James A. Beall	Retail liquor	Farmington— near Piscataway
Jeremiah Edelen	Retail liquor	Piscataway
Philip Spalding	Ordinary	Moore's Old Stand
Levi Sheriff	Retail liquor	Bladensburg
Hugh Drummond	Ordinary	Vansville
Thomas Duvall, Jr.	Retail liquor	Bladensburg
Lewis Barrett	Ordinary	Fairland
John R. Willett	Ordinary	Bladensburg
Cephas W. Benson	Retail liquor	Queen Anne
Watkins Scott	Ordinary	Bladensburg
Samuel Scott	Ordinary	Bladensburg
Thomas Magruder	Ordinary	Magruder's Ferry
Davis Scaff	Retail liquor	White House
John Wright	Retail liquor	Magruder's Ferry
Joseph Dunlap	Ordinary	Middletown
Samuel Sheriff	Ordinary	Old Fields
Francis Perkins	Ordinary	Mount Welby near Oxon Hill
William Davis	Ordinary	Road from Piscataway to Fort Warburton
Henry Brian	Ordinary	Cross Roads
Leonard H. Early	Ordinary	Philadelphia
Elma and Alpha Beall	Ordinary	Vansville
Henry Boswell	Ordinary	Nottingham
John Hodges of Thos.	Retail liquor	Upper Marlboro
Henry Boswell and William G. Jackson	Operate Ferry	Nottingham Ferry
James Sibley	Retail liquor	Blanket Factory
Samuel Jones	Ordinary	Fort Adams
Philip Miller	Retail liquor	Bladensburg
Henry Dodson	Ordinary	Middletown
John Tippet	Ordinary	Piscataway
John Tippet	Retail liquor	Piscataway
Robert H. Marshall	Ordinary	Middletown
Mary Moorling	Ordinary	Broad Creek
John Clayton	Retail liquor	Queen Anne

Thomas N. Baden	Retail liquor	Nottingham
John Anderson	Ordinary	Bladensburg
Isaac Beall	Ordinary	Centreville
Alexander H. Boteler	Retail liquor	Upper Marlboro
Frederick and David Koones	Retail liquor	Piscataway
Henry H. Hawkins	Retail liquor	Magruder's Ferry
Elizabeth Jones	Retail liquor	Near Broad Creek
Amos Duvall	Retail liquor	Bladensburg
Benjamin Robinson	Ferry	Lower Marlboro
Joseph Hatton	Retail liquor	Piscataway
Jonathan T. Burch	Retail liquor	Magruder's Mill
John Farron	Retail liquor	Barton Hope
Elizabeth Powers	Ordinary	Centreville

At the September, 1818 session of Court, John H. Hall was granted a license to keep an ordinary at Upper Marlboro. William Strickland and John Stone were appointed Bailiffs.

Patrick Kenan of Great Britain was admitted to American citizenship.

Due to lack of business the Court adjourned until December 9 next, and at that date the Court adjourned until the first Monday in April, 1819. This adjournment was because of no business.

At the April term, 1819, James Adams and Archibald Jenkins were appointed Bailiffs to the Court.

William Fletcher and Richard Mackey both of Great Britain were admitted to American citizenship.

Edward Harwood resigned as Clerk of the Court on April 17, 1819, and Aquila Beall was appointed in his place.

William H. B. Sewall made an application that he be permitted to practice law. What disposition was made of that application is not shown in the record of that term.

John R. E. Chesley and Reverdy Johnson were appointed to examine John B. Brooke as to his qualifications to practice law. He was found qualified and was admitted.

The following made application for licenses:

Richard E. Edelen	Pool Table	Piscataway
Isabella Nicholson	Pool Table	Queen Anne

The Court records for this period do not offer too much information.

For the September term, 1819, we learn that John Babbist Kohlman was admitted to American citizenship.

Mr. Boyle (no initials given) moved that Henry Shurles be admitted to the Prince George's County Bar.

For the April term, 1820, the record tells us that Julius Forrest was appointed State's Attorney and that Francis Scott Key moved for the admission of Thomas Turner to the Bar of Prince George's County.

At the September term 1820, Julius Forrest was re-appointed State's Attorney pro tem.

Edward Harwood moved for the admission of William P. Stewart and Julius Forrest moved for the admission of John Johnson, Jr., to the Bar of the county and both candidates were approved.

John McFarland and Edward Rackett both of Great Britain were admitted to American citizenship.

The Court records for the three years disclose the following names of attorneys having business before the county Court: Augustus Taney, James A. Dunlap, Francis Scott Key, John Johnson, Addison Ridout, Samuel Sprigg, Wiley Donaldson, Gustavus A. Clagett, Arthur Shaaff, Reverdy Johnson, John Stephen, Alexander Contee Magruder, John Law, Philip Barton Key and Luther Martin.

The Levy Court records are missing for the period 1818-1837.

During that period with which we are now dealing, the General Assembly passed that legislation affecting Prince George's County herewith shown.

Chapter 164 of the Acts of 1818, passed February 11, 1819, authorized the Levy Court to build a bridge over the Western Branch at Upper Marlboro, at a cost not to exceed \$2,000.00.

Chapter 61 of the Acts of 1820, passed January 10, 1821, authorized and directed repairs to the Courthouse.

Chapter 72 of the Acts of 1820, passed January 22, 1821, authorized the purchase of land and the building of a wharf at or near the town of Upper Marlboro.

Chapter 126 of the Acts of 1820, passed January 22, 1821, authorized the purchasing of land and the building of a wharf at Queen Anne, at a cost not to exceed \$500.00.

Those elected as delegates to the House of Delegates at the election held in 1818 were George Semmes, William Dudley Digges, James Somerville and Samuel Clagett.

For the same responsibility, in the election of 1819, were Joseph Cross, Francis M. Hall, Thomas Somerville and Richard T. Hall.

In the election of 1820 those chosen for the House of Delegates were Joseph Cross, Thomas C. Lyles, Richard T. Hall and John Forrest.

Let us now turn to the *Maryland Gazette* and the *National Intelligencer* and see what they have to tell us about those early Prince Georgians:

Under the date of January 15, 1818 the *Gazette* tells us that on January 6, the Reverend Mr. Richards united in marriage, Edmund B. Duvall and Miss Augusta McCausland, the daughter of Marcus McCausland.

The *Gazette*, in its issue of May 28, 1818, advises that John R. Magruder, John Hodges of Thomas, William Hill, Robert W. Bowie and Samuel Sprigg would accept subscriptions to stock of the Planter's Bank situated in Upper Marlboro, Maryland.

The July 9, 1818 issue of the *Gazette* reports that a meeting of the stockholders of the Planter's Bank of Prince George's County in Upper Marlboro was held June 25 last.

John Read Magruder was elected President. Those elected directors were Samuel Sprigg, David Craufurd, Alexander H. Boteler, Philemon Chew, Richard W. West, William Hall, Edward Harwood, Robert W. Bowie, John Hodges of Thomas, Francis M. Hall, Clement Brooke and John Contee. At a later meeting held July 2, Truman Tyler was unanimously appointed Cashier.

The *Gazette* of August 6, 1818, informs us that John C. Herbert had been elected a director for the Farmer's Bank of Maryland situated at Annapolis, Maryland. On August 20, 1818, John C. Herbert declined to run for Congress.

The *Gazette*, in its issue of October 28, 1819, published this editorial: "Prince George's sends two and two to the utter astonishment of everybody. This county is purely and decidedly Federal, but the return of the votes manifests a most deplorable lukewarmness on the part of Federalists. Confiding in the strength of their ticket and deluded with the idea no danger was near they slumbered on their posts and suffered the enemy to enter their entrenchments. Prince George's owes it to her own character and to the cause of Federalism to make atonement next year for her aberrations, that she will do it we most confidently anticipate."

Now to the *Intelligencer*: Under date of January 8, 1819, it informs us that during the night of January 1, after a short illness, Mrs. Frances Magruder, the wife of Dennis Magruder of Prince George's County, Maryland, died.

The issue of January 16, 1819, tells us that on the 11th of January last past, at The Grange, in Charles County, the Reverend Francis Neale joined in marriage Mr. Benjamin Young of Prince George's County to Miss Anne Charlotte Manning, daughter of Mr. Wilfred Manning.

In the publication of April 15, 1819, we read that on April 8, 1819, the Reverend Mr. Hawley joined in marriage the Reverend Levin I. Gillis, Rector of Queen Anne Parish in Prince George's County, Maryland, to Miss Martha T. Bradley, daughter of Dr. P. Bradley of the District of Columbia.

The issue published April 24, 1819, relates that at Non-Such on April 20, 1819, William D. Clagett was married to Miss Sarah Young, the only daughter of Nicholas Young, all of Prince George's County, Maryland.

The publication of July 7, 1819, tells us that on June 20 last at Warburton, died Dr. William Atwood Fitzgerald, age thirty-three years, formerly of Bladensburg, Maryland.

In the January 19, 1820 issue of the paper, James Kempe announced that he was operating a tavern in Upper Marlboro opposite the Planter's Bank.

The June 1, 1820 paper advises that on May 27, the Republican voters of Upper Marlboro held a meeting in Upper Marlboro to appoint a committee to confer with other committees in Queen Anne Town on June 5 to recommend persons to stand for the House of Delegates, a member of Congress, and a Presidential elector. Those appointed on that committee were Richard Estep, John H. Carroll and Julius Forrest. This item was signed by Charles Claggett, president, and Julius Forrest, secretary.

The issue of the *Intelligencer* for June 10, 1820 informs us that two meetings were held in Queen Anne Town on the 5th. One was to appoint a committee to recommend a candidate for Congress. William Kilty was Chairman and Robert W. Bowie, secretary. That committee endorsed Joseph Kent for Congress.

The second meeting was held to endorse candidates for the House of Delegates and a Presidential elector. Walter Bowie was chairman of that meeting and Edmund Duvall, secretary. Robert W. Bowie was endorsed for Presidential elector, while Colonel Joseph Cross, Dr. Richard T. Hall, Thomas C. Lyles and Julius Forrest were selected for the House of Delegates.

The June 27, 1820 issue of the *Intelligencer* informs us that John Hodges of Thomas, Samuel Sprigg, William Hall, Robert W. Bowie, David Craufurd, Philemon Chew, Jr., William Hall, Alexander H. Boteler, Richard Estep, Rezin Estep, Benjamin Oden and Zachariah Berry were elected directors for the Planter's Bank and that John Read Magruder was elected President of the Board of Directors.

## CHAPTER 25

### PEOPLE, PLACES AND COUNTY PROGRESS: 1821-1826

An examination of the records for 1821-1823 disclosed that John Johnson was Chief Judge for the year 1821 and John Stephen, for the years 1822 and 1823.

Edmund Key and John R. Plater were Associate Justices for the three years.

George H. Lanham served as Sheriff for the year 1821, and Thomas Osborn for the years 1822 and 1823. Aquila Beall was Clerk of the Circuit Court.

During those three years there were held six terms of the County Court, two each year: one in April, the other in September.

In the April term in the year 1821, Mr. Causin (District Attorney) moved that William Merrick and Henry D. Chapin be admitted to practice law, which motion was granted. At that term the dockets show ninety three criminal cases, twenty-nine recognizances, forty petitions, twenty-seven appeals and 415 trials.

At the September term in the same year, Julius Forrest moved for the admission to the Bar of Enoch Magruder; Alexander C. Magruder moved for the admission of George Wells and Somervill Pinkney; Nicholas Stonestreet moved for the admission of John Brackenridge; and John B. Brooke moved for the admission of William B. Stone. All were admitted.

William Mackey of Ireland was granted American citizenship.

The following petitioners were granted licenses to operate ordinaries at the places in the county shown:

Joseph Willets	Bladensburg
George Beall	Bladensburg
Alexander Evans	Bladensburg
John Duckett	Upper Marlboro

George Hillreigle	Bladensburg
Wilfred Tippet	Upper Marlboro
Beall Duvall	New Birmingham
Walter N. Harwood	Upper Marlboro
George W. Harbin	Fort Washington
John Palmer	betw. Upper Marlboro and Broad Creek
John H. Hall	Upper Marlboro

At the April term, 1822, Julius Forrest moved that George W. Dawson, William Kilty, James F. Brice, James Weems, and Richard Peach be admitted to practice law. The motions were granted.

The Court convened for the September term on the second day of that month in 1822. Licenses to practice law in Prince George's County were granted to the following gentlemen: Alexander C. Magruder, John R. E. Chesley, Julius Forrest, John Johnson, Jr., John B. Brooke, Enoch Magruder, John Law, Francis Scott Key, James Somervell, Henry D. Chapin, Frederick D. Stone, Nicholas Stonestreet, Henry Ashton, Richard Peach and Richard Henry Marshall.

At that term of Court, Henry Ashton moved that Richard H. Marshall be admitted to practice law in Prince George's County. The motion was granted.

Henry Waring was granted a license to keep a ferry over the Patuxent at Mount Pleasant.

The April term for the year 1823 convened on April 7. At that term Julius Forrest made a motion that Michael McCloskey be admitted to practice law and the motion was granted.

During the September term, seven new members were admitted to the Bar of Prince George's County. James Boyle moved for the admission of Thomas S. Alexander and Jeremiah Elkins. John Johnson moved for the admission of William C. Inglis. Francis Scott Key moved for the admission of Robert Beale, and Julius Forrest moved for the admission of Richard Wallack, Richard S. Coxe, and Clement Coxe. Francis Peyton, Jr. of Virginia produced a certificate showing his qualification to practice law in Virginia. He was admitted to the Prince George's County Bar as were all those named in the motions.

Thomas Taylor of England and John Hinke of Germany were admitted to American citizenship.

The Court records show attorneys John B. Brooke, James Boyle, Henry Brauner, George Calvert, Gustavus Adolphus Clagett, G. N. Cousin, J. J. Donaldson, Gabriel Duvall, David W. Forrest, Reverdy Johnson, William Kilty, Francis Scott Key, John A. T. Kilgour, John Law, William Marbury, Alexander Contee Magruder, Richard Henry Marshall, Alexander Mundell, Richard D. Peach, John Stephen, Nicholas Stonestreet, William B. Stone, James Somerville, J. H. Smoot, Frederick D. Stone and Archibald Van Horn as having business before the Court during the three years inquiry.

Let us go to the records of the General Assembly and learn what legislation was passed by that body to care for the needs of Prince George's County. Chapter 185 of the Acts of 1821, passed February 20, 1822, directed that an additional wharf be constructed at Nottingham.

On December 18, 1822, the following resolution was passed: "Whereas, the Governor in his communication had advised, that owing to the late afflicting dispensation by diseases, that a day be set apart by the General Assembly and that it be recommended to the people of this state to be observed as a day of humiliation and prayer; Therefore be it Resolved by the General Assembly that the thirteenth day of March next be set apart and recommended to the people of this State to be observed as a day of humiliation and prayer, and this resolution be published in such newspapers throughout the State as the Governor and Council may direct for the information of the citizens thereof."

Chapter 162 of the Acts of 1823 directed that the Levy Court of Prince George's County levy a tax sufficient to produce a sum of \$1200 to be used to repair the jail in Upper Marlboro.

The Constitution was amended by Chapter 111 of the Acts of 1823 and ratified by the session of 1824 to read as follows: "That the time of the meeting of the General Assembly of this State shall be on the last Monday of December in each year instead of the first Monday of the said month as now prescribed by the Constitution and form of government. Section 2, That the governor of this State shall be chosen on the first Monday of January in each and every year in the same manner as is now prescribed by the Constitution and form of government, and the council to the governor shall be elected on the first Tuesday after the first Monday of January of each and every year in the same manner as is now prescribed by the Constitution and form of government now directs.

"Section 3: That all annual appointments of civil officers in this State, shall be made in the third week of January in every year in the same manner as the Constitution and form of government now directs."

Elected to represent Prince George's County in the House of Delegates for the 1821 session were Philemon Chew, Benedict I. Semmes, Julius Forrest and Henry Culver.

Those chosen for the 1822 session of the House of Delegates were Benedict I. Semmes, Henry Culver, William T. Wootton and Benjamin Marshall. And for the 1823 term those elected to represent Prince George's County were Benedict I. Semmes, Edmund B. Duvall, William T. Wootton and Abraham Clarke.

Let us glance at the issues of our two newspapers for the three years now under our study.

The *National Intelligencer* of January 19, 1822, informs us that Enoch Magruder offered his services as an attorney at law, with his office in Upper Marlboro.



The same paper under date April 24, 1822, tells us that John B. Brooke, attorney-at-law, informed the public that he had resumed his residence in the town of Upper Marlboro and would care for any and all business entrusted to him.

The *National Intelligencer* in its issue dated May 15, 1822, published this bit of verse entitled "On Life":

"Life to me is a burthen, for alone  
In this thronged world my lonely tent I pitch  
Relations and friends to me are lost, and gone  
What! All dead? No they all got rich."

On June 11, 1822, the same paper informed us that a public meeting was held in June, 1822, at Queen Anne Town. Beall Duvall was called to the chair and Dr. James Harper was appointed secretary. Dr. Benedict I. Semmes, Henry Culver, William Wootton and Benjamin H. Marshall were chosen to be the Republican candidates for the House of Delegates. All were subsequently elected.

The *National Intelligencer*, under date of June 20, 1822, announced that a public dinner and ball would be given at Upper Marlboro on July 4, to commemorate the anniversary of American Independence. Previous to the dinner the Declaration of Independence would be read by John B. Brooke, and an oration in honor of the day would be delivered by Enoch Magruder.

At that dinner and ball in Upper Marlboro, July 4, 1822, there were men and women who could personally remember the battles of Lexington, Bunker or Breed's Hill, and the surrender of Cornwallis at Yorktown. Yes, they could remember that July 4, 1776, which was to take its place in the archives of the Nation and was destined to become a date to be remembered by all men of all nations.

On July 4, 1822, the *National Intelligencer* came out with this poem emblazoned amid its pages:

"A Health to My Native Land on her Birthday"  
Land of the Exile; my own native land  
Dear home of all the sufferers of the earth  
To thee I lift the bowl with pious hand  
And hail the glorious morn that gave thee birth.  
Here tis to the immortal dead, that made thee free  
Here's to the living who thy rights maintain;  
Here's to the votaries of liberty;  
In every land that scorn to hug their chains;  
Rage wild ambition's; tempest as it may  
One bloody deluge drown the ancient world  
Our Ark shall float serenely on its way  
While thrones and despots from their seats are hurled.

Still may thy stripes triumphant wave in war;  
Still thy bright stars like glorious fires of heaven  
Shine quenchless guides to welcome from afar  
The exile, from his home and country driven.

Land of the Freeman; my own native land  
Nurse of the hero child of liberty;  
God give the strength against thy foes to stand  
Flourish forever—be forever free.

The *Intelligencer* of July 20, 1822, related an incident of a sad note. It tells us that on July 13 last, Mrs. Sarah W. Roberts was instantly killed by lightning while sitting in her parlour with her family. The bolt of lightning that killed her, threw her husband, Richard Roberts, from his chair, but he soon recovered.

The same paper, dated October 22, 1822, contains this little item to the memory of John Law:

‘Loved friend farewell, a long farewell  
We meet in life no more  
Yet on thy worth shall memory dwell  
Till life’s last throb is o’er.’

Under date of March 1, 1823, the *Intelligencer* informs us that on February 25, 1823, at “Bellefield” in Prince George’s County, the Reverend Mr. Giles joined in marriage Barruch Mullikin of Baltimore City and Miss Sophia M. Oden, daughter of Benjamin Oden.

The same paper, under date of April 19, 1823, announces that on June 20, 1823, Thomas J. Morris of Philadelphia and Miss Caroline Maria Calvert, daughter of Mr. George Calvert, were joined in marriage by the Reverend Mr. Addison at the home of the bride at Riverdale, Maryland.

In its issue of September 27, 1823, the *Intelligencer* informed us that at his residence in Zachiah, Charles County, Maryland, Jeremiah Dyer, in the seventy first year of his age, died of a pulmonary affection.

The same paper, in its issue for September 27, 1823, reported the death of Benjamin Berry at his seat near Upper Marlboro.

During the years 1824-1826, John Stephen served as Chief Judge and Edmund Key and John R. Plater served as Associate Justices for the Circuit Court for Prince George’s County.

Thomas Osbourn served as Sheriff for the year 1824. George Semmes served in the same official position for the year 1825 and through the April term of 1826. Joseph Isaac served as Sheriff for the last half of 1826.

Aquila Beall served as Clerk of the Circuit Court for the years 1824 and 1825 and the first half of 1826. For the last half of the year 1826, Edward Harwood was Clerk of the Circuit Court.

Minor W. Gibson was admitted as an attorney. Alexander C. Magruder moved for the admission of George W. Lee, while Julius Forrest moved for the admission of Thomas W. Snowden. Henry Ashton moved for the admission of William M. Worthington, and Henry Ashton and John Johnson, Jr., examined Albert I. Clagett. Charles C. Lee was recommended by Julius Forrest, while John L. Dorsey qualified as an attorney. All applications were approved.

Simon Frazier, a carpenter from Great Britain and John Murphy, a minister of the Gospel (or Catholic clergyman), a native of Millstreet, Ireland were admitted to citizenship.

At the October term of 1824, John Johnson was appointed Deputy Attorney General for Prince George's and Charles counties.

At the same time, John Johnson moved that Thomas G. Pratt and Samuel P. Webster be admitted to the Bar of Prince George's County. The Court appointed John Johnson and Henry Ashton to examine Pratt and Webster for qualifications. They reported to the Court that both were well qualified.

The records for the years 1825 and 1826 do not have much information that was recorded for our benefit.

During the April term of 1825, Francis Scott Key moved that William Bussard be admitted to practice law in Prince George's County. The motion was granted.

John Johnson moved that Philip Barton Key and Franklin Wharton be admitted to practice law. The motion was granted in both cases.

Francis Scott Key moved for the admission of William Thomas Carroll to the Bar for the county. The motion was granted.

Henry Brawner moved for the admission of George W. Matthews to the Prince George's County Bar. The motion was granted. Edward R. Belcher qualified as an attorney after having been examined by John Johnson and Alexander Mundell.

John Thomas and Edmund Lockett, both of England, and John McFarland of Ireland were granted American citizenship.

During the October term of 1825, the following signed the Test Book as attorneys-at-law: Richard J. Bowie, Arthur Shaaff, Charles T. Fleissen, Fleet Smith, R. Lear, and John A. Carter. The minutes for that term of the Court are missing.

The Court records show that the attorneys having business with the Court during the three years in which we are now interested were John Law, John J. Donaldson, Alexander C. Magruder, Singleton Duvall, Enoch Magruder, John Johnson, John B. Brooke, Julius Forrest, Nicholas Stonestreet, Henry Brauner, Alexander Mundell and James Boyle.

During those years the General Assembly was also engaged in building Prince George's County.



THE PLANTERS BANNER  
Presented to the Planters Guard, April 19, 1861  
*Courtesy Prince George's County Historical  
and Cultural Trust*

Chapter 28 of the Acts of 1824, passed January 20, 1825, directed that all property be reassessed, and that all owning less than \$100.00 of property be exempt from taxation. Francis M. Hall, Benjamin Ogle, Clement Brooke, Benjamin Oden and James Robinson were named in the act to supervise its operation.

Chapter 48 of the Acts of 1824 passed January 31, 1825, fixed the salary for the Orphans' Court Judges at \$3.00 per day.

Chapter 205 of the Acts of 1824, which was ratified as an amendment to the Constitution, provided: "That every citizen of this State professing the Jewish Religion, and who shall hereafter be appointed to any office or public trust under the State of Maryland shall in addition to the oaths required to be taken by the Constitution the laws of this State, or of the United States, make and subscribe a declaration of his belief in the future State of rewards and punishments instead of the declaration now required by the Constitution and form of government of this State."

Chapter 209 of the Acts of 1825, passed March 8, 1826, created a lottery to raise money to clean out creeks leading to and from Upper Marlboro and Queen Anne.

All Commissioners save Charles Clagett were then dead, and that act substituted the names of David Craufurd, Alexander Mundell, John Read Magruder, Jr., John Hodges, Dr. Clement Smith, William T. Wootton, William Wells of George, William D. Clagett, and Thomas Soper. These parties were named to work with Charles Clagett.

Chapter 9 of the Acts of 1826, passed January 10, 1827 directed that the Levy Court prepare a book showing all the public roads in public service since the year 1778.

Those elected to represent Prince George's County in the House of Delegates for the years 1824, 1825 and 1826 were:

1824—Raphael C. Edelen, Richard Peach, William T. Wootton  
and Edmund B. Duvall

1825—William D. Beall, Benedict T. Semmes, Edmund B.  
Duvall and James Barette

1826—William D. Beall, Richard Peach, Edmund B.  
Duvall and Benjamin L. Gantt

Now let us examine the news media of that day to see what those that wrote at that time have left for us to read.

The *National Intelligencer* published the following news items:

The issue of January 21, 1824, informed us that on January 15 past, the Reverend Mr. McCormick joined John Frazier and Miss Rachel Lanham in marriage.

This same issue also announced the marriage of Hugh W. Drummond, Postmaster of Vansville, and Miss Matilda Walker, by the Reverend Mr. Hoskins.

The issue of July 12, 1824, announced that on July 6 just passed, Francis Oden, age eight years, son of Benjamin Oden of Bellefield, died in Baltimore City.

August 18, 1824, gives us the news that on August 10 last, Mr. John Shannon and Miss Eleanor A. Lanham, daughter of George Lanham, late Sheriff of Prince George's County, were married.

September 9, 1824, announced that on September 7, Walter B. Brooke was married to Miss Mary Sprigg, eldest daughter of Benjamin Sprigg of Washington, D. C. The minister officiating was the Reverend Mr. Allen.

September 4, 1824, tells us that on August 28 last, a meeting was held in Upper Marlboro with Colonel Francis M. Hall as Chairman, and Julius Forrest as Secretary.

A resolution was passed that a committee of three be appointed to draft resolutions to be reported to the instant meeting. Those appointed were Edmund B. Duvall, Julius Forrest and Robert W. Bowie.

That committee recommended that a committee of five be named to meet with such committees as may be appointed in Calvert and Montgomery Counties to meet in Upper Marlboro September 16 next to select an elector to vote for John Quincy Adams for President of the United States.

The committee was appointed and consisted of Francis M. Hall, Julius Forrest, Samuel Sprigg, Robert W. Bowie and John Johnson.

The issue of that paper published September 23, 1824, informed us that on September 16 just passed, a meeting was held and the friends of John Quincy Adams endorsed Colonel Joseph Cross as Presidential elector for Adams. Samuel Sprigg was chairman and John Johnson the secretary.

That paper, under date of October 17, 1824, announced that in the election for members of the United States House of Representatives from Prince George's County, Dr. Joseph Kent received 744 votes and John C. Weems, 737 votes.

On October 14, 1824, that paper announced that on the 11th instant, Fielder Gantt, aged sixty years, died at his home in Prince George's County.

The February 25, 1825 issue announced that on February 3 instant, Mr. Robert Allen, a member of Congress from Tennessee, was married to Miss Alethia Van Horn, daughter of the late Archibald Van Horn of Prince George's County.

On November 5, 1825, that paper announced that on October 25, 1825, Mrs. Jannette Carroll, widow of Charles I. Carroll, in the fiftieth year of her age, died of consumption at her home at Mt. Calvert.

On December 7, 1825, the paper announced the marriage of Mr. John Somerville and Miss Camilla Bowie on November 29 last, by the Reverend Mr. Tyng.

In the December 12, 1825 issue, we are informed that on November 29 last, that Dr. Josias A. Beall and Miss Elizabeth Clagett, daughter of Thomas H. Clagett, were married by the Reverend Mr. Carter. All parties were from Prince George's County, Maryland.

## CHAPTER 26

### RAILROADS AND BUSINESS: 1827-1832

As the years go by, new names come upon the scene of human affairs. In the three years now before us for examination, 1827-1829, as we go over the Court records, we learn that John Stephen, Edmund Key and John R. Plater served as Chief Justice and Associate Justices for that period.

George Semmes served as Sheriff for the year 1827, and Edward W. Belt filled the same office for the years 1828 and 1829.

Aquila Beall filled the office of Clerk of the Court for the three years that now engage our interest.

We are unable to find any mention of a motion to suggest this admission to the County Bar, but we do find that Sergeant Hall signed the Test Book as an attorney-at-law on April 5, 1827. We also discover that John E. Watts signed the Test Book April 4, 1827, although I cannot find a motion for his admission to the Bar.

The October, 1827 Court record fails to disclose any motions for admission, although we learn that James M. Nicholson signed the Test Book October 28, 1827, and John Green signed the same book October 10, 1828, both subscribing to the necessary oaths as attorney-at-law.

At the April 1828 term, John Johnson moved for the admission to practice law of John Brewer, Edwin M. Dorsey, Edward Chandler, and Alexander Kilgour.

On April 16, 1828, Alexander C. Magruder moved for the admission of Zadock Magruder to the Bar.

While I am unable to find motions for the admission of two gentlemen, I do find that they signed the Text Book. They were Peter Wood Crain, who signed on April 11, 1828.

At the October term, 1828, I came across a public sale of 300 acres of land to be sold to satisfy a judgment of \$1,088.38. The sale was called off for the want of bidders!



At the April 1829 term, apparently there were several motions in the Court for admissions to the Bar. Edwin M. Dorsey moved for the admission of Thomas F. Bowie. He was examined by Edwin M. Dorsey and Alexander Mundell. John Johnson moved for the admittance of Samuel W. Beall and Thomas Duckett. Henry Ashton recommended Adolphus Garrigues Flanjæ. All were approved.

At the October 1829 term, John Johnson moved for the admission of Upton Beall. Richard Peach moved for the admission of Washington Calvert. Philip B. Key for the admission of J. J. Speed, Gabriel H. Duvall, Vernon H. Dorsey and James S. Edelen. Richard Hooe moved for the admission of Charles L. Powell. Alexander Magruder moved for the admission of James H. Watkins and John S. T. Magruder, and Henry Ashton moved for the admission of Adolphus Garrigues Flanjæ.

I have been unable to locate a motion in open Court to admit Benjamin Lowndes. However, that gentleman signed the Test Book on October 22, 1829, and subscribed to the oaths taken by attorneys.

Richard H. Brookes was appointed auditor for the Court of Chancery at that term.

An examination of the Court records for those three years now under our examination disclose the following attorneys as practicing law before the Circuit Court for Prince George's County, Maryland:

Henry Ashton, F. S. Alexander, John B. Brooke, Henry D. Chapin, J. J. Donaldson, Ashton Duvall, Julius Forrest, John Johnson, Francis Scott Key, John Law, Alexander Mundell, Alexander C. Magruder, John Marbury, Richard Peach, Thomas G. Pratt, Francis Payton, Jr., Nicholas Stonestreet and James Somerville.

Let us examine the records of the General Assembly. The following acts that had bearing on Prince George's County, were passed by that body.

Chapter 121 of the Acts of 1828, passed March 7, 1829, authorized the Levy Court to give deeds to Philemon Chew and George W. Briscoe to the lots in Nottingham on which the old tobacco warehouses stood. Chapter 139 of the Acts of 1828, were passed February 27, 1829.

The Court appointed Thomas Snowden, Jr., John C. Herbert, George Brown, Hanson Penn and Edmund B. Duvall as Commissioners to receive subscription to stock in the Baltimore & Washington Railroad Company to build a railroad from Baltimore City to the City of Washington, in the District of Columbia.

Chapter 182 of the Acts of 1828, passed March 11, 1829, stated that terms of the County Court would be held the first Monday in April and the second Monday in October.

Chapter 61 of the Acts of 1829, passed February 8, 1830, extended the charter of the Planters Bank to January 1, 1835.

Chapter 83 of the Acts of 1829, passed February 11, 1830, appointed William L. Marbury, Samuel Coe and John C. Moore Commissioners to examine the situation of Piscataway Creek as regards shipping tobacco from the warehouse on that creek.

Those elected to represent Prince George's County in the House of Delegates for the three years under examination were:

1827—Benedict I. Semmes, William D. Beall, Benjamin L. Gantt and George W. Duvall.

1828—Benedict I. Semmes, Benjamin L. Gantt, George W. Duvall and Thomas Somerville.

1829—William T. Wootton, Benjamin L. Gantt, Ralph C. Edelen and George Semmes.

Now to the news media. What do we read about the people and their joys and troubles? First let us examine the *National Intelligencer*. In its issue of January 11, 1827, we read that on January 9, the Reverend Mr. Hawley joined in matrimony Dr. John H. Bayne and Miss Mary Frances McDaniel, eldest daughter of George McDaniel of Washington, D.C.

In the issue of January 19, 1827, we read that on January 9 the Reverend Mr. Gilliss officiated at the marriage of Zadock Sasscer and Miss Henrietta S. Skinner, all parties being of Prince George's County.

In the issue of January 29, 1827, we read that on January 28 Mrs. Sarah Belt, wife of James Belt, died leaving three small children.

The issue of February 15, 1827, announced that the Reverend Mr. Hawley joined in matrimony Henry Tolson and Miss Mary H. Middleton, daughter of Theodore B. Middleton of Revolutionary fame.

The issue of April 19, 1827, brings us the news that Mrs. Matilda Sheriff, wife of Levi Sheriff, died April 11, 1827, in the thirty first year of her age.

The issue of May 9, 1827, advises us that a Post Office had been established at Long Old Fields (now Forestville).

The issue of May 17, 1827, announced that on May 16 the Reverend Mr. Chalmers joined in marriage Bailey L. Clark and Miss Marsalina Duvall, eldest daughter of Thomas C. Duvall, all of Bladensburg.

On June 6, 1827, the *Intelligencer* announced the death of Mrs. Eleanor Hill at the home of her son, Charles Hill,

The issue of July 14, 1827, published a quip entitled "A Lawyer's Declaration".

“Fee simple and simple fee  
and all the fees in tail  
are nothing when compared to thee  
Thou best of fees-female”

On August 15, 1827, we are told that on August 11 there was a public meeting held in Bladensburg and that Richard T. Lowndes was called to the chair and Richard Holmes was named secretary. B. I. Semmes, W. B. Mullikin, Julius Forrest, George Duvall, Samuel Hamilton, Richard T. Lowndes, Dr. Hanson Penn and Benjamin Duvall, Jr., were named as a committee to further the interests of the administration that was the interest of John Quincy Adams.

On October 16, 1827, the *Intelligencer* informs us that on October 9, the Reverend Mr. Drain joined in the bonds of matrimony Mr. Henry Fairfax of Fairfax City, Virginia and Miss Ann Caroline Herbert, the daughter of John C. Herbert of Beltsville, Prince George's County, Maryland.

The issue of October 25, 1827, announced that on October 23, the Reverend Mr. Ethan Allen joined in marriage William King and Miss Eleanor Mullikin, both of Prince George's County.

The November 9, 1827 issue contains another bit of verse aimed at the lawyers:

“Blind plaintiff, lame defendent share  
The kindly law's protective care  
A shell for him, a shell for thee  
The Depter oh! its the lawyer's fee”.

In the issue of November 9, 1827, the *National Intelligencer* informed us that on November 6, the Reverend Mr. Brackenridge joined in marriage Ninian Willett and Miss Susanna Beall, both of Prince George's County, Maryland.

In the issue of November 19, 1827, the country side was informed that on November 6, the Reverend Mr. Gillis joined in marriage W. B. C. Worthington and Miss Henrietta P. Oden. The marriage took place in Nottingham.

On November 24, 1827, that paper tells us that on November 17, Dr. H. B. Bowie, in the thirtieth year of his age, died in Bladensburg.

The December 6, 1827 issue, published the sad news that on November 30 at Piscataway, John Fitzgerald, age forty two years, died. He was the son of Colonel John Fitzgerald of Revolutionary memory.

In the issue of January 10, 1828, the *Intelligencer* informs us that John C. Herbert was elected director of the Bank of Washington.

In the issue of February 4, 1828 we are informed that George Calvert was elected President of the Bank of Washington.

The following verse was published in the February 8, 1828 issue of that paper:

“Why do we mourn departed friends  
Or wish their longer stay  
Since when their pain and sorrow ends,  
Begins their glorious day.”

This piece of philosophy was published in the issue of February 12, 1828.

“Knowledge and wisdom are far from being one,  
Have oftimes no connection-knowledge dwells  
In heads replete with thoughts of other men;  
Wisdom in minds attentative to their own  
Knowledge is proud that he has learned so much;  
Wisdom is humble that he knows no more  
Books are not seldom talisman and spells  
By which the magic art of shrewder wits  
Holds the unthinking multitude enchained”.

The issue of March 4, 1828, tells us that on the previous February 26, the Reverend Mr. Claxton officiated at the marriage of Samuel B. Harper and Miss Elizabeth Magruder. Miss Magruder was the daughter of Francis Magruder of Poplar Grove.

In the issue of March 24, 1824, the *Intelligencer* announced that Capt. Humphrey Belt died March 13, at his seat at Bonvenue. He was fifty six years of age.

In the issue of April 8, 1828, Peter Wood Crain advised that he had established an office in Port Tobacco and would also accept cases in the Courts of Prince George's and St. Mary's Counties.

On April 10, 1828, Dr. Lowndes offered his professional services to the people of Bladensburg and vicinity. He could be found at the home of Richard T. Lowndes near Bladensburg.

On April 15, 1828, we are told that Richard T. Lowndes had been elected president of the Bank of Columbia.

In the May 26, 1829 issue, we are informed that on May 15 the Reverend Mr. Mackenheimer joined Charles Bowie and Miss Eliza Combs in marriage. Miss Combs was the daughter of Joseph Combs.

The July 3, 1828 issue tells of the death of John W. Brashears on June 29 past, at his home in Centreville at the age of fifty six.

In the same issue we are informed that on June 26, 1828, the following were elected Directors of the Planter's Bank: Samuel Sprigg, David Craufurd, Clement Smith, Robert W. Bowie, John B. Brooke, Thomas G. Pratt, Benjamin Oden, William H. Hill, Zachariah Berry, William W. Dorsett, John Johnson, Julius Forrest, John Read Magruder and Truman Tyler. John Read Magruder was elected president and Truman Tyler, cashier. Enoch M. Burgess was appointed teller.

The issue of November 5, 1828 states that Dr. William Beanes, age eighty years, died on October 12, at his home in Upper Marlboro after a year of illness.

The issue of December 2, 1828, gives the results of the voting in Maryland for President. John Quincy Adams received 25,527 votes while Andrew Jackson had 24,565.

The issue of December 18, 1828, announced the death of Miss Louise Magruder on December 11, at her home at Dumblane.

On January 6, 1829, our paper announced that John C. Herbert had again been elected Director of the Bank of Washington.

On March 4, 1829, the *Intelligencer* announced the death of Mrs. Martha Cross, at her home in Prince George's County, at the age of sixty one years.

The *National Intelligencer*, in its issue of April 9, 1829, published that on April 4, 1829, a meeting was held at Vansville to appoint a committee of three persons to meet in general convention to be held in Vansville on May 9, 1829, for the purpose of selecting a suitable person to represent this district in Congress. The chairman of the meeting was Dr. Charles Duvall and the secretary, George A. Barnes. The members of the committee to attend the proposed meeting to be held on the ninth of May next were Dr. Charles Duvall, Richard Jones and George W. Duvall.

In the issue published May 14, 1829, we read that the proposed meeting was held at Vansville on May 9, 1829, to select a nominee for Congress for the district comprising Anne Arundel and Prince George's Counties. At that meeting John S. Williams of Anne Arundel County was chosen as chairman and Edward Gantt was selected as secretary. Edmund B. Duvall was chosen as the nominee for Congress.

Let us now turn to the *Maryland Gazette*, and we find very little that concerns the people of Prince George's County.

The issue of April 5, 1827, contained a notice that a meeting of the friends of General Jackson was called for 12 noon, April 12, 1827, for the purpose of considering the propriety of sending delegates to the Baltimore Convention.

The issue of November 1, 1827, informed us that on October 25, the bus between New Castle and Frenchtown turned over resulting in injury to Bishop Kemp from which he died on October 31.

On August 7, 1828, the *Gazette* announced that John C. Herbert was elected a Director of the Farmer's Bank at Annapolis.

The hours fade into days, the days into years, and the history of Prince George's County moves on. For the three years now under consideration, 1830, 1831 and 1832, John Stephen served as Chief Judge of the Circuit Court; Edmund Key as Associate Justice for the three years; John R. Plater, as Associate Justice for the years 1830-1831, and Clement Dorsey served for

the October term 1832, Justice John R. Plater having died during the early portion of the year 1832.

Edmund Belt served as Sheriff during the year 1830 and Thomas Bruce, for the years 1831 and 1832.

Aquila Beall acted as Clerk of the Circuit Court for the entire three years.

At the April term of the County Court in the year 1830, Henry Ashton moved for the admission to the Bar of Christopher H. Dunn. Philip B. Key moved for the admission of Walter H. Mitchell, and Clement Dorsey moved for the admission of William Marvin. All requests were approved.

At the October term in the year 1830, Caleb C. Magruder was admitted to practice law on the eleventh day of October but the record fails to disclose a proponent.

At that term, Clement Dorsey moved for the admission of Dennis Nalley to the Bar of Prince George's County, Maryland.

The records for the April term 1831 fail to disclose any information of interest to us.

The records for the October term of the Court in 1831 show that:

Thomas F. Bowie moved for the admission to the Prince George's County Bar of William H. Hall and William Hallam Tuck and John T. Bowie. Thomas G. Pratt moved for the admission of T. Griffiths Fisher. Caleb C. Magruder made a motion for the admission to the Bar of Prince George's County, of Rufus Dawes and Nicholas Carroll Stephen who was later to become one of the Associate Justices of the Circuit. Henry Ashton moved for the admission of Ethan Baldwin.

During the April term for the year 1832, that convened on the 5th of April, Associate Justice John R. Plater was absent. On that day, Clement Dorsey announced the death of the Honorable John R. Plater. After that announcement, the Court adjourned.

The Bar immediately convened, and the juries and the citizens present in the Court House were notified. On motion of Mr. Dorsey, the Honorable John Stephen was called to the chair, and on motion of Thomas Duckett, Thomas G. Pratt was appointed secretary.

On the motion of Clement Dorsey the following resolutions were adopted:

“Resolved, that the members of this meeting will as a testimonial of the veneration felt by them for the memory of the late and lamented Judge John R. Plater by wearing crepe on their left arms for thirty days.

Be it further resolved that a copy of the above resolutions be published in the *National Intelligencer* and that a copy be also transmitted to the family of the deceased with an assurance that the meeting deeply sympathizes with them under this afflicting dispensation of Providence.”

At that meeting John B. Brooke moved for the admission of Thomas F. Skinner and Alexander Manning to the Bar of Prince George's County, Maryland. Somervell Pinkney moved for the admission of Charles D. Hodges. William H. Tuck moved that James Smith be admitted to the Bar.

On July 9, 1832, word was received that Clement Dorsey was appointed an Associate Justice in lieu of John R. Plater, deceased.

At the October, 1832 term, Edward W. Belt was appointed Auditor of the Court and John B. Brooke moved that Richard L. Mackall be admitted to the Bar of Prince George's County. Thomas F. Bowie moved that John M. S. Causin be admitted to the Bar. All were approved.

The Court records for the three years reviewed disclose the following gentlemen whose names are herewith listed as handling the business before the Court: Henry Ashton, Upton Beall, John B. Brooke, Edwin M. Dorsey, Clement Dorsey, Thomas Duckett, Julian Forrest, John Johnson, Walter Jones, Alexander Mundell, George Magruder, Thomas G. Pratt, Richard Peach, Nicholas Stonestreet and William A. Wilson.

Let us take a look at the General Assembly and see what legislation was passed during those years intended to shape the future of Prince George's County.

Chapter 39 of the Acts of 1830, passed February 3, 1831, divided Prince George's County into school districts.

Chapter 162 of the Acts of 1831, passed March 1, 1832, authorized the Levy Court to sell the jail and one-half acre of land in Upper Marlboro.

Chapter 280 of the Acts of 1831, passed March 13, 1832, the Levy Court was authorized to re-assess all property.

Chapter 270 of the Acts of 1832, passed March 20, 1833, revoked all acts to liquidate the Planter's Bank and the original charter was revived to remain in full force and effect.

Chapter 292 of the Acts of 1832, passed March 22, 1833, named John Brookes, William D. Bowie and Benjamin Lee to erect or supervise the erection of a building, or to enlarge the present building for the offices of the Clerk and Register of Wills.

Those elected to represent Prince George's County in the House of Delegates for the three years immediately before us were:

1830—William T. Wootton, Benjamin L. Gantt, George W. Duvall,  
and Ralph C. Edelen

1831—Benjamin L. Gantt, Turner Wootton, Thomas C. Lyles and  
Edward W. Belt.

1832—Ralph C. Edelen, Benjamin L. Gantt, George W. Duvall  
and Thomas G. Pratt.

## CHAPTER 27

### NEWS MEDIA REFLECTS COUNTY HISTORY: 1830-1832

Let us turn to the news media and see what was interesting to the people living at the time they were written.

The *Maryland Gazette*, in its issue of February 4, 1830, informed us that Benjamin Oden, Notley Maddox and John Duvall comprised the Orphans' Court for Prince George's County. The members of the Levy Court were Edward H. Calvert, Walter Bowie, Thomas S. Hardy, William D. Bowie, Henry Tolson, James Naylor of Joshua, and Francis L. Darnall.

The issue of April 15, 1830, contains this item:

“Last year 638 persons died of consumption in Philadelphia, In New York 880, Wet feet, thin dresses, tight lacing kill more than Monsieur Brandy and squire whiskey.”

The paper published under date of December 16, 1830, tells us that on December 13, John Read Magruder died at his residence near Upper Marlboro.

The *Gazette*, in its issue of October 6, 1831, contained these rules that Thomas Jefferson wrote to his namesake in 1825.

- “1. Never put off until tomorrow what you can do today.
2. Never trouble others for what you can do yourself.
3. Never spend your money before you have it.
4. Never buy what you do not need because it's cheap.
5. Pride costs more than hunger, thirst and cold.
6. We never repent of having eaten too little.
7. Nothing is troublesome that we do willingly.
8. How much pain have those evils cost us that never happened.
9. Take things always by their smooth handles.
10. When angry count ten before you speak, if very angry a hundred.”



The *Gazette*, under date of October 27, 1831, tells us that a tariff meeting was held at Waterloo on Wednesday, October 19 last, for all people of Anne Arundel, Baltimore and Prince George's Counties who were friendly to the protection of domestic industry.

The Governor of Maryland, George Howard, presided.

Those present from Prince George's County were Benedict I. Semmes, Benjamin Ogle, Governor Joseph Kent, Raphael C. Edelin, Governor Samuel Sprigg, Dr. Hanson Penn, William Johnson, Benjamin Welsh, Beall Duvall and Dr. Charles Duvall.

The *National Intelligencer* told us about the people of that time and herewith are some of the items published in that paper.

The February 13, 1830 issue informed us that Capt. John T. Baden died at his residence near Nottingham.

The issue of March 22, 1830, we are informed that Mrs. Martha Hyatt in the ninety fourth year of her age, on March 12 just passed, died at her residence in Prince George's County, Maryland. She had been a member of the Methodist Society for fifty five years.

On April 28, 1830, that paper told us that on April 21 just past, a meeting was held in Upper Marlboro. Edward H. Calvert was Chairman while Robert Wright was Secretary. Resolutions were introduced endorsing the administrations of Andrew Jackson as President of the United States and Thomas King Carroll as Governor of Maryland.

The resolutions further recommended that the friends of these two administrations hold in each election district meetings on the third Monday in May next, and elect four delegates in each district to meet in convention in Upper Marlboro the third Saturday in June next to nominate four persons suitable to represent the said administrations in the General Assembly.

The issue of September 10, 1830, informed us that Susan B. Duvall Langston, late wife of Capt. John A. Langston, died July 25, 1830, at the home of her father, John Duvall, near Nottingham.

The paper dated September 14, 1830, informed us that on September 10, Thomas Drummond, aged twenty two years, died at the home of his grandfather, H. W. Drummond, in Prince George's County.

The issue of the *Intelligencer* published November 17, 1830, announced that in Philadelphia on November 11 last, the Right Reverend Bishop White joined Charles H. Carter of Virginia and Miss Rosalie Eugenia Calvert, daughter of George Calvert in marriage. The bride and her family were from Prince George's County.

The same paper, under date of November 27, 1830 reported that on November 18, the Reverend Mr. Claxton had joined in marriage Thomas F. Bowie and Miss Catherine Harrison Waring, second daughter of the late Col. Henry Waring. All parties were from Prince George's County.

The December 3, 1830 issue of the *Intelligencer* advised us that the Reverend Mr. Chalmers joined in marriage Theodore Middleton of Prince George's County and Miss Amelia Dodson of the District of Columbia.

The issue published December 22, 1830, informed us that on December 16 just passed, the Reverend Mr. Hawley joined in matrimony Edward T. Tayloe of Virginia and Miss Mary Ogle daughter of Benjamin Ogle. The wedding took place at Bel Air, in Prince George's County.

The issue of the *Intelligencer* published under date of March 2, 1831, announced the death of Mrs. Margaret McCubbin, late wife of Edward McCubbin. The cause of death was a pulmonary disease.

The issue of March 19, 1831, contained an advertisement of George Parker & Company, advising the people that they had just received fifty bushels of prime clover seed and daily expected twenty bushels of timothy seed and twenty bushels of saplen clover seed.

The issue of the *Intelligencer* dated April 5, 1831, announced that on March 29, 1831, the Reverend Mr. Johns joined in marriage John H. Waring of Prince George's County and Miss Julia Worthington of Washington, D.C., she being the eldest daughter of W. G. D. Worthington.

Under date of April 20, 1831, we read the sad news of the recent death of Mrs. Mary Ann Morsell in the thirty third year of her age. She was the late wife of James S. Morsell, Judge of the Circuit Court for the District of Columbia and the daughter of William Marbury of Georgetown.

Under date of July 25, 1831, we are told that on July 10 last, the Reverend Mr. Mackenheimer joined in wedlock John Duvall and Miss Sarah Ann Clagett, youngest daughter of the late Charles Clagett.

The July 26, 1831 issue, contained an advertisement by the Baltimore & Ohio Railroad calling for 1700 laborers. They were paying \$1.00 per day as wages. At that time the work day was twelve hours.

On August 6, 1831, the paper announced the marriage of John M. Ward, merchant at Piscataway and Miss Henrietta Palmer, daughter of John Palmer. The officiating minister was the Reverend Mr. Harris.

The issue of August 26, 1831, announced the death of Mrs. Elizabeth Clagett, wife of Dr. William H. Clagett of Piscataway. Mrs. Clagett was twenty six years of age and left motherless, two infant children.

The paper published November 21, 1831, told us that Mrs. Elizabeth B. Jackson, wife of William B. Jackson died at her home in Bladensburg, on November 9. She was the eldest daughter of the late Benjamin Lowndes.

The *National Intelligencer* of November 30, 1831, brought to his family and friends the sad news that Walter B. Bowie passed away November 22. He was twenty one years of age and the cause of death, consumption.

On May 24, 1831, the *Intelligencer* announced the death of Robert Kent, the son of the Honorable Joseph Kent, on May 20 at Lancaster, Pennsylvania. He was nineteen years of age and had gone to that city to study law under James Buchanan. He was buried in the Episcopal burying grounds at Lancaster.

The *National Intelligencer* of May 27, 1831, informed us that on May 21, 1831, a convention of National Republicans was held in Vansville to nominate a candidate for the United States House of Representatives, in the 2nd Congressional district, which at that time consisted of Prince George's and Anne Arundel Counties. Nicholas Brewer was chosen as chairman and Edward W. Belt, secretary. Benedict I. Semmes, then in Congress, was re-nominated.

In the *Intelligencer* published January 3, 1832, we are told that on December 25, 1831, Allen P. Bowie and Miss Malvina H. Berry, eldest daughter of Dr. John E. Berry, were joined in marriage by the Reverend Mr. Swann.

The same paper, under date of January 7, 1832, informed us that on January 3, George W. Delephane and Miss Margaret Willett, second daughter of Mr. Joseph R. Willett, were joined in marriage by the Reverend Mr. Smallwood.

In the issue published January 30, 1832, the *Intelligencer* tells us that Richard A. Brookes, age thirty years, cashier of the Planter's Bank, died December 30, 1831, at his home at Upper Marlboro. The same paper in its issue of February 2, 1832, gives us the news that John Brookes had been elected cashier of the Planter's Bank in lieu of Richard A. Brookes, deceased.

The issue of March 26, 1832, furnished us with the news that on March 22, the Reverend Mr. Harris joined Washington Boswell and Miss Susan Maddox in marriage.

The March 31, 1832 issue gave us the sad news that on March 29, Mrs. Mary Ann Adams, wife of Littleton T. Adams, died at her home at Woodville, Prince George's County.

The paper published April 29, 1832, tells us that April 10, 1832, a convention of Young National Republicans met in Upper Marlboro and Thomas G. Pratt was chairman and William Hallam Tuck was secretary. William H. Hull moved that delegates be chosen to go to Washington May next to further the election of Henry Clay as President and John Sergeant as Vice President.

Edward W. Belt moved that seven delegates be chosen. Those named for that honor were Thomas G. Pratt, Samuel M. Semmes, Edward B. Gantt, Edward W. Belt, Robert Ghiselin and Philip B. Key. Edward W. Belt moved that a committee of one from each election district be formed to be known as a

Committee of Vigilance and Correspondence. Then these gentlemen were named to comprise that Committee:

Bladensburg District	John Bowie
Vansville District	Truman Belt
Marlboro District	Walter B. Brooke
Nottingham District	John H. Waring
Piscataway District	Alexander Marbury
Spaulding District	Alfred Tolson

The *Intelligencer* published May 3, 1832, announced that on April 20 just past, Edward W. Belt of Upper Marlboro and Miss Sarah Anne Lane of Annapolis were married by the Reverend Mr. Burns.

The paper published May 31, 1832, gave us the sad news that on May 8 and May 10, Elizabeth and Maria Louise, second and third daughters of Thomas B. Gwynn, died of scarlet fever at the home of their father.

On June 6, 1832, the *Intelligencer* announced that on May 29, William F. Deakins of Prince George's County, and Miss Elizabeth Nutt of Alexandria, Virginia, were joined in marriage by the Reverend Mr. Harrison. The marriage took place in Alexandria, Virginia.

# KEY TO HISTORICAL ROAD MARKERS IN PRINCE GEORGE'S COUNTY

1. Adelphi Mill, Riggs Rd., Adelphi
2. Barney, Commodore Joshua, Rt. 4, Upper Marlboro
3. Beanes, Tomb of Dr., Rt. 4, Upper Marlboro
4. Belair Mansion, Rt. 450, Bowie
5. Belair Stud Farm, Rt. 450 and Belair Dr., Bowie
6. Bellfields, Duley Station Road, Croom
7. Calvert Manor, Farmington Road, Oxon Hill
8. Calvert Mansion (Riversdale), Rt. 1, Riverdale
9. Carroll, John, Birthplace of, Main Street, Upper Marlboro
10. Charles Town, Mt. Calvert Road, Croom
11. Claggett, Thomas John, Main Street, Upper Marlboro
12. Dueling Grounds, Rt. 1, Colman Manor
13. Fort Washington (Warburton Manor), Fort Washington
14. Greenbelt, Crescent Road, Greenbelt
15. Hanson, John, Rt. 414, Oxon Hill
16. Hitching Post Hill or Ash Hill, Rosemary Lane, Hyattsville
17. Holy Trinity Church, Rt. 450, Bowie
18. Marietta, Rt. 450, Bowie
19. Marlborough, Main Street, Upper Marlboro
20. Melwood Park, Old Marlboro Pike (Rt. 408) East
21. Methodist Preaching Place, Kenilworth Ave. & Greenbelt Road,  
Greenbelt
22. Montpelier, Rt. 197, Bowie
23. Mount Lubentia, Rt. 202, Largo
24. Mount Airy, Rosaryville Road, Upper Marlboro
25. Piscataway, at Piscataway Rt. 223
26. Piscataway, (Rt. 210) Piscataway
27. Rhodes Tavern, Rt. 1, Beltsville
28. St. Barnabas Church, Queen Anne Road, Largo
29. St. Johns Church, Oxon Hill
30. St. Pauls Episcopal Church, Baden-Brandywine Rd., Baden
31. St. Thomas Church, Rt. 382, Croom
32. Telegram, The First, Rt. 1, Beltsville
33. T.B., Rt. 5, Brandywine, Md.
34. Van Horn's Tavern, Rt. 1, Beltsville
35. Van Horn's Tavern, Sellman Road (at site), Beltsville

PRINCE GEORGE'S COUNTY HISTORIC ROAD MARKERS

Photographed and arranged by  
William T. Pyles, Jr.



### ADELPHI MILL

THIS OLD GRIST MILL BUILT IN THE SUMMER OF 1796, PROBABLY BY TWO BROTHERS ISSACNAE MAHLON SCOTFIELD. IN MILL WAS ALSO USED CARDOING. THE MILLERS IS OF THE SAME PERIOD

### COMMODORE JOSHUA BARNEY

ORDERED UPSTREAM WHEN A BRITISH FLEET UNDER ADMIRAL COCKBURN ENTERED THE PATENT BARNET DISSEMBLED HIS NAVAL FORCE OF 500 MEN NEAR HERE AUGUST 21 1814 BURNED HIS VESSELS AND MARCHED TO HELP IN THE DEFENSES OF WASHINGTON. THE SUNKEN HELMSAILED A CUTTER A GUNBOAT AND WERE FOUND NEAR EARLY 1900'S

### TOMB OF DR. WILLIAM BEANES

TO SECURE THE RELEASE OF PRISONER OF WAR DR. BEANES, FRANCIS SCOTT KEY VISITED THE BRITISH SEPTEMBER 1814. DETAINED UNTIL THE ATTACK ON BALTIMORE. HE WITNESSED THE BOMBARDMENT OF FORT MIFLIN ON THE 13th AND 14th OF SEPTEMBER. THE KEY WAS INSPIRED TO WRITE HIS FAMOUS "STAR-SPANGLED BANNER"

### BELAIR MANSION

BELAIR WAS BUILT CIRCA 1740 BY SAMUEL HIGGINS, GOVERNOR OF MARYLAND. THROUGH THE YEARS THE MANSION BECAME THE "HOUSE OF GOVERNORS" AND WAS HOME TO THOMAS BLADEN, JAMIN OGLE I, AND PHIPER LOWMEDES

### MELWOOD PARK

THE HOME OF IGNATIUS BIGGES WHOSE DAUGHTER, MARY MARRIED THOMAS SIM LEE, TRICE GOVERNOR OF MARYLAND. LEE DIED HERE IN GENERAL GEORGE WASHINGTON VISITED HERE FOUR TIMES AND MARYHAT WASHINGTON ONCE. IN THE WAR OF 1812 BRITISH OFFICERS STOPPED HERE BRIEFLY

### ST. JOHN'S CHURCH

ST. JOHN'S CHURCH (RETIRED AND BURNED) WAS BUILT IN 1792 BY JOHN BARNETT AND HIS WIFE MARY. THE CHURCH WAS BURNED IN 1814 BY THE BRITISH. THE FOUNDATION WAS REBUILT IN 1815 BY THE SAME PEOPLE

### ST. MARY'S CHURCH

ST. MARY'S CHURCH WAS BUILT IN 1792 BY JOHN BARNETT AND HIS WIFE MARY. THE CHURCH WAS BURNED IN 1814 BY THE BRITISH. THE FOUNDATION WAS REBUILT IN 1815 BY THE SAME PEOPLE

### ST. THOMAS EPISCOPAL CHURCH OF CROOGE

ST. THOMAS EPISCOPAL CHURCH OF CROOGE WAS BUILT IN 1792 BY JOHN BARNETT AND HIS WIFE MARY. THE CHURCH WAS BURNED IN 1814 BY THE BRITISH. THE FOUNDATION WAS REBUILT IN 1815 BY THE SAME PEOPLE

### THE BELAIR STUD CRADLE OF AMERICA

COLONIAL MANOR WHERE BREEDING FOR THE TURF WAS BARRIED ON FOR THREE GENERATIONS LAYING THE FOUNDATION OF AMERICAN THOROUGHBRED RACING. FAMOUS BREEDERS INCLUDED THE STALLION "CANTON," THE FLYING "DUTCHMAN" AND OTHER PAINT HORSES. HIS "DUTCHMAN" AND BENJAMIN TACKETT, CONTINUING FAMILY TRADITION AREA "OTHELLO" AND "SELMA" PRIDES OF THE COLONIAL BELAIR STUD FARM BLOOD FLOWS IN THE VEINS OF ALMOST EVERY AMERICAN RACE HORSE OF DISTINCTION. WILLIAM HOWARD, 3RD WINNER'S "GALLANT FOY" "DUTCH" 1935 OPERATION OF THE FARM CONTINUED UNTIL 1955

### LLEFFIELD LIT SIMS D

LLEFFIELD LIT SIMS D WAS BUILT IN 1792 BY JOHN BARNETT AND HIS WIFE MARY. THE CHURCH WAS BURNED IN 1814 BY THE BRITISH. THE FOUNDATION WAS REBUILT IN 1815 BY THE SAME PEOPLE

### ST. MARY'S CHURCH

ST. MARY'S CHURCH WAS BUILT IN 1792 BY JOHN BARNETT AND HIS WIFE MARY. THE CHURCH WAS BURNED IN 1814 BY THE BRITISH. THE FOUNDATION WAS REBUILT IN 1815 BY THE SAME PEOPLE

### RIVERSDALE

RIVERSDALE WAS BUILT IN 1792 BY JOHN BARNETT AND HIS WIFE MARY. THE CHURCH WAS BURNED IN 1814 BY THE BRITISH. THE FOUNDATION WAS REBUILT IN 1815 BY THE SAME PEOPLE

### CHARLES TOWN

NEAR THIS PLACE THE FIRST COURTHOUSE IN PRINCE GEORGES COUNTY WAS ERRECTED IN 1696 WHICH SERVED AS THE CENTER OF COUNTY GOVERNMENT UNTIL 1772. WHEN THE COUNTY SEAT WAS MOVED TO WYOMING BARRBOROUGH. THE VILLAGE OF CHARLES TOWN WAS BUILT ON A TRACT OF LAND CALLED "MOUNT CALVERT MANSION" GRANTED IN 1658 TO PHILIP CALVERT 5th GOVERNOR OF MARYLAND. OF THE ORIGINAL VILLAGE ONLY THE MANSION HOUSE NOW CALVERT REMAINS

### THOMAS JOHN CLAGETT, D.D.

ORAINED BY LORD BISHOP OF LONDON 1784. FIRST BISHOP CONSECATED IN THE UNITED STATES, AT TRINITY CHURCH, NEW YORK CITY BY BISHOP SEABURY OF CONNECTICUT. HE ORGANIZED THE TRINITY CHURCH AND BORN NEAR HOTTINGHAM (MONTGOMERY) 3.043 DIED AT "CROON" AUGUST 3, 1816.

### DUELING GROUNDS

ON THE SITE NOW PART OF ANCONCOSTA RIVER PARK, MORE THAN 500 MEN WERE FIGHTED DURING THE FIRST HALF OF THE 17TH CENTURY HERE ON WHAT BECAME KNOWN AS "THE SAND AND ROOBY GROUND" BELONGING TO JOHN BARNETT. ONE OF THE MOST FAMOUS DUELERS WAS THAT BETWEEN COMMODORE STEPHEN DECATUR AND JAMES BARBON. WHICH WAS SETTLED HERE ON MARCH 28 1816. COMMODORE DECATUR, WHO HAD GAINED FAME AS THE COMMANDER OF THE BARBARY PRIVATEES, WAS KILLED WOUNDING BY HIS OWN MEN IN THE BATTLE OF MEDITERRANEAN. ALTHOUGH COMMODORE DECATUR WAS KILLED IN THE BATTLE OF MEDITERRANEAN, HE WAS NOT BORN IN THE UNITED STATES. HE WAS BORN IN FRANCE AND WAS A MEMBER OF THE SEVENTH ASSAULT

### FORT WASHINGTON

ORIGINALLY FORT WARBURTON. SITE CHOSEN BY GEORGE WASHINGTON ON THE APPROACH OF THE BRIT VESSELS AUG. 23 1814. THE FORT WAS ABANDONED WITHOUT FIGHT. THE FORT AND THE MANSION WAS BUILT UP BY THE OFFICER IN COMMAND REBUILT AT ORDER OF PRESIDENT MADISON UNDER L'ENFANT

### PAULS EPISCOPAL BADEN

PARISH CHURCH OF ST. PAULS IN THIRTY ORIGINAL PARISHES. BUILT IN 1692 IN THE PROVINCE OF MARYLAND. THE EARLIER CHURCH WAS BUILT IN 1692. IT WAS IN EXISTENCE PRIOR TO 1692. THIS RIGHT REV. THOMAS JOHN CLAGETT, D.D. EPISCOPAL BISHOP CONSECATED IN 1784. HE WAS BORN IN NEW YORK CITY AND WAS BISHOP OF MARYLAND

### JOHN HANSON

RESIDENT OF THE UNITED STATES CONGRESS ASSEMBLED TRIE NOVEMBER 15 1783. AT WASHINGTON. HIS HOME WAS BURNED BY THE BRITISH IN 1814. HIS WIFE WAS BURNED FEBRUARY 6 1815

### HOLY TRINITY CHURCH

THE ORIGINAL HOUSE OF WORSHIP ON THIS SITE PART OF MARTHA'S CHOICE. WAS A CHAPEL OF EASE IT WAS DONATED TO QUEEN ANNE'S PARISH BY THE REVEREND JOHN HENDERSON AND HIS WIFE MARY WIDOW OF MARY DUVALL. HIS ESTATE IN 1844 IT BECAME HOLY TRINITY PARISH

### MARIETTA

HOME AND LAW OFFICE OF GABRIEL DUVALL (ALSO DUVAL AND DuWALL) LEGISLATOR, UNITED STATES CONGRESS AND ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT. JUSTICE DUVAL DIED IN 1752. DIED HERE IN 1844

### PISCATAWAY

NAMED FOR THE LOCAL INDIAN TRIBE. WASHINGTON PASSED MANY TIMES ON HIS WAY TO AND FROM MT. VERNON ACROSS THE PISCATAWAY

### ST. HILL OR "ASH HILL"

GEORGE CALVERT SOLD THIS LAND 1836 TO ROBERT CLARK BUILDER OF THE HOUSE 1840 GENERAL EDWARD DEALE. EARLY SURVEYOR AND GOVERNOR AGENT IN THE SOUTHWEST. PRESIDENT CLEVELAND WERE FARMERS AS WAS "BUFFALO B" ARABIAN HORSES WERE BRED

### MARLBOROUGH

COUNTY SEAT OF WASHINGTON'S SON GEORGE WASHINGTON "LODGED" HERE AUGUST 31 1774. GO TO FIRST CONTINENTAL CONGRESS MAY 4 1775. ON HIS WAY TO THE CONTINENTAL CONGRESS IN 1775. HE WAS THE COMMANDER-IN-CHIEF OF THE UNITED STATES ARMY

### MONTPELIER

THE HOME OF MARYLAND'S FIRST GOVERNOR GEORGE WASHINGTON. BORN HERE SEPTEMBER 17 1732. HE DIED HERE IN 1799

### RHODES TAVERN

LIEUTENANT-GENERAL GEORGE WASHINGTON DINED AT RHODES DECEMBER 18 1798. ON HIS LAST JOURNEY FROM PHILADELPHIA TO MOUNT VERNON

### THE FIRST "WHAT HATH GOD WROUGHT"

WAS SENT FROM THE CAPITOL IN WASHINGTON TO BALTIMORE MAY 24 1844 OVER WIRES LAID ALONG THE RIGHT OF WAY OF THE B & O R.R. ADJACENT TO THIS HIGHWAY. THE TELEGRAPH WAS INVENTED BY SAMUEL F.B. MORSE (1791-1872)

### ST. BARNABAS CHURCH

ERECTED 1774. QUEEN ANNE PARISH, ESTABLISHED 1709. PRINCE GEORGES COUNTY. IN THE CHURCH WHICH PRECEDED THIS PRESENT STRUCTURE GEORGE WASHINGTON AND ROBERT EDEN, 1ST ROYAL GOVERNOR OF MARYLAND, ATTENDED SERVICE, SEPTEMBER 6 1773. REV. JONATHAN BOUCHER, RECTOR

### VAN HORN'S TAVERN

ON WANSVILLE HILL. PRINCE GEORGES COUNTY, MARYLAND. PRESIDENT GEORGE WASHINGTON STOPPED THERE JULY 18, AUGUST 7 AND SEPTEMBER 12, 1795. PLACED 1932 BY BRIGADIER GENERAL REZEL BEALL CHAPTER NO. 2 B.B.R. REPLACED 1870

### GREENBELT

1937

### GREENBELT

1937

### GREENBELT

1937

### GREENBELT

1937

## CHAPTER 28

### VARIETY MARKS COURT CALENDARS: 1833-1839

For the three years 1833-1835, the officers of the Court were: John Stephen, Chief Judge, and Edmund Key and Clement Dorsey, Associate Justices for the entire three years.

Thomas Bruce was Sheriff for the year 1833 and Thomas Baldwin, Sheriff for the years 1834 and 1835.

Aquila Beall served as Clerk of the Court for the three years now before us.

During the April, 1833, term, Thomas Duckett, William Hallam Tuck and John L. Dorsey were assigned by the Court to defend David and John Whittle in his trial for committing a felony. As the result, the Whittles were confined in the penitentiary for two years and "part of the time thereof to be spent in a solitary cell on low and coarse diet."

The October 1833 term is another one that is almost devoid of interest so far as we or any subsequent readers are concerned. William Harwood was admitted to the Bar upon Thomas F. Bowie's motion while William S. Taneyhill was sponsored by John L. Dorsey. James Seaborn of Gloucestershire, England was naturalized.

In the April, 1834 term, we find these interesting items: Thomas F. Bowie moved that Edward Hammond, Walter W. W. Bowie and Z. Collins be admitted to the Bar of Prince George's County, Maryland.

Henry S. Carlton was appointed Bailiff of the Court.

Eli Duvall, Thomas Carney and J. Allen Barber applied in open Court for admission to the local Bar. Their requests were approved.

The autumn term of the Court in the year 1834, was held November 17. At that term, Thomas F. Bowie moved for the admission of Robert W. Carter and Jonathan Pinkney; and Thomas F. Alexander moved for the admission of James Boyle, Jr. to the Prince George's Bar.

At that term, Judah, a slave, was tried and convicted of murder. Alexander C. Magruder was assigned as his counsel. He was sentenced to be hanged, and after his conviction, the Court fixed his value at \$350.00.

When the Court met for the April term, 1835, Caleb C. Magruder offered a motion to admit J. Clinton Beall to the practice of the law.

John Calvert and Robert M. Tomlin were granted licenses to operate ferries on the Patuxent River at Nottingham.

At the November, 1835 term, Thomas F. Bowie moved for the admission to the Bar of T. Watkins Ligon and L. E. Barber. T. Watkins Ligon was from Howard County and later became Governor of Maryland.

At that term, Frederick Miller, aged 38, a blacksmith of Wurtemberg, was granted American citizenship.

During the three years under review, the Court records show that the active attorneys were Thomas Alexander, John B. Brooke, Upton Beall, Thomas F. Bowie, Thomas Duckett, Edwin M. Dorsey, Singleton Duvall, John Johnson, Alexander Magruder, Caleb Magruder, Thomas G. Pratt and Richard Peach.

As the years melted away, the society of our ancestors became more complex, and regulation and supervision were increased.

The General Assembly became concerned with more and more legislation.

The business before the Levy Court was increasing to the extent that at the session of the General Assembly on March 4, 1834, Chapter 127 of the Acts of 1833 was passed, which act authorized the Levy Court to employ a clerk, who was to hold office during good behavior.

Chapter 209 of the Acts of 1833, passed March 15, 1834, fixed the two terms of the County Court to begin on the third Monday in November and the fourth Monday in April in lieu of second Monday in October and the first Monday in April.

Resolution 52 of the Acts of 1833, passed March 5, 1834, granted a pension to Annie Clagett, widow of Dr. Samuel Clagett, in appreciation of his services in the Revolution.

Chapter 57 of the Acts of 1834, passed February 10, 1835, named Robert D. Sewell, Richard W. West and Washington C. Calvert to lay out and supervise the construction of a road from Calvert's old mill to a gate known as Winckler's Gate.

Chapter 244 of the Acts of 1834, passed March 20, 1835, prohibited the sale of liquor or cordials of any kind, in any quantity, anywhere in Prince George's County after May 1, 1835.

Chapter 247 of the Acts of 1834, passed March 20, 1835, granted permission to the Reverend George L. Mackenheimer to bring two female slaves (Elizabeth and Martha) into the state. They had been given to him by his father-in-law.



Chapter 331 of the Acts of 1834 passed March 21, 1835, authorized William D. Bowie, Thomas F. Bowie, John Hodges and Thomas G. Pratt to supervise the providing of additional space for the Clerk's and the Register of Wills' offices. The act recited that the Commissioners appointed in Chapter 293 had failed to act.

Chapter 219 of the Acts of 1834, ratified in the session of 1835, provided "That after the expiration of the existing lottery grants, the legislature of Maryland shall not pass any law authorizing the drawing of any lottery or the traffick or dealing in lottery tickets, or schemes or devices in the nature of lotteries or the distribution of money or property by chance."

Chapter 67 of the Acts of 1835, passed February 10, 1836, prohibited geese and swine from running at large in the village of Piscataway.

Chapter 137 of the Acts of 1835, passed March 8, 1836, provided that any loss as the result of riots be recovered from the county, town or city is only recoverable unless the authorities shall have had good reason to believe such riot was about to take place and that when notified they failed to provide the necessary force to subdue it.

Chapter 204 of the Acts of the General Assembly was passed March 24, 1836. That act authorized the citizens of Upper Marlboro to organize a public school to be known as the Upper Marlboro Academy. The act named John B. Brooke, Thomas Clagett, Thomas Sasscer, Walter B. Brooke and William N. Boteler to act as trustees until the first Monday of January, 1837, when seven trustees would be elected to act for one year. On the first Monday of January, for each succeeding year seven trustees would be elected to serve for one year. The act also directed the Treasurer for the Western Shore to pay annually to the trustees of the Upper Marlboro Academy all the money which was then paid to Charlotte Hall.

Chapter 284 of the Acts of the General Assembly for 1835, passed April 1, 1836, granted permission to Mary Magruder to bring into the state a female slave named Grace.

In Resolution 79 of the Acts, passed by the General Assembly on March 31, 1836, John Leeds Kerr offered to the Governor and Council the manuscript, John Leeds Bozman's *History of Maryland* with the understanding that the state would publish and sell 500 sets of two volumes each to the public.

Let us go to the newspapers of those days, brush off the dust of years and read what was of interest to those that have gone ahead. First we will examine the *National Intelligencer*.

The issue of February 14, 1833, tells us that the Electoral College had just voted Jackson, 219; Clay, 49; Floyd of Virginia, 11; and William Wirt, 7. The electors from Maryland voted Jackson, 3; Clay, 5.

The March 9, 1833 issue of the *Intelligencer* announced the death of Dr. Richard T. Hall. He passed away at his home near Horse Head on February 5 last and was in the fifty eighth year of his age.

The paper published March 22, 1833, carried the news that Mrs. Elizabeth Marbury, wife of Dr. Alexander M. Marbury, whose age was twenty one, died March 17 last, at her home in Piscataway.

The issue of March 30, 1833, announced the death of Mrs. Mary Ann L. Edelen, wife of John B. Edelen, at her home in Piscataway on March 22. Her age was twenty two.

The issue of the paper dated May 9, 1833, informed us that on May 7, the Reverend W. A. Smallwood joined Dr. Richard H. Steuart and Miss Julia Calvert, youngest daughter of Charles Calvert, in matrimony at the home of the bride's father at Riverdale.

The *Intelligencer* for May 11, 1833, announced that Dr. Richard Duckett and Dr. Grafton Tyler had associated themselves for the practice of medicine. "Dr. Duckett may at all hours be found at his residence near the Governor's Bridge and Dr. Tyler at the adjoining residence of Grafton Tyler. They hope this arrangement will enable them to wait on all persons that may require their services with the greatest promptitude and punctuality."

The issue of June 13, 1833, announced the marriage of Daniel Clark and Miss Catherine Bowie, daughter of William Bowie, deceased. The ceremony was performed by the Reverend George L. Mackenheimer at Fairview on June the 4th last.

The paper published under date of October 15, 1833, announced the marriage of Jonathan Thomas Walker and Miss Amelia Jane Benson. The ceremony was performed by the Reverend Thomas J. Dorsey on October 13 last.

The *Intelligencer*, under date of October 16, 1833, informed us that on October 10 last, the Reverend George L. Mackenheimer joined in marriage Samuel C. Moran and Miss Mary M. Bowie.

Under date of October 28, 1833, we are told that on October 23 last, John Bowie and Miss Anna M. L. Gantt, daughter of the late Levi Gantt, were joined in marriage by the Reverend W. A. Smallwood.

On November 21, 1833, the *Intelligencer* announced the death of Mrs. Eliza S. Cross, age thirty three years, the wife of Major Truman Cross. Her death occurred on November 19.

On November 23, 1833, the paper announced the death of Mrs. Mary Ann Duckett, thirty five years of age, which occurred on November 8. Mrs. Duckett was the wife of Benjamin M. Duckett and the daughter of Fielder Cross.

The issue of January 27, 1834, announced the marriage of George Parker and Mrs. Ann Sophia Walker on January 21 last, by the Reverend David.

The issue of January 29, 1834, tells us of the marriage of John B. Magruder and Miss Mary Ann Hill by the Reverend Combs, on January 14 last. The wedding was solemnized at the home of William Hill, father of the bride.

The *Intelligencer* published February 12, 1834, brought some sad news. It tells all that on February 10 this instant, another Revolutionary hero, Samuel Scott of Bladensburg, "passed into the silent halls of death" at the age of seventy four years. He joined the Continental forces at the age of eighteen and remained for the balance of the war.

The issue for March 7, 1834, announced the marriage of Alfred Tolson and Miss Martha E. Bayne, daughter of William Bayne, deceased. The wedding took place at Apple Grove.

The people of the present Holy Trinity Church at Collington decided to move forward. This advertisement appears in the issue of the *National Intelligencer* under date of March 20, 1834:

"Proposals will be received by the undersigned Committee on Friday the 28th instant to build a brick church 40 x 50 feet in a plain and neat style at Henderson's Chapel. Signed William D. Bowie, Basil D. Mullikin, Fielder Cross, Robert Bowie. Queen Anne Parish."

The issue of April 25, 1834, informs us that on the 17th instant, Mrs. Jane Duvall, the amiable consort of Judge Gabriel Duvall, died at her home at Marietta in Prince George's County, in the seventy seventh year of her age.

On May 17, 1834, our paper announced the death of Mrs. Elizabeth Hamilton, wife of Samuel Hamilton, formerly of Prince George's County.

On May 28, 1834, we are told by the *Intelligencer* that on May 20 last, a wedding took place at Bel Air in Prince George's County, at which the Reverend Mr. Mackenheimer officiated, joining Richard B. Mullikin and Miss Ellen Cooke Ogle, daughter of Benjamin Ogle, in matrimony.

On June 16, 1834, the paper tells us of the marriage of Horace Capron of Anne Arundel County and Miss Louisa Snowden, daughter of the late Nicholas Snowden. The Reverend Mr. Smallwood was the officiating clergyman, and the wedding took place at Montpelier, the bride's home.

In the issue of September 6, 1834, Dennis Magruder stated that he was moving to the West and advertised for sale his estate consisting of 600 acres, known as "Mount Lubentia." The property was 12.9 miles from Washington City. The sale would be held on the premises at eleven o'clock, November 1, 1834.

On September 20, 1834, the *Intelligencer* announced the death of John S. Belt, on September 14 instant, at Upper Marlboro, in the twenty sixth year of his age. He had received a large and flattering vote in the last election for the office of Sheriff.

On October 20, 1834, the death of Charles Henry Brooke was announced. The death occurred on the 14th at Upper Marlboro. The deceased was seven years of age and the third son of John Brooke.

Our people in those days long past were very concerned about questions of public interest. The country was moving forward rapidly and many questions of policy were arising and pressing for decision.

In the issue of the *Intelligencer* published under date of November 29, 1834, we read that on November 25 last, a convention was held in the Courthouse at Upper Marlboro to select delegates to attend a convention to be held in Baltimore City on December 8 next, to discuss the wisdom of the state becoming involved in building the Chesapeake and Ohio Canal. At the Marlboro meeting, Benedict Semmes was chosen chairman and Edward W. Belt, secretary. Those chosen as delegates to go to Baltimore were John C. Herbert, George W. Duvall, Hon. Joseph Kent, Dr. Benjamin Day, John B. Brooke, Horatio C. Scott, Robert W. Bowie, James Somerville, Jr., George Semmes, Richard L. Jenkins, Notley Maddox and Thomas Berry.

In the paper published March 15, 1835, Fisher's Music Store in Washington was advertising these popular pieces of music.

“To read the Stars pretending”  
“When time hath bereft thee”  
“Home of my youth”  
“A Woman's Life”  
“Come dearest at the evening hour”  
“Farewell to the Nymph of my heart”  
“The Breaking of the Day”  
“I saw her at the fancy fair”

Then, as now, popular music was and is written to stir the emotions.

The *Intelligencer* of March 31, 1835, had an advertisement in which John B. Mullikin advertised for a teacher to teach the Latin and French languages, English grammar and mathematics to his family, in his home near Queen Anne.

On April 17, 1835, the *Intelligencer* announced the marriage on April 14, of Fielder Magruder and Miss Ann Young, daughter of Mordecai Young of the District of Columbia, by the Reverend William A. Smallwood.

The May 15, 1835 issue tells us of the marriage of William D. Hill to Catherine B. Smith, the daughter of Richard Smith of Washington, D. C. The officiating clergymen were the Reverend Mr. Matthews and Dr. Hawley.

The *Intelligencer* published August 5, 1835, informed us that a meeting was held in Upper Marlboro, July 30, 1835, for the purpose of forming a society to educate indigent young men for the Episcopal ministry. Dr. Hanson Penn was called to the chair and W. H. S. Taylor was named secretary. A resolution was offered and adopted naming Dr. Hanson Penn, Robert Bowie,

William L. Marbury, Benjamin Oden and Upton Beall as a committee to draft a constitution to be submitted to the meeting to be held August 14 next in Upper Marlboro.

On September 16, 1835, the same newspaper announced the marriage of Thomas G. Pratt of Prince George's County to Miss Adeline Kent, daughter of Colonel Robert Kent of Anne Arundel County on September 8 last. The minister was the Reverend Mr. Wright.

On September 30, 1835, the Baltimore & Ohio Railroad used the *Intelligencer* to announce to the public that trains operating over to its Washington Branch would make the following stops for the reception and discharge of passengers:

“The junction of the two railways at the nine mile post; the intersection of the turnpike at Elkridge landing; at the intersection of the Annapolis Road near the 17 mile post; at the Savage Factory Railroad; near Harrison's Tavern and the Laurel Depot; near the intersection of the turnpike near Vansville and the intersection of the turnpike near Bladensburg.”

The “ad” further advised that a bell had been hung over the ticket office in Washington that would be rung at twenty minutes and again at five minutes before the departure of the cars for Baltimore.

On November 11, 1835, that paper announced the death on November 4 last, at Bel Air, in the twenty seventh year of her age, the wife of William C. Ogle, Mrs. Mary R. Ogle.

On December 7, 1835, the *Intelligencer* announced that on December 3, at the home of David Craufurd in Upper Marlboro, a marriage was solemnized by the Reverend Mr. Swan, joining in marriage Dr. John A. Kearney, a surgeon with the United States Navy, and Miss Mary Forrest, youngest daughter of Richard Forrest.

Those elected to represent Prince George's County in the House of Delegates for the three years now under our consideration were:

1833—Benjamin Day, Horatio Scott, Benjamin Gantt and Thomas G. Pratt.

1834—Thomas G. Pratt, Benjamin L. Gantt, Walter B. C. Worthington and Philip Barton Key.

1835—Benjamin L. Gantt, Thomas G. Pratt, Walter B. C. Worthington and Edward H. Bryan.

We examine the pages of the *Maryland Republican* and in that publication under the date of July 25, 1835, we read: “A meeting of the members of the Prince George's County Bar convened in the Court House at Upper Marlboro to express their deep regret at the loss sustained by the Nation in the death of Chief Justice John Marshall.

John B. Brooke was called to the chair and Thomas F. Bowie was appointed secretary.

Thomas G. Pratt spoke and submitted the following resolutions:

“Resolved: that the death of John Marshall is the greatest loss to our Country since the death of George Washington.

“Resolved: that all members of this bar wear as a badge of mourning a black band six inches in width around the left arm for a period of sixty days.

“Resolved: that this bar join with the bar of Philadelphia to erect a monument in Washington City and that Walter W. Bowie and William Hallam Tuck be appointed a committee to communicate with other committees in our Nation.

“Resolved: that the Hon. John Stephen be requested to deliver the eulogy on the life of the late John Marshall and that the Chairman and Secretary give all possible aid and assistance to the Honorable John Stephen in arranging for the delivery of the eulogy.

Resolved: that the proceedings of this meeting be published in the *Marlboro Bulletin*, *Maryland Republican* and the *National Intelligencer*.”

We have now arrived at that period in the state’s history where major changes in the theory of government took place.

The government was brought closer to the people. Until the year 1837, our people were living under the Constitution of 1776 and such amendments as had been passed by the General Assembly.

Section 14 of the Constitution of 1776 provided “that the Senate be chosen in the following manner: All persons qualified to vote for County Delegates aforesaid shall on the first Monday of September, 1781, and on the same day in every fifth year thereafter elect viva vice by a majority of votes two persons for the respective Counties qualified as aforesaid to be elected County Delegates to be electors of the Senate; and the Sheriff of each County or his deputy summoning two Justices of the County who are required to attend, for the preservation of the peace, who shall hold and be Judge of said elections, and make returns thereof.”

Section 15 provided “that the said electors of the Senate meet at the City of Annapolis or such other place as shall be appointed for convening the legislature on the third Monday in September, 1781 and on the same day in every fifth year forever thereafter; and they or any twenty-four of them so met shall proceed to elect by ballot, either out of their own body, or the people at large, fifteen senators, nine of them to be residents on the Western Shore and six of them to be residents on the Eastern Shore, all to be above twenty five years of age, residents of the State above three whole years preceeding the

election, and having therein real and personal property above the value of one thousand pounds current money.’’

Section 2 provided ‘‘that the members of the House of Delegates shall be chosen in the following manner: all freemen above twenty-one years of age having a freehold of fifty acres of land in the County in which they offer to vote and residing therein, and all freemen having property in the State above the value of thirty pounds current money; and having resided in the County in which they offer to vote one whole year next preceding the election.

‘‘Each County shall elect four Delegates for their respective counties.’’

Section 9 provided that to introduce the new government an election be held for the electors of the Senators on Monday the 25th of November in the present year (1776) and that the electors of the Senator meet at Annapolis on Monday the 9th of December in the present year (1776) and there choose Senators and that an election be held on Wednesday the 18th of December for delegates to serve in the General Assembly and Sheriff; and that William Beanes, Enoch Magruder and Jeremiah Magruder, esquire or any two of them be Judges of and hold the elections in Prince George’s County.’’

Section 42 provided that ‘‘Sheriffs shall be elected in each county by ballot. All qualified shall vote for members of the General Assembly. He shall be elected for three years. If two candidates are tied in the number of votes received the Governor may commission either of the two. Such person shall serve for three years and shall not be eligible for the four years next succeeding.

‘‘To be eligible for Sheriff the Candidate must be above twenty-one years of age and have real estate and personal property in the State above the value of one thousand pounds, current money.’’

The electors met on Monday, November 25, 1776.

In the first Senate of Maryland one of the nine representatives from the Western Shore was Thomas Contee. He resigned October, 1778, and was succeeded by Joseph Sim, appointed to fill the vacancy in July, 1779.

At their meeting in Annapolis on September 17, 1781, Daniel Carroll was selected as one of the nine Senators elected to represent the Western Shore.

The electors for Senators chosen by the voters of Prince George’s County on September 4, 1786, were Walter Bowie and Fielder Bowie.

At the meeting of the electors held in Annapolis on September 18, 1786, Daniel Carroll was returned to the Senate as one of the nine to represent the Western Shore.

Five years later, in accordance with the Constitution, on September 5, 1791, the voters of Prince George’s County elected Walter Bowie and David Craufurd as senatorial electors. At their meeting in Annapolis on September 19, 1791, Benjamin Stoddert was elected one of the Senators to represent the Western Shore.

The voters, on September 5, 1796, elected Robert Bowie and David Craufurd to go to Annapolis and elect the nine Senators to represent the Western Shore.

On September 19, 1796, that body met and elected the nine members from the Western Shore.

At the election held September 21, 1801, Leonard Covington and Allen Bowie Duckett were elected senatorial electors. At their meeting in Annapolis on September 21, 1801. Walter Bowie of Prince George's County was one of the nine Senators elected from the Western Shore.

Five years later, on September 1, 1806, there was another election for senatorial electors, and the voters of Prince George's County chose Edward H. Calvert and Walter Bowie. They met with the electors from the other counties on the Western Shore and elected Thomas Duckett as one of the nine Senators from the Western Shore. Thomas Duckett was a Prince Georgian.

In that election for electors, there was a contest between Walter Bowie and William Lyles. Lyles contended that he had received more votes than Bowie. However, it was decided in favor of Bowie.

Five years later in 1811, the people of Prince George's County voted for Edward H. Calvert and William Marshall to serve as Senatorial electors.

In the year 1816, Francis M. Hall and Edward Calvert were the Senatorial Electors for Prince George's County, and when that body met in Annapolis, they elected the nine state Senators for the Western Shore. Archibald Van Horn of our county was one of the nine elected.

In 1821, Joseph Cross and Robert W. Bowie were the Senatorial electors for Prince George's County. At the meeting held in Annapolis, Robert W. Bowie was elected as one of the Senators from the Western Shore.

In the year 1826, Philemon Chew and Thomas T. Somerville became the Senatorial electors, and at their meeting held in Annapolis, Daniel Sprigg and John C. Herbert of our county were elected as two of the nine Senators from the Western Shore.

The Senatorial electors from Prince George's County for the year 1831 were Joseph Kent and Ralph C. Edelin. This year the Senatorial College elected William T. Wootton from Prince George's County as one of the nine Senators from the Western Shore.

Finally the year 1836 came, and the voters of Prince George's County elected George W. Duvall and Thomas G. Pratt as Senatorial electors. The Senatorial College met September 19, 1836, and due to differences of opinion, were compelled to adjourn from time to time because of lack of a quorum, until November 19, 1836, before a Senate was finally chosen, and the nine from the Western Shore did not contain a single Senator from Prince George's County.



Those elected to represent Prince George's County in the House of Delegates for the years 1836-1838 were:

1836—Henry L. Coombes, William H. Tuck and Benjamin L. Gantt.

1837—Thomas F. Bowie, William H. Tuck, Robert Ghieselen and Henry Coombes

1838—Thomas F. Bowie, William T. Wootton, Charles Calvert and Robert Ghieselin.

At the April term of 1836, Michael Baldwin was admitted to the Bar, while Thomas F. Bowie moved for the admittance of P. Jenkins and Daniel C. Digges. At the same term, a bench warrant was issued against Charles Lynch "for having and permitting the disorderly collection of Negroes in and about his house contrary to law."

Nothing of importance happened during the Fall Term of 1836. At the Spring Term, 1837, Thomas G. Pratt moved for the admittance of Thomas T. Gantt. Michael Slattery, aged 26 years, a school teacher from Tipperary, Ireland, was naturalized. Otho B. Beall entered into a recognizance in the amount of \$500 for Negro Andrew's behavior until the next Court.

During the three years we are now dealing with, 1839-1841, there was little change in the Court personnel. John Stephen served as Justice for the three years and Edmund Key and Clement Dorsey as the Associate Justices.

Samuel Fowler was Sheriff for the year 1839, Thomas H. Edelen for the year 1840 and John R. Baden for the year 1841. Aquila Beall was Clerk of the Court for the year 1839 and the spring term of 1840, and then John B. Brooke served for the last half of 1840 and the year 1841.

At the April term of 1839, Alexander C. Magruder moved for the admission to the Prince George's County Bar of Henry May and William M. Addison. The motion was granted. Robert Reintard, a native of Lower Canada was naturalized.

At the October term, 1839, a bench warrant was issued against Francis Ballinger for selling spirituous liquor without a license and for keeping a disorderly house. At the same term, Robert Clarke, a native of Nottinghamshire, England, declared his intentions of becoming a citizen.

The records of the April term in the year 1840, disclose that Thomas F. Bowie moved that J. Hampden Williams and Frederick S. Brown be admitted to the Prince George's County Bar.

At the October term in the year 1840, William H. Tuck moved that Frederick Stone be admitted to practice law, as well as Nicholas Stonestreet. Thomas F. Bowie moved that James Hobson be admitted. All motions were granted.

At the April term of Court in 1841, Thomas Alexander moved that Richard Grason be admitted to the Prince George's County Bar. William H. Tuck

moved that Henry W. Davis be admitted and Thomas F. Bowie moved for J. H. Clay Mudd.

Joseph Martin, a native of Wexford, Ireland, aged forty years was naturalized.

On April 6, 1841, Thomas F. Bowie moved that when the Court adjourned on that date, "it shall stand adjourned until 10 o'clock on Tuesday next, as a mark of respect for the memory of William H. Harrison, President of the United States, as expressive of the deep regret felt by the Court and bar, and community generally at his unexpected demise and for the purpose of offering all persons attending on this Court (who may be so disposed) an opportunity of attending his funeral."

The records of the October term in the year 1841 do not disclose any information of interest to the historian, except that William Weyman declared his intentions of becoming a citizen.

The Court records for the three years now under consideration disclose the following names of attorneys having business before the County Court: Thomas F. Bowie, John G. Brooke, John M. T. Causin, Thomas Duckett, Edwin M. Dorsey, Daniel C. Digges, John Johnson, William D. Merrick, D. D. Magruder, Thomas G. Pratt, A. Randall, Nicholas C. Stephen, Nicholas Stonestreet and William H. Tuck.

Let us review the work of the Legislature for the three years before us and learn what that body passed into law affecting Prince George's County and the way of life of our people.

Chapter 68 of the Acts of 1839 directed the Sheriff to summon seventy three qualified jurors for each term of the Circuit Court.

Chapter 290 of the Acts of 1839, directed that Peter Wood and Samuel C. Moran of Charles County, and William R. Barker and Thomas H. Hall of Prince George's County be appointed Commissioners to build a bridge over Swanson's Creek where the public road passed said creek near McPhearson's Mill.

Chapter 304 of the Acts of 1839 provided that Michael B. Carroll, Robert M. Furlin, John Burk, Hugh Perrie, Edward S. Perrie and James Naylor of James, became an incorporation by the name of Trustees of "Smith's Meeting House." Successors were to be elected or appointed at the quarterly conference of the Methodist Episcopal Church for Bladensburg.

Resolution 51, of the Acts of 1839, provided that Martha Wells, widow of a Revolutionary soldier, be paid a pension.

Chapter 66 of the Acts of 1839, provided that the taxable inhabitants of school districts meet annually on the first Saturday in May to appoint three trustees for the local school.

Chapter 143 of the Acts of 1840, named Richard L. Jenkins, Richard J. Edelin and John H. Gwynn to supervise the building of a road over the land of Thomas A. Claggett from Farmington on Piscataway Creek to the public road leading from Piscataway to Accokeek Church.

Chapter 199 of the Acts of 1841-42, kept in force all provisions of Chapter 201 of the Acts of 1835, but changed the manner of paying justices from per diem to a fee basis, and fees were increased fifty per cent.

Chapter 56 of the Acts of 1841, dealt with welfare. It provided that no person was to be placed on a list of out-pensioners who was able to find employment, who had not lived in the state for two years, or who was in the habit of debasing himself or herself by intoxication or other demoralizing vice.

Chapter 228 of the Acts of 1841, named Alexander Heck, Benjamin Welsh, Richard B. Walker, Thomas C. Duvall and John Beall of Jonathan as Commissioners to locate a road from some convenient point on the road leading from Bladensburg to Riddle's Bridge, in the direction of and by the mill of Samuel Hamilton, to the Baltimore and Washington Turnpike. They could use the present road or establish a new road, whichever would in their judgment be preferable. The road was not to be more than thirty feet wide.

Chapter 229 of the Acts of 1841, created the office of Tobacco Inspector at each of the warehouses.

Chapter 101 of the Acts of 1841, divided the county into two districts for the collection of taxes. All that part of the county lying east and north of the stage road from Washington to Upper Marlboro, thence to the Mt. Pleasant Ferry would constitute district No. 1 and all the balance of the county, district No. 2, Upper Marlboro was to be in District No. 2.

Those elected to represent Prince George's County in the House of Delegates for 1839 were J. M. S. McCubbin, Osborn Sprigg, William H. Tuck and Robert W. Bowie. In 1840, the Delegates were Osborn Sprigg, Robert W. Bowie, William H. Tuck, John M. S. McCubbin; and for the year 1841, John H. Bayne, William H. Tuck, John M. S. McCubbin and Samuel Hamilton.

Chapter 197 of the Acts of 1836, which was ratified in 1837, amended the Constitution of 1776, abolishing the manner of electing state Senators by electors and directed that at the election held in 1838, the voters would vote for Senator, and that Senator would sit in the session of the Legislature to assemble in December, 1838.

At the election held in the autumn of 1838, Thomas G. Pratt was chosen as the first state Senator by the votes of the people.

At that election, Pratt received 762 votes.

Let us consult the news media of those days and read of the items that were a source of the people's joys and sorrows, hopes and fears.

First, the *National Intelligencer*:

On June 27, 1836, that paper announced that on June 26, 1837, a duel was fought between D. V. Key, son of Francis Scott Key and a Mr. Sherbourne, both being midshipmen. Key was killed. The duel was fought on Mr. Arnold's farm in Prince George's County, situated two miles from Eastern Branch Bridge.

The issue of September 10, 1836, announced that on September 7, the death of Benjamin Oden, aged seventy four years, occurred at Bellefield.

The issue of October 13, 1836, announced the death of Benjamin H. Mullikin, aged sixty four years. His death occurred at the home of his sister, Mrs. Ann D. Worthington, at "The Forrest" in Prince George's County.

On May 8, 1837, the *Intelligencer* tells us that a meeting was held in Upper Marlboro on May 4, 1837, of the citizens interested in the tobacco trade. Robert W. Bowie called the meeting to order. H. C. Scott and S. L. Brooke were appointed secretaries. Mr. Thomas F. Bowie introduced resolutions that suggested that a committee of ten be appointed by the chair, who, with others in the United States interested in the growing of tobacco, wait upon the President of the United States and acquaint him with the problems of the tobacco planters.

The Committee consisted of John B. Brooke, Thomas F. Bowie, Charles Hill, Col. David Craufurd, Col. John Contee, William D. Bowie, Benjamin Ogle, Governor Samuel Sprigg, Alexander Keech and Philemon Chew.

The issue of January 29, 1838, announced the death of George Calvert, seventy years of age, at his home in Bladensburg on January 28.

The *Intelligencer*, under date of July 30, 1839, contained an advertisement for a camp meeting to be held at Beltsville on August 4 next. It also advised that a special train would leave Washington at 8:00 A.M., to return the same day, leaving Beltsville at 6:00 P.M.

On November 18, 1839, the paper announced the death of Col. John Contee, aged forty five years, at his residence in Prince George's County, at 2 P.M. on November 15 last.

The issue of November 25, 1839, announced the marriage of Miss Anne Ogle, daughter of Benjamin Ogle, and Robert Neilson of Baltimore City, on November 19 at Bel Air, the Reverend Mr. Beall officiating.

On December 12, 1839, Robert W. Bowie of Mattaponi advertised for sale, Brookfield Farm, formerly owned by John Duvall, consisting of 600 acres. It was situated at Nottingham, three miles from the Patuxent River.

## CHAPTER 29

### MID-19TH CENTURY COUNTY EVENTS: 1840-1847

The issue of the *National Intelligencer* of October 9, 1840, announced that on October 1, Richard Tasker Lowndes died at his home at Blenheim, near Bladensburg at the age of seventy seven years.

The issue of November 6, 1840, tells us that General Harrison, Whig candidate for President, carried Prince George's County by a majority of 400 votes.

The issue of December 30, 1840, announced the marriage of Osborn Sprigg and Miss Caroline L. Bowie, daughter of Robert W. Bowie. The wedding took place at Mattaponi on December 22. The Reverend Mr. Kerr officiated.

The February 2, 1841 issue, announced the death of Mrs. Christiana H. Clagett, wife of Dr. Thomas H. Clagett and daughter of Benjamin Oden of Prince George's County.

The issue of February 6, 1841, tells of a meeting of the Tippecanoe Club of Bladensburg, at Baldwin's Tavern on Wednesday, January 27, at which a resolution was passed asking all citizens of Prince George's County to assemble at Bladensburg on March 4 next and march to Washington and take part in the inauguration of President William Henry Harrison.

The issue of February 27, 1841, announced the death of Mrs. Ann Lowndes, widow of the late Richard T. Lowndes, in the seventy second year of her age. She died February 20 at her residence at Blenheim.

The paper of March 23, 1841, gives us news of a public meeting at Bladensburg on Saturday, March 20, 1841. The meeting was made up of Democratic voters. Dr. John E. Berry was chosen chairman and Robert Wright, secretary. It was called to order by Charles B. Calvert, who stated its object was to nominate a suitable person for Congress. The chair appointed Charles B. Calvert, Benjamin O. Lowndes, N. C. Stephen and Dr. Hanson

Penn as a committee on resolutions and suggested that resolutions be passed that expressed all confidence in Col. William T. Wootton of Prince George's County and recommended him for the nomination for Congress.

Let us see what the *Baltimore Gazette and Daily Advertiser* has to tell us of those days.

On April 13, 1841, we are told that the Whig voters assembled in Piscataway on April 3, to make arrangements for voters of the 7th Congressional District to choose five delegates each from Calvert, Charles, St. Mary's and Prince George's Counties to assemble at Charlotte Hall on April 22 and make a nomination for the Whig candidate for Congress. Thomas J. Marshall was elected secretary and Benedict I. Semmes, chairman of the meeting.

The paper of May 6, 1841, informed us that a meeting of the Whigs was held at the Laurel Factory on April 28 past, and endorsed the action taken by the Charlotte Hall Convention on April 22 past, in nominating Augustus R. Sollers for Congress. Mr. Gray called the meeting to order. Lyman Fulton was elected chairman and Dixon Brown, secretary.

On May 25, 1841, this interesting article appeared:

“The venerable Judge, Gabriel Duvall who some years since resigned his seat on the Supreme Court of the United States is now residing in reasonable good health on his estate in Prince George's County, Maryland in his eighty ninth year. He was born December 6, 1752. His mind, autograph and punctuation are, we understand, as clear and distinct as at any time of his life, a remarkable instance of the good effect of regular habits and a sound constitution. His father lived to be ninety years of age and his grandfather to the age of ninety three and were cultivators of the same estate on which the venerable judge now resides.”

In the year 1837 a new newspaper came upon the scene in Baltimore City, the *Baltimore Sun*. What does this newcomer have to tell us about the happenings of that time?

The issue of January 18, 1838, announced the marriage of George W. Wilson, editor of the *Marlboro Gazette* and Miss Mary A. E. Lynch. The marriage was celebrated on December 26, 1837, and the Reverend Mr. Coombs officiated.

On January 25, 1840, “a tract of land in Prince George's County, Maryland, containing 416 acres and the property of the late John Contee, was recently sold at public sale for \$60.25 per acre. This may be regarded as an excellent criterion of the value of land in that part of the state, for it must be land of the first quality that would bring such a price, in those ‘pinching times’.”

The February 20, 1841 issue, announced the death of Thomas H. Edelen, Sheriff of Prince George's County, a few days since, and the Governor commissioned John R. Baden to fill the vacancy, he having received the next largest number of votes at the last election.

Now the *Maryland Republican*. Under date of November 25, 1837, it states;

“We stop the press to announce melancholy intelligence which has just reached this city of the sudden death of Dr. Joseph Kent, one of the United States Senators of this State. He appeared to be perfectly well, and was riding in his field at the time and fell dead from his horse in an apoplectic fit. A patriot, a Statesman and a pure republican was lost in him.”

The issue of June 2, 1838, informed us that the Whig delegates to the Whig Convention to be held in Baltimore on June 7 next, were George W. Duvall, Thomas J. Marshall, Thomas G. Pratt, DeWhitt Kent and Robert Ghieslin.

In the issue of June 29, 1839, the following were named as medical examiners for the county: Dr. Benjamin Day, Dr. D. H. Calvert, Dr. Thomas Lee and Dr. Grafton Tyler.

The July 16, 1839, issue advises that the Levy Court appointed twelve trustees to contract for and supervise the building of thirty schools.

1st District:	John W. Brown and Walter W. W. Bowie
2nd District:	Fielder Magruder, Sr. and Thomas Baldwin
3rd District:	Thomas F. Bowie and William Clarke
4th District:	Michael B. Carroll and James Somerville, Jr.
5th District:	William G. Hardy and Henry D. Hatton
6th District:	John D. Naxton and Alexander H. Tolson

In the August 22, 1840 issue of the paper, I read the following two verses, and I feel obligated to pass them to the readers of some 130-odd years later that you may know what kind of reading appealed to those people that read the papers of that day.

“What is life? tis a delicate shell!  
Thrown up by eternity's flow;  
On Time's bank of quick sand to dwell  
And a moment its loveliness to show:  
  
Gone back to its element grand,  
Is the billow that brought on shore;  
See! another is washing the strand  
And the beautiful shore is no more.”

In passing over those years we cannot afford to neglect to look at the records of the Levy Court or County Commissioners. There are many bits of interesting information to be gleaned from the pages of those records.

When the Levy Court met on April 25, 1837, its members were William L. Marbury, Josias Young, Benjamin Duvall, Nathan Waters of Henry, Robert D. Sewell, Joseph H. Wilson and John L. Turner.

At the Court's meeting on March 28, 1838, a clerk was chosen to fill the vacancy occasioned by the death of Edward B. Belt. James B. Belt was chosen, and his salary fixed at \$400.00 per annum.

The Court would fail to meet for months on end because of a lack of quorum.

When the Court met on April 10, 1839, it appointed Commissioners of the primary schools: First District, Robert O. Edmonston; Second District, Benjamin Day; Third District, W. W. Bowie; Fourth District, M. B. Carroll; Fifth District, William G. Hendry; and the Sixth District, Henry A. Callis.

On April 6, 1840, a Commission arrived from the Governor appointing Judson W. McKnew, Zadoc Sasscer, Thomas B. Gwynn, Caeser A. Gantt, George W. Hilleary, Littleton T. Adams and John B. Magruder.

This new board, at its meeting of June 17, 1840, appointed as trustees of the primary schools: First District, Isaac Scaggs and W. W. Bowie; Second District, Zadoc W. McKnew and Edmund Duvall; Third District, Thomas F. Bowie and William Clarke; Fourth District, Michael B. Carroll and J. T. Somerville; Fifth District, William G. Hardy and Henry D. Hatton; Sixth District, John F. Haxton and Henry Tolson.

On December 15, 1841, Robert H. Lanham was appointed Collector of State Taxes for one year.

The reader should remember that the records of those meetings would be sketchy as great importance was not placed upon them by the authors.

The years now coming before us for review, 1842-1844, do not have many county records that are full of interest.

The County Court was constituted of the same men for most of the time in which we are interested.

John Stephen served as Chief Judge for the years 1842 and 1843. On June 26, 1844, Thomas F. Bowie announced to the Court that Judge Stephen had just died at Annapolis after an illness of ten days.

William B. Stone served as Chief Judge for the November term of 1844, and then Alexander C. Magruder served in that position. Edmund Key and Clement Dorsey filled the positions of Associate Judges for the period. John B. Brooke was Clerk of the Court for those three years, and John R. Baden was Sheriff during 1842 and Eli S. Baldwin, for the years 1843-1844.

At the April 1842 term, Thomas F. Bowie moved for the admittance of Trueman Tyler and Nicholas C. Stephen for W. T. Van Oden, Jr. T. S. Alexander moved for Brice T. B. Worthington and R. S. Coxe for William R. Woodward. John A. Goldsborough declared his intentions. Thomas



Washington was found guilty of murder in the second degree. He was sentenced to eighteen years in the Penitentiary.

At the October 1842 term, Thomas G. Pratt moved for the admission of Henry W. Thomas to the Bar.

At the April 3, 1843 term, Nicholas Stephen moved for the admission to the Bar of Dionysius Sheriff.

At the October term in 1843, Neal Carolan of Londonderry, Ireland, aged 35 years declared his intentions. Negro Daniel, the property of Samuel Hamilton was valued at \$350.00. He was at that time under a sentence of death.

At the April term in 1844, Daniel C. Digges moved for admittance of Daniel Ratcliff and Thomas G. Pratt moved for the admittance of Nathaniel Gordon and Thomas Granger. Thomas F. Bowie moved for the admittance of Charles S. Wallack. Joseph Martin, a native of Dublin, Wexford, Ireland, was naturalized. At the same term, William Hallam Tuck was assigned to defend George Page, charged with stealing a horse.

The Court records show that Thomas F. Bowie, John B. Brooke, John M. T. Causin, Daniel C. Digges, Thomas G. Pratt, C. C. Magruder, Nicholas C. Stephen, Nicholas Stonestreet and William H. Tuck had business before the Court during that time.

The test book also shows that William R. Woodward took the oath as an attorney on April 8, 1842.

Let us examine the Acts of the General Assembly. Chapter 16 of the Acts of 1842 appointed Dr. Hanson Penn, John Bowie and William Beckett to lay out a road leading from Bladensburg to Montgomery County through the lands of Thomas Burch, Washington Lewis and the late John G. Dodson, intersecting the northeast boundary of the District of Columbia.

Chapter 187 of the Acts of 1842 gave teachers authority to enforce attendance of pupils. Chapter 203 of the Acts of 1842 provided for the rebuilding of Governor's Bridge under the supervision of William E. Peach and Walter W. W. Bowie of Prince George's County and Thomas R. Beard and Edward Harvey of Anne Arundel County.

Chapter 56 of the Acts of 1843, constituted Charles B. Calvert, Robert Bowie, Thomas Duckett, William D. Bowie, Horace Capron, Thomas W. Claggett, James Mullikin, Thomas F. Bowie, George W. Wilson, Horatio C. Scott, Baruch Mullikin, William N. Dorsett, Thomas N. Inglehart, Robert and Richard Bowie and their successors a body corporate to be known as Prince George's Agricultural Society.

Chapter 135 of the Acts of 1843, changed the Court terms in Prince George's County to the first Monday of November and first Monday in April. Chapter 147 of the Acts of 1843, provided that all male, white citizens of the

village of Piscataway should meet the first Monday of May, 1844, and elect three citizens to act as commissioners; and that John W. Ward, William G. Handy and Richard J. Edelen should hold the first election. The Commissioners were to serve for one year, and elections were to be held annually, on the first Monday in May.

Chapter 176 of the Acts of 1843, provided for the incorporation of the trustees for the Bladensburg Academy. Chapter 255 of the Acts of 1843, directed Thomas Duckett, Fielder Cross and Richard C. Bowie to lay off the 7th election District to be known as Queen Anne's District. It was composed of territory which had been in Upper Marlboro District. Each Commissioner was to receive \$2.00 per day for his services.

Resolution No. 2 of the Acts of 1844, directed the Treasurer of the Western Shore to pay the salary of the late Judge Stephen, who died June 26, 1844, to his widow, Juliana Stephen.

In the year 1843 William D. Bowie was elected State Senator for Prince George's County.

Those elected members of the House of Delegates were:

1839—J. M. S. Maccubin, Osborn Sprigg, William H. Tuck  
and Robert W. Bowie

1840—Osborn Sprigg, Robert W. Bowie, William H. Tuck  
and John M. S. Maccubin

1841—John H. Bayne, William H. Tuck, John M. S. Maccubin  
and Samuel Hamilton

1842—Benedict I. Semmes, William H. Tuck, William R. Barker  
and Samuel Hamilton

1843—Charles B. Calvert, William T. Wootton, Benedict I.  
Semmes and Robert Ghisilin.

How about the Levy Court? On April 4, 1843, the Clerk produced commissions appointing Thomas B. Gwynn, George W. Hilleary, William B. Carroll, John B. Magruder, W. W. Bowie, John S. Hoxton and Septimus I. Cook as members of the Levy Court. At the time about which we are writing, the Governor appointed seven Justices to act as the Levy Court.

At that meeting the following were appointed trustees for the primary schools:

1st District	De Wilton Snowden
2nd District	Washington Hilleary
3rd District	Thomas F. Bowie
4th District	M. B. Carroll
5th District	William G. Hardy
6th District	Henry Tolson

On November 14, 1844, an order was passed authorizing Samuel Peach to make repairs to the school house in the 7th District. The cost was not to exceed five dollars.

At the same meeting the following gentlemen were recommended to the Governor for appointment as tobacco inspectors:

Bladensburg	Howerton Cross
Queen Anne	William B. Mullikin
Upper Marlboro	Levi Gibbons
Nottingham	Henry M. Chew
Magraders Ferry	Richard M. Waring
Piscataway	Richard I. Edelen

Let us look at the news media of that day to see what has been preserved for us to read.

The *National Intelligencer*, under date of August 20, 1842, announced that a meeting of Whig voters met in Upper Marlboro on August 13 past, at which meeting Thomas Duckett was called to the chair and Osborn Sprigg was appointed secretary. Ten delegates were chosen to represent the Whig party in the convention to be held August 24 next to nominate a Whig candidate for President. Those chosen were Governor Sprigg, William T. Wootton, Dr. William Marshall, Robert Wright, Thomas Duckett, Robert W. Bowie, Thomas G. Pratt, W. B. C. Worthington and Charles B. Calvert.

An advertisement announced that a mass meeting and pole raising would be held at Beltsville, at 10 A.M., September 21 next, and all Whigs, Glee Clubs and Democrats were invited.

The *Baltimore Gazette and Daily Advertiser* tells us, under date of January 4, 1842, that on December 20, 1841, at Colebrook, Dr. John H. Bayne and Miss Harriett Addison, daughter of the late John Addison, were married. The Reverend Mr. E. M. Van Deusen officiated.

On May 11, 1842, that paper announced that a Ladies Fair would be held at the Academy in Bladensburg, on May 17 and 17 next. All profits were to be used to repair St. Matthew's Church.

The issue of July 4, 1844, tells us that a great Whig festival was held on the Old Spa Spring grounds in Bladensburg. Whigs from Baltimore City, Washington, Georgetown and the surrounding country, paraded to the Academy then to the pavillion on the Spa Spring grounds where prayer was offered by the Reverend Mr. McLain. Charles B. Calvert introduced the speakers who were Thomas Fielder Bowie, Thomas S. Alexander, Augustus Bradford, J. P. Kennedy, J. M. S. Causin, W. Cost Johnson, Hugh Carpenter and Walter Lennox.

The ladies from Baltimore City furnished and served the banquet.

On January 3, 1843, the *Baltimore Sun* announced the marriage of Mordecai Plummer and Miss Susan Waring, the fourth daughter of Colonel Waring of Prince George's County, on December 29, 1841, at Mount Pleasant, the Reverend Mr. Trapnell officiating.

The Court for 1845-1847, was comprised of Alexander C. Magruder, Chief Judge for the three years, and Edmund Key for the same three years as Associate Justice. Clement Dorsey served in 1845 and the April term of 1846. At the November term of 1846, on the 11th day of that month, Peter Crain produced his commission appointing him Associate Justice in the place of Clement Dorsey, but the record gives no explanation for the change.

Eli S. Baldwin was Sheriff for the year 1845 and John R. Baden, Sheriff for the years 1846 and 1847.

John B. Brooke served as Clerk of the Court for the three years under consideration.

At the November, 1845 term, William H. Tuck moved for the admission to the Bar of Albert Stuart and Thomas F. Bowie made the same motion on behalf of Thomas Simmons and Charles E. Stuart. All motions were granted.

Thomas Canfield of Ireland was admitted to American citizenship.

At the April term, 1846, James Dunn and Owen Clarke, both of Ireland were granted American citizenship.

At the same term, Thomas F. Bowie moved for the admittance of Frederick Morrell, William Hallam Tuck moved for the admission of Henry M. Manning, and Daniel C. Digges for the admission of William S. Marshall.

John S. Edelen was fined \$5.00 for "profane swearing in the presence of the Court." However, his fine was remitted.

At the November term, 1846, Thomas F. Bowie moved for the admission of Robert S. Reeder. His request was approved. Charles H. Parmelee was judged guilty of forgery and was sentenced to be confined in the Penitentiary for two years and six months.

Michael Brown of Tyrone County, Ireland and Daniel Mullen of Donegal, Ireland were both granted American citizenship.

At the session of the Court held on November 18, 1846, the news of the death of Theodorick Bland, the late Chancellor of the State of Maryland was announced. A. C. Magruder, Chief Judge, was called to the chair and Daniel C. Digges was appointed Secretary. Resolutions were introduced by John Johnson expressing condolences over Bland's passing, whereupon the meeting adjourned out of respect to his memory.

At the April term of 1847, little of importance transpired. John C. Mullikin was admitted to the practice of law upon the recommendation of Thomas F. Bowie. Trueman Tyler and Thomas E. Williams were appointed the Standing Committee of the Court as a Court of Equity.

At the November term, 1847, Thomas F. Bowie moved that Thomas Martin, Nicholas H. Shipley, and Samuel S. Williams be admitted to the practice of law. The motion was granted.

A bench warrant was issued against Negro William, the slave of Roderick McGregor for “aiding and abetting and carrying away Negro Amelia, the property of Mrs. Mary Brooke sometime between the 1st of July and the 1st of November, 1845.”

Negro Ned, the slave of Mrs. Phebe Lambert was also issued a bench warrant for “taking the life of Mrs. Henrietta Clements by the use of poison about the month of March in the year 1846” and also for attempting to take the lives of Elizabeth, George and Nace Gardiner with poison on September 2, 1847.

Thomas F. Bowie also moved for the admission to the Bar of Gerard W. Crain, Samuel W. Cary and Robert I. Brent. These additional requests were granted.

The members of the Bar appearing before the County Court during the three years under consideration, according to the records were John B. Brooke, Thomas Fielder Bowie, W. W. Bowie, J. M. A. Causin, Thomas W. Clagett, Henry M. Davis, Daniel C. Digges, J. Johnson, C. C. Magruder, Thomas G. Pratt, Nicholas Stonestreet, Nicholas C. Stephen, and William H. Tuck.

Let us look at the records of the General Assembly for the years we are now reviewing and see what legislation was enacted calculated to change the way of life at that time.

Chapter 73 of the Acts of 1845 authorized the Levy Court to seal the tobacco warehouse at Queen Anne.

Chapter 171 of the Acts of 1845 provided that the Governor appoint a lumber inspector for Clagett’s Landing, Queen Anne, Mt. Calvert and Green Landing in Prince George’s County.

Chapter 197 of the Acts of 1845 provided that three or more patrons of any school might appeal from a decision of the local board of trustees to the general board of trustees concerning a teacher.

In the year 1846, William D. Bowie was re-elected a member of the State Senate.

Those elected to represent Prince George’s County in the House of Delegates were:

1844—Charles B. Calvert, Robert Ghiselin, Osborn Sprigg  
and William T. Wootton

1845—Thomas F. Bowie, Thomas F. Clagett, Edmund Stephen  
and Thomas S. Duckett

1846—Thomas Duckett, Edmund B. Stephen, Thomas Martin and Philemon Chew

1847—Thomas Martin, Thomas W. Clagett, Thomas Duckett and William Pinkney Brooke.

The term for members of the House of Delegates was two years with the session by virtue of Chapter 269 of the Acts of 1845 ratified in the session of 1846.

At the meeting of the Levy Court held May 25, 1846, the following members were present: Wallace Kirkwood, Benjamin M. Duckett, Benjamin Duvall, Walter A. Edelin, Robert Bowie, Horatio Dyer and John H. Waring.

On January 28, 1847, those recommended for appointment as tobacco inspectors were:

Bladensburg	Howerton Cross
Upper Marlboro	William B. Bowie
Nottingham	Henry Chew
Magruder's Ferry	Jere Turner
Piscataway	George O. Munroe

Edward Suit was appointed Inspector of Plaster of Paris, for the 2nd District.

Thomas Sherlock was appointed Keeper of the Court House with a salary of \$75.00 per annum.

The *National Intelligencer* of March 25, 1845, announced the death of Mrs. Catherine Duckett, daughter of the late Walter Bowie and the wife of Thomas Duckett in the thirtieth year of her age at Willow Brook. Her death occurred on March 9 last. The same issue of that paper announced the death of Mrs. Mary S. Magruder, wife of C. C. Magruder of Upper Marlboro.

The *Intelligencer* dated May 1, 1845, told us that on April 29 just past, Charles C. Hill and Emily R. Snowden were married at Avondale by the Reverend Thomas Lilly. The bride was the daughter of Mrs. E. W. Snowden.

The issue of October 2, 1845 announced the marriage of Dionysius Sheriff and Miss Margaret M. Dove, daughter of Marmaduke Dove of Washington, D.C., on September 30, last, the Reverend Mr. William Pinkney officiating.

The *Baltimore Gazette and Daily Advertiser* carried an advertisement in its February 25, 1845 issue, offering for sale these pieces of music: "Queen of my Soul," "Fondest Affections," "Still Cling to Home," "My Mary is the sweetest rose," "My heart returns to thee again," and "When night comes o'er the plain."

The same paper, in its issue published October 28, 1845, informed us that the fifth annual exhibition of the Prince George's Agricultural Society, held in Upper Marlboro on October 22 and 23, was well attended and gave great satisfaction. Dr. Bayne exhibited fine specimens of fruit and vegetables; Charles

B. Calvert, fine purebred cattle; Thomas Duckett and W. W. Bowie, two slaughtered sheep; and Colonel H. Capron, a beautiful team of mules.

On October 24, 1845, the *Baltimore Gazette and Advertiser* contained this advertisement:

“Barbecue at Bladensburg. The Whigs of Washington will attend the Barbecue to be given at the Spa Spring Grove, Bladensburg tomorrow, Wednesday the 25th. Arrangements have been made there to accomodate five thousand persons and our friends assure us that there will be room for all. A train of cars will start from the depot at Washington 9:00 o'clock A.M. and return at 9:00 P.M. Fare for the round trip is fifty cents. A strong pull for old Maryland.

Signed  
Samuel Douglass  
Chairman, Committee Arrangements”

The *Baltimore Sun*, on January 16, 1845, announced the death of Rosalie Eugenia Carter, daughter of the late George Calvert of Riverdale, and the wife of Charles H. Carter. Death occurred on the 10th instant, at “Goodwood”.

## CHAPTER 30

### CALM YEARS FOR THE COUNTY: 1848-1853

The years 1848, 1849 and 1850 came up over the horizon and passed out upon the tide of eternity without leaving much change in the affairs of men in Prince George's County.

Alexander C. Magruder was Chief Judge of the County Court and Edmund Key and Peter Crain, Associate Justices for the three years now before us. John R. Baden served as Sheriff for 1848 and James I. Chew, in the same capacity for 1849-1850, while John B. Brooke filled the office of Clerk to the Court for the three years with which we are dealing.

At the April term of 1848, Benjamin Westerfield of Germany declared his intentions to become a citizen while Joseph Trimble, of County Tyrone, Ireland was naturalized.

At the November term of 1848, John West, of Antrum County, Ireland was naturalized while John L. Lederer of Germany, Robert Fisher of England, and Nicholas Cook, of Limerick, Ireland declared their intentions. Thomas F. Bowie moved for the admission to the bar of A. B. Hagner and his request was granted.

At the November term of 1849, Thomas F. Bowie's request for the admission of John Basil was granted. Trueman Tyler was assigned as Counsel to defend Negro Isaiah Lancaster who had been presented for the murder of John Matthews.

At the April, 1850 term, Thomas F. Bowie moved that Hugh C. McLaughlin be admitted to the Bar of the county.

The Court records show that those appearing before the Court were John B. Brooke, William H. Tuck, Nicholas C. Stephen, Thomas W. Clagett, Daniel C. Digges, J. M. S. Causen, Thomas F. Bowie and C. C. Magruder.

The General Assembly passed the following acts in which Prince George's County had a particular interest :



Chapter 303 of the Acts of 1847, appointed Robert Bowie and Basil D. Mulliken of Prince George's County with Barton Duvall and Basil D. Hall of Anne Arundel County to rebuild Priest's Bridge.

Chapter 30 of the Acts of 1849, provided that the Charter of the Planter's Bank be revived and extended until January 1, 1855.

Chapter 205 of the Acts of 1849 recited that the citizens of Piscataway had failed to elect Commissioners and that act authorized James H. Griffin, John W. Ward and Joseph B. Edelen to hold an election.

Chapter 226 of the Acts of 1849, passed February 25, 1850, provided that the General Assembly erect the 8th Election District to be known as Aquasco. This district, as described by courses and distances in that act, should be taken out of Nottingham, the 4th District.

In Chapter 214 of the Acts of 1849, the County Courts were given authority to pass final decrees in proceedings for divorces a vinculo matrimonii.

Chapter 272 of the Acts of 1849, appointed John Hodges, Robert C. Brooke and Samuel B. Anderson to supervise the building of a jail not to cost in excess of \$1,500.00.

Chapter 556 of the Acts of 1849, passed March 6, 1850, abolished the Levy Court for Prince George's County and provided for the election of County Commissioners for the said county.

Section One provided that from and after the first Wednesday of October, 1850, the Levy Court was abolished.

Section Two provided that on the first Wednesday of October, 1850 next, and on the first Wednesday of October every third year thereafter, all persons voting for members of the General Assembly should vote for eight persons to be Commissioners for the ensuing three years, and the eight persons receiving the highest number of votes should be declared elected. They would elect one of their members chairman and fill vacancies, and each Commissioner was to receive two dollars per day for each day present at meetings.

The last meeting of the Levy Court was held September 5, 1850, and those present were Palydore E. Scott, Alexander Keech, Edward H. Wyville and Thomas Clements.

The first meeting of the Commissioners was held October 10, 1850, and those present were William Clark, William H. Gwynn, Thomas R. Brooks, Charles Digges, Thomas Martin and Robert I. Young.

At the next meeting held November 5, 1850, the other two elected, Roderick McGreagor and Nathan Waters of Henry, were present.

In the year 1849, John D. Bowling was elected to represent Prince George's County in the State Senate.

At the same election in the same year, those elected to the House of Delegates were Daniel C. Digges, Thomas J. Marshall, Joseph I. Duvall and Oden Bowie.

The Constitutional Convention of 1851 convened in Annapolis, on November 4, 1850.

The delegates to the Convention from Prince George's County were Thomas F. Bowie, William H. Tuck, Samuel Sprigg, John M. S. McCubbin and John D. Bowling. The Convention adjourned on May 13, 1851.

The voters in Prince George's County did not favor the new Constitution. Two hundred and seven voted to call the Convention, and 655 voted against calling the Convention. All the delegates elected were Whigs.

Chapter 55 of the Acts of 1804, ratified in 1805, divided the state into judicial Districts placing Prince George's County in the 1st District. It provided that three persons of integrity and sound legal knowledge should be appointed, one of whom should be termed Chief Judge and the other two, Associate Judges, all of whom shall hold their commissions during good behavior.

The Constitution of 1851 divided the state into eight judicial districts and placed Prince George's County in the 1st District. It further provided that one person should be elected to serve for ten years and would be known as Circuit Judge and would receive a salary of two thousand dollars per year.

The Clerk of the Court and the State's Attorney were to serve for four years, and a Sheriff, for two years; the first election was to be held the first Wednesday of November, 1851, for all offices.

The meeting of the General Assembly was to meet on the first Wednesday of 1852 and again on the same day in the years 1853 and 1854 and then every two years convening on the same date.

The desire for change from the old to the new had moved into Prince George's County. Men of lesser stature than those who believed the government was their inheritance became restive and began to manifest more and more interest in the environment in which they made their homes and the government under which they lived.

The following acts among others were passed at that time to care for the needs of an expanding economy and a forward looking people.

Chapter 46 of the Acts of 1852 authorized the Commissioners to sell the tobacco warehouse at Bladensburg.

Chapter 359 of the Acts of 1852 directed Basil D. Mullikin and Richard L. Ogle for Prince George's County and Thomas R. Kent and Basil D. Hall for Anne Arundel County to rebuild Governor's Bridge.

Chapter 194 of the Acts of 1853 provided a Charter for the Baltimore and Potomac Railroad. The Prince Georgians among the incorporators were

Thomas G. Pratt, Thomas F. Bowie, William P. Brooke, Dr. Charles Duvall, W. W. W. Bowie, Charles Hill and Thomas J. Marshall.

Chapter 372 of the Acts of 1853 fixed the number of Commissioners at five in accordance with Section 8 of Article VII of the Constitution of 1851 and whose term of office would be two years in accordance with the aforesaid Section of the new Constitution. The members of the Levy Court, the last to be elected were Richard B. Walker, Dionysius Sheriff, Nathaniel Marden, John A. Coe, George H. Hunter, R. W. G. Baden, Jeremiah N. Turner and William Clarke.

William Clarke was elected President of the Board; Thomas E. Williams, Clerk; and Shelby Clark, Attorney.

On April 15, 1852, the Board appointed Dr. P. J. Gardner, physician to the jail and Joseph B. Harris, keeper of the Courthouse.

At the November 17, 1852 meeting, the Board appointed Daniel C. Digges, William Clarke and William A. Jarboe to examine the Courthouse for needed repairs and improvements and to advertise for a construction engineer to effect the same.

On January 5, 1853, the compensation for the Commissioners was raised to \$300.00 per year.

On May 16, 1853, Daniel C. Digges and William A. Jarboe were authorized to proceed with the repairs of the Courthouse and to construct a fireproof record room. The Committee closed the contract for the repairs and the addition to the Courthouse. The successful bidders were Reynolds and Rawlings. The bid was \$8,000.00.

On January 13, 1853, Dr. John H. Mundell was appointed physician to the jail.

Those elected by the voters to represent Prince George's County in the House of Delegates were:

1852—William W. Duvall, John B. Brooke, Jr., and Thomas J. Marshall

1854—William W. Duvall, John B. Brooke, Jr., and Thomas J. Marshall

The last meeting of the old Levy Court was held on October 22, 1853.

The newly-authorized Board of County Commissioners held its first meeting on November 25, 1853. Richard B. Walker was elected President. The other members were James Mullikin, Charles C. Hill, R. W. G. Baden and Octavius C. Harris.

The *Baltimore Sun* under date of October 22, 1852, contained this interesting item: "The Prince George's County Agricultural Fair opened October 19th. Mrs. Robert C. Brooke exhibited fine specimens of pickles, preserves and cake. Miss Laura Hill exhibited beautiful specimens of worsted

work and bead work also three beautiful paintings in oil and several excellent crayon sketches. Miss M. Eloise Marsell exhibited two superb oil paintings and a number of crayon sketches. Miss August Magruder exhibited some fine crayon sketches and some worsted work. Mrs. Judge Tuck beautiful crochet work, Capt. Oden Bowie the only specimen of butter and Messrs. Fawcett and son had a fine display of manufactured goods. General Thomas F. Bowie, a fine specimen of pickles. Mrs. Thomas Turner, a counter pane, Messrs. Ramsburg and Ebert, a fine display of fancy leather and buckskin gloves together with beautifully dressed sheepskins. In the floral department, there were exhibits from Mount Airy, Miss Louise Brookes, Mrs. R. C. Brook and Capt. Oden Bowie.’’

The May 20, 1853 issue of the *Baltimore Sun* gave the bad news that on May 15, 1853, the Roman Catholic Church at White Marsh, in Prince George’s County, accidentally took fire and was entirely consumed, together with the dwellings attached and all the furniture and vestments. The Church is supposed to have been the oldest church in the state, and the buildings attached were for many years used as a novitiate.

In its issue of June 10, 1853, the *Baltimore Sun* announced the death, at Upper Marlboro, of Trueman Tyler, State’s Attorney, being the first to hold this office by election under the Constitution of 1851. He died June 5, 1853, and was in the thirty-fourth year of his age.

On July 10, 1853, the *Sun* tells us that a stage line was then running from Brookeville, in Montgomery County, via Sandy Spring and Drayton to the handsome village of Laurel in Prince George’s County, on the Baltimore and Ohio Railroad, six times a week. It connected with the eight and nine trains from Washington and Baltimore each morning.

The *Marlboro Gazette* dated February 2, 1853, published the following item: ‘‘On Monday, January 31, 1853, at Fort Washington, in this County, Honorable Alexander C. Magruder, age 75 years, passed on.’’ The deceased had filled many honorable offices in our state, and at the time of his death, he was reporter to the Court of Appeals. He was the last Chief Judge of this Judicial District under the old Constitution, and he discharged the duties of that office with an ability which had won for him a name among the first jurists of our country. As a lawyer, he had few superiors; as a Judge, he was able and upright; and as a man, he was beloved by all who knew him. Those who had frequented our Quondam County Court would remember his silver hairs with reverence; and those who knew him well and appreciated him would long mourn his departure from among the things of life.

The issue of the *Gazette* under date May 11, 1853, contained a synopsis of the bill incorporating the Baltimore and Potomac Railroad which had just passed the Maryland Legislature, and reads as follows:

‘‘The Capitol Stock of the Company to be \$1,000,000.00 and as soon as 2500 shares of stock are subscribed the stockholders and their successors are

declared incorporated under the name of the Baltimore and Potomac Railroad. Two dollars to be paid on each share of stock at the time of subscribing for the same. If subscriptions are not received in five years, the Act of Incorporation shall be null and void.

“The road is to be constructed from a suitable point in or near Baltimore to a point not higher up than Liverpool Point and not lower down than the Wicomico River with such branches at any point of said Railroad not exceeding twenty miles in length as the President and directors may determine. The rate of transportation shall not exceed ten cents per ton per mile for freight and four cents per mile for passengers.”

The bill was introduced by Mr. John D. Bowling, and the committee to which it was referred reported it with amendments, requiring the road to run through Upper Marlboro or within one mile of the same, and also by or near the Town of Port Tobacco.

Mr. Bowling nominated the following gentlemen, and the Senate appointed them Commissioners to carry into effect the provisions of this act: Thomas G. Pratt, John S. Sellman, Charles R. Stewart, Rezin Hammond, George Wells, Owen Disney, John T. Hodges, James S. Owens, Thomas B. Bowie, George Morton, William R. Barker, William P. Brooke, Dr. Charles Duvall, W. W. W. Bowie, Charles C. Hill, Nicholas H. Shipley, P. W. Crain, William B. Stone, John Matthews, John W. Jenkins, Francis Thompson, Uzial Nally, Walter Mitchell, Edmund Perry, George Thomas, Richard Miles, Edward J. Plowden, John C. Brune, John S. Gittings, James Carroll, Edward Reynolds, Henry Garrett, Francis Neale, Zenus Barnum and William Baker.

The issue of June 15, 1853, carried the news that Richard H. Bryan announced that he was located in Upper Marlboro for the practice of law.

The issue of July 20, 1853, announced that Benjamin Brashears of Vansville District, 70 years, had died July 14, 1853.

The issue of August 31, 1853, told us that the County Whig Convention had assembled in Upper Marlboro, August 25, 1853, with Col. W. M. Dorsett in the chair and Joseph Parker acting as secretary.

It made up the county ticket of the following:

State Senate:	Samuel H. Berry
House of Delegates:	Henry Jones, Dionysius Sheriff and James M. Marshall
State's Attorney:	Daniel C. Digges
Commissioners of the Tax:	Richard B. Walker, N. M. Marden, Charles C. Hill, O. C. Harris and R. W. G. Baden

In the issue of September 21, 1853, we read that Dr. W. Seton Belt had located near the Brick Church (the former residence of Mr. George W. Bowie)

and respectfully offered his professional services to the citizens of Prince George's County.

In the issue of November 2, 1853, Shelby Clark informed the readers that he was practicing law in Upper Marlboro.

The *Gazette*, in its issue of November 9, 1853, published results of the recent County election. The results: Governor: Richard J. Bowie, Whig, 867, Thomas W. Ligon, Dem., 753. State Senate: Samuel H. Berry, Whig, 855, John B. Brooke, Dem., 760. House of Delegates: Henry Jones, Whig, 831; Dionysius Sheriff, Whig, 872; James M. Marshall, Whig, 830; Frederick Sasser, Dem., 797; Richard H. Duvall, Dem., 715; Edward H. Wyville, Dem., 688. State's Attorney: Daniel C. Digges, Whig, 830; C. Smith Keech, Dem., 798. Sheriff: Thomas H. Osborn of C., Whig, 853; Benedict Edelin, Dem., 773; William L. Hatton, Dem., 299; Francis N. Boteler, Whig, 219.

The issue of that paper dated November 30, 1853, told us that Richard B. Chew and Miss Louisa Brookes daughter of Capt. John Brookes, were married by the Reverend David Kerr, in Trinity Church, Upper Marlboro, at noon, November 23, 1853.

The publication dated October 12, 1853, informed us that John B. Brooke, leader of the Democratic Party, died at his residence in Upper Marlboro at 4 P.M. on September 28, 1853. He was in the fifty-fourth year of his age.

The *Gazette* of January 4, 1854, told us that at 7 P.M., December 31, 1853, the Marlboro Hotel, operated by Leonard W. Chew, burned to the ground. The fire originated in the garret. The hotel was owned by Capt. John Brookes and was insured with a company in Alexandria, Virginia. The hotel was within a few feet of the store of George W. Wilson and the *Gazette* Office.

On January 11, 1854, we are told that the Legislature met January, 1854, and John F. Dent of St. Mary's County was chosen Speaker, and William Lingan Gaither of Montgomery County was chosen President of the Senate.

On November 30, 1853, the *Gazette* announced the death of Samuel C. Snowden at his residence in Vansville District, November 12, 1853. He was in the forty-fifth year of his age.

On November 9, 1853, the *Gazette* informed us that at a meeting of the Bar Association, (the date of the meeting not given), the deaths of John B. Brooke, Trueman Tyler and Richard Bryan were announced. This would tell us that there was a Bar Association in the county at least ten years before the Civil War.

The July 13, 1853, issue published the sad news that Cora Marbury, who had just been married on January 6, 1853, had departed this life on July 6, 1853.

George W. Wilson, the Editor of the *Gazette* at the time these items were written was born in 1816 or 17. He founded the *Gazette* in 1836. He served as

State Senator from 1870-73 and was President of the Maryland Editorial Association from its formation until the time of his death. He was also a Judge of the Orphans' Court from 1867 to 1869. He died of Bright's Disease, in Upper Marlboro, on January 30, 1877. The assessment record for 1871, showed that he was assessed for a dwelling, brick office, store and warehouse for a total of \$12,336.00. He also was assessed for 162 acres known as "Bacon Hall," and this tract was assessed at eighteen cents per acre.

Let us return to the proceedings of the Circuit Court. For the April term of 1851, A. C. Magruder was the Chief Judge. Edmund Key and Peter Crain were Associate Judges. James J. Chew was the Sheriff and John B. Brooke, the Clerk.

At that term of the Court William H. Tuck moved that Thomas Wilson, Samuel H. Berry and C. Smith Keech be admitted to practice law. The motion was granted. Walter W. Bowie produced certificate of appointment as Deputy Attorney General. Robert Fisher, a native of England, and William B. Evans of County Flarmanagh, Ulster, Ireland, were naturalized. Trueman Tyler was assigned counsel for the defense of Suney Brown (woman of color) indicted for murder. The verdict was guilty of murder in the second degree. She was sentenced to fourteen years in the penitentiary.

At November, 1851 term A. C. Magruder continued as Chief Judge. Edmund Key was Associate Judge, James Chew the Sheriff and John B. Brooke the Clerk.

At that term, Nicholas Coale of Limerick County, and John Marshall of Ireland, were naturalized. The Clerk announced the election of Trueman Tyler as State's Attorney.

The Court noted the following: "We Judges of Prince George's County Court do Certify to the County Commissioners of Prince George's County, that Samuel Mockabay, slave of Doctor David Craufurd, having been convicted of robbery and sentenced to confinement in the penitentiary, was valued by this Court at six hundred dollars."

The Court ordered that the following testimonial of the Grand Jury and preamble and resolutions of the Bar of this County Court were to be entered in the Minutes of the Court, as follows:

"The Juries of the State of Maryland, for the body of Prince George's County, cannot permit the present term of the Court to close without offering for themselves, and in the name of the citizens of the County, a public testimonial of their opinion of the Judicial character of the members of the Court, and of the valuable services rendered by them in this official capacity.

"In one of the Courts they recognize the only surviving original appointee under the present Judicial System, who, by a uniform course of urbanity, kindness and consideration for all persons having business with the Court, for nearly half a century, has endeared himself to their best feelings.

“In another of the Courts we recognize one of Maryland’s ablest Jurist who was contemporary and equal with these great men of the present century (now no more) whose learning is exhibited at the Bar, has illustrated the principles of law and equity of this State and furnish to the profession at the present day, lights to guide in the science to which they are devoted, and while making special mention of the greater experience of the elder members of the Court, he would also acknowledge the ability and qualifications of the Junior Associate and his fitness for the Station to which he has so recently been elected by the people.

“Systems pass away, or are changed, as the progress of events and alterations in the opinions and necessities of mankind may render necessary, and those who have administered them ever leave behind something to remember us at the points which the institutions of the Country have vouchsafed to the people.

“We may be satisfied if after the lapse of many years we shall have a little cause to complain of the results of the new system as we have had of the administration of the one now about to expire.

“Purity and integrity in private life, are no less essential to the proper administration of Justice than patience, learning and ability.

“Happily for the people of this District we have had Judges possessing these qualifications, and in view of the separation soon to take place we would make this public acknowledgement in behalf of the present incumbents and tender to them our earnest wishes for their prosperity and happiness. As a testimony of this Act of Justice, we desire that the above may be entered in the Minutes of the Court.

Joseph J. Jones	William C. Ogle
Thomas S. Beall	Nathaniel Suit
Henry Hilleary	John F. Chesley
William H. Turton	Thomas Baldwin
Richard L. Ogle	Joseph N. Baden
Thomas N. Robinson	Henry M. Chew
Richard T. Edelin	James H. Rawlings
Elijah Connick	James G. Cadle
Nathaniel M. Soper	John T. Eversfield
Thomas R. Early.’’	

A meeting of the members of the bar was held in the Court Room, and the following preamble and resolutions were offered by C. C. Magruder, Esq., to wit:

“The official relations between their Honors, Magruder, Key and Crain, under the present Judiciary System being about to cease with the expiration of the present term of the Court it is deemed proper in view of the warmly cherished regard entertained for these gentlemen to tender



them on parting some testimonial of our grateful affection and high regard for them officially and individually as Judges and as Men.

“To this end therefore,

“Be it resolved that it is with feelings of profound regret we professionally separate from those to whom we have been so long accustomed to pay the tribute of respect for parental kindness of manner, legal knowledge and personal and judicial integrity.

“Resolved, that in their future lives we sincerely wish them the full enjoyment of that happiness which their faithful and well appreciated discharge of public and private duties so well entitles them.

“Resolved, that we offer to his Honor Judge Crain our congratulations on his elevation to the Bench under the new system and that we hope that the pleasant relations that have subsisted between us will be continued during his official term.

“Which were unanimously adopted”.

The following Resolutions were then offered by Trueman Tyler, Esquire:

“Resolved that we acknowledge the ability with which the duties of the Clerk of the Court have been discharged, and we tender to John B. Brooke, Esq., on his retirement from office our thanks for the uniform kindness and courtesy which he has always extended to us in his official capacity blending at all times the amenities of the gentlemen with the duties of the office.

“Resolved, That the able and impartial manner in which the Commonwealth has been sustained under the auspices of Walter W. W. Bowie, Esq., as Deputy Attorney General commands the highest respect of this Bar and of the public.

“Resolved, that copies of these resolutions be signed by the Chairman and Secretary and forwarded to each of the above named gentlemen and that the Court be requested to order the same entered in the minutes.

Which we unanimously adopted.

Thomas F. Bowie, Chairman

T. Calvert, Secretary”

These resolutions were offered because of the adoption of the State’s second Constitution, that of 1851, which finally replaced the antiquated one of 1776. On February 3, 1852, Peter H. Crain, Judge, produced his Commission.

Trueman Tyler, District Attorney-elect took the oath. John R. Walker was appointed Crier, and John F. Gray, Messenger.

At the April, 1852 Term, Peter W. Crain was Judge. Charles S. Middleton, Sheriff, and Owen Norfolk, Clerk.

At that term of the Court Cornel Andre of Prussia and Michael Parry of Wexford were naturalized.

On April 17, 1852 the following was announced:

“We the Grand Inquest of the State of Maryland for the body of Prince George’s County having completed our duties and being about to request a discharge ask leave to express to his Honor Judge Crain, the fullest measure of our confidence and esteem for him in the discharge of his official duties and less willing testimony to the dignity, fidelity and courtesy with which he has conducted the business of his first term under the new Constitution. We beg that this expression may be Ordered to be entered upon the Minutes of the Court and that a copy hereof may be furnished to the Editors of the County papers for publication and feel assured we only express the sentiments of absent fellows:

John Hodges, Foreman	William A. Quynn	Alexander McKee
H. C. Scott	Thomas H. Osbourn	Thomas M. D. Baden
John R. Baden	Thomas Harvey	Richard Carrick
Benjamin L. Gantt	Humphrey Beckett	J. R. Davis, Clerk
Peter Wood	Horatio Dyer	
Benedict Edelen	Joshua H. Selby	

At the November, 1852 Term, the Judge was Peter W. Crain. Charles S. Middleton continued as Sheriff, while Owen Norfolk remained the Clerk.

William Trimble of County Tyrone, Ireland, was naturalized.

On the motion of Trueman Tyler, William B. B. Cross was admitted to the practice of law.

At the April, 1853 Term, Peter W. Crain was Judge. The Sheriff was Charles S. Middleton, and the Clerk, Owen Norfolk.

At that term, Trueman Tyler moved that Richard H. Bryan, John S. Tyson, Richard S. Edelen, General Thomas F. Bowie and Frank H. Wootton be admitted as attorneys. The motions were granted.

Matthew Cronin of Ireland and George Gibbs of Hesse Cassel were naturalized.

Thomas I. Marshall, Leonard H. Chew and Edward W. Belt were appointed Commissioners to perpetuate testimony under Chapter 165 of the Acts of 1828.

At the November, 1853 Term, the Judge was Peter W. Crain; the Sheriff, Charles S. Middleton; and the Clerk, Owen Norfolk.

Daniel C. Digges was elected State’s Attorney in place of Trueman Tyler, deceased.

Adam G. Arst of Hesse Cassel was naturalized.

The Clerk was ordered to have the Rules of the Circuit Court published in the *Marlborough Gazette* and *Planters Advocate*.

## CHAPTER 31

### THE PRE-CIVIL WAR YEARS: 1854-1861

Let us examine some of the Acts passed by the General Assembly during the period of 1854 to 1856.

Chapter 124 of the Acts of 1854 directed Thomas Clements, Robert Wright and William B. Galer to arrange for the building of an addition to the primary school house in Bladensburg at a cost not to exceed \$200.00.

Chapter 137 of the Acts of 1854 provided for the incorporation of the Village of Bladensburg. That act was passed March 9, 1854, and provided "that all free white citizens above the age of 21 years and who shall have resided four months in Bladensburg and twelve months in the State next prior to the first Monday in June next shall meet at the Primary School house in the said Village to elect five discreet persons of said Village. Any Justice of the Peace for the County shall open the polls at twelve o'clock Noon and close the same at six P. M. the same day. The Commissioners first elected shall set up the bounds for the Town of Bladensburg."

Chapter 301 of the Acts of 1854 directed that a new election district be formed in the county to be known as the 9th District (Surratts). After describing the courses and distances, it provided that the place for holding elections in the said district should be Surratt's Hotel in the said district.

Chapter 276 of the Acts of 1854 directed the County Commissioners to sell at private sale the tobacco warehouses at Upper Marlborough, Nottingham and Magruder's Ferry and apply the proceeds to the improvement of the Courthouse.

Chapter 170 of the Acts of 1854 granted to Thomas R. Brooks, John J. Jarboe and William F. Berry the authority to establish a free school at or near the village of Long Old Fields.

Chapter 97 of the Acts of 1856 passed March 6, 1856, established and endowed an agricultural college in the State of Maryland, and James T. Earle, John O. Wharton, Charles B. Calvert, Nicholas B. Worthington, George W. Hughes, Walter W. W. Bowie, Ramsey McHenry, J. Carroll Walsh and A. B. Davis were authorized to solicit subscriptions of \$500,000 to be divided in shares of \$25.00 each.

Let us return to the records of the new Board of County Commissioners. The Commissioners replaced the Levy Court which had been in existence since 1793.

Thomas E. Williams was re-elected Clerk, and the position of attorney to the board was abolished.

On July 29, 1854, the Commissioners decided to purchase a lot from Fielder Suit for four hundred dollars. The lot was needed as a place to build a jail.

On December 11, 1855, the Commissioners again organized. The board then consisted of Isaac Scaggs, David Barron, Edward H. Wyville, R. W. G. Baden and Richard N. Darnall. Edward H. Wyville was chosen chairman and Thomas E. Williams re-elected clerk to the board. Dr. John H. Mandell was appointed physician to the jail.

On November 18, 1856, the minutes show that the Commissioners received of William H. Jarboe and Clement Hill, Commissioners appointed to sell the old jail lot below Fielder Suit's stable, the sum of twenty dollars being the amount the said lot was sold for after paying the expenses for selling.

In 1854, Samuel H. Berry was elected to the State Senate; and Dionysius Sheriff, James M. Marshall and Henry Jones, to the House of Delegates to represent Prince George's in the General Assembly.

In 1856, the voters of Prince George's County elected John B. Brooke, William D. Bowie and John D. Bowling to the House of Delegates.

The *Baltimore Sun* contained the following news during that period of time:

September 1, 1854: "The Vestry of Trinity Church yesterday resolved to call Reverend Myer Levin formerly of the diocese of Mississippi and more recently of the lower part of this State. He is to take the place of Reverend Mr. Kerr who has resigned from Trinity."

December 1, 1854: "Owen Norfolk, Clerk of the Circuit Court, died a few days ago. Judge Crain appointed Edward W. Belt to fill the vacancy until the next election."

November 8, 1856: "In Prince George's County the voters cast for Buchanan and Breckenridge, 981 votes. For Fillmore and Donaldson, 863 votes. Fremont and Dayton, none."

Let us not forget that it was in that election that Maryland cast its electoral votes for Fillmore and Donaldson, candidates for the Know Nothing Party for President and Vice President and was the only state in the Union to do so.

Let us check the Circuit Court.

At the April, 1854 Term Peter W. Crain was Judge. Thomas H. Osbourn of Charles the Sheriff, and Owen Norfolk, Clerk.

Michael Barry of Wexford, Ireland was naturalized.

At the close of the term, the following was presented:

“To the Honorable Peter W. Crain.

We the Grand Jurors of the State of Maryland for the body of Prince George’s County, having finished the business for which we were assembled and beg to ask your permission to return to our families, beg leave to express to your Honor our approbation, as to the manner, that you have performed your official duties. And we cannot refrain expressing our esteem for the prompt and decisive mode adopted for the dispatch of business and also for that courtesy and kindness which we have received at your hands. We most respectfully ask that the foregoing may be entered in the Minutes of this Court.

Rich’d W. W. Bowie, Foreman”.

At the November, 1854 Term, Peter W. Crain was Judge. Thomas H. Osbourn of Charles, Sheriff, and Owen Norfolk, Clerk.

At the same term, Daniel C. Digges moved that Edward N. Belt, George C. Brooke, Sydney Belt and Robert W. Harper be admitted as attorneys. Judson Hays was ordered to be transferred to the Alms House. On November 15, 1854, it was ordered that the Clerk cause the Rules Governing the Circuit Court for P. G. County and the Rules for governing the Circuit Court sitting as Equity Court to be published in papers and in pamphlet form.

It was also Ordered that the remonstrance of the Grand Jury be spread in Minutes:

“The Grand Jurors of the State of Maryland for the body of Prince George’s County being about to terminate their labours for the present November Term of the Circuit Court for said County cannot consistently with their duty to the public be discharged without calling the attention of the proper authorities to the present ruinous and expensive mode of keeping up the public roads in said County, and they hereby express a hope that in due time an adequate remedy may be applied by the Legislature in this case and that some plan less expensive and more condusive to the interest of the public and travelling community may be adopted in relation to the repair and keeping up of the public roads.

Charles Digges  
Foreman”

At the April, 1855 Term Peter W. Crain was Judge. Thomas H. Osbourn of Charles, Sheriff, and Edward W. Belt, Clerk.

At the same term, Motion was made by General Thomas F. Bowie that Edwin Morgan be admitted to the Bar. It was granted. James Gourley of Derry Co., Scotland was naturalized.

At the November, 1855 Term, Peter W. Crain was Judge. Thomas H. Osbourn of Charles, the Sheriff, and Edward W. Belt, Clerk.

At the same term, D. C. Digges made motions that Horace Edelen and Daniel Clarke be admitted to the Bar. Both of these motions were passed. John H. Stansbury was appointed messenger.

There are no minutes available for the April, 1856 term of Court.

At the November, 1856 Term Peter W. Crain was Judge. Daniel R. Dyer, the Sheriff, and Charles G. Middleton, Clerk.

As the years 1857-1860 came down through the arches of time, they spread over a quiet and pleasant land with its people living in a manner much the same as their ancestors had one hundred years before. The seasons followed each other into the valley of eternity, and harvest followed seed time in a regular order.

However, to the south, to the north and to the west of those people, men were discussing such intangible subjects as "the preservation of the Union, States' rights and the abolition of human slavery." With the passing of each month, the arguments became more vehement, the rhetoric more inflammable, and their attitudes toward each other more belligerent. Throughout our good land, such words as war, defense, attack, guns and more guns were heard as men realized that reason and logic had become futile in settling problems of public policy.

In those days there were teenage boys hunting and fishing, breaking colts, plowing fields, cutting wood, going to picnics, barn dances and other gatherings of the youth, all with the same vim and enthusiasms as their ancestors.

But the future before them was to be so different. In a few years the land would be cursed with a scourge men call war and those boys would be facing angry men shooting at them and they at them in return, and the lifeless bodies of the young men of the next years ahead were to be scattered over the fields of Bull Run, Antietam, Chancellorsville, Shiloh, Gettysburg and many others, before a stillness settled over the land at Appomattox.

There were very few homes in Prince George's County not visited by death, leaving a vacant chair at family gatherings that a very short time before had been occupied by a smiling happy face.

Now let us make reference to the reports of the Acts of the Legislature during those trying years.

Chapter 64 of the Acts of 1858 fixed the wages to be paid laborers on the public roads as follows: A man, \$1.25 per day; a woman, \$1.00 per day; and a boy not under ten years of age, \$.75; a yoke of oxen and a cart with a driver, \$2.50; and a plow with two horses and a plowman, \$2.50 per day.

Chapter 126 of the Acts of 1858 named and directed that William Hall, M. J. Stone and John B. Adams arrange to provide an additional school house in school district number one, in Aquasco Election District. The cost was not to exceed \$300.00.

Chapter 288 of the Acts of 1858 fixed the jurors' pay at \$2.00 per day.

Chapter 391 of the Acts of 1858 provided that the right to appoint and elect trustees for Bladensburg Academy should be vested in the patrons of the Academy. They would meet on the second Monday in April, 1858, and on the same day in every year thereafter and vote for nine trustees. Those qualified to vote should be such as are qualified to vote for members of the House of Delegates, provided they had each contributed to the support of the school \$10.00 or more.

Chapter 430 of the Acts of 1858 appointed Ethan A. Jones, Septimus J. Cook and Ninian Beall to establish a free school in Vansville Election District at a cost not to exceed \$300.00.

Chapter 71 of the Acts of 1860 directed that the Baltimore and Potomac Railroad be started before March 10, 1870. The original act was passed as Chapter 153 of the Acts of 1853 and was amended by Chapter 327 of the Acts of 1856.

Chapter 146 of the Acts of 1860 directed the County Commissioners to spend \$500.00 to have a map of the county made.

Chapter 149 of the Acts of 1860 dealt with a bequest in Hanson Penn's will. Hanson Penn had left a bequest of \$100.00 to be expended by Benjamin O. Lowndes for a Communion Service for Saint Luke's Church in Bladensburg. The Act directed Nicholas Carroll Stephen, his executor, to pay over that sum to Lowndes. This act granted the necessary authority to Stephen.

Chapter 204 of the Acts of 1860 authorized the vestry of Zion Parish to convey their interest in the Bladensburg Episcopal Church parsonage and lot to Saint Matthew's Parish.

Chapter 232 of the Acts of 1860 authorized Prince George's County with several other counties to appoint three men in each election district to manage "the obstreperous Negro." These three men were to meet the first day of each month. They were to be appointed by the County Commissioners.

At the meeting of the County Commissioners in Upper Marlboro on January 13, 1858, the following were appointed trustees for the primary schools: James T. Perkins, 1st District; Dionysius Sheriff for the 2nd District; Dr. R. W. Bowie, 3rd District; James E. Hollyday, 4th District:

James B. Harris, 5th District; Benton Tolson, 6th District: Samuel Peach, 7th District: William Hall, 8th District; and Bennett F. Gwynn, 9th District.

At the meeting of April 7, 1859, Thomas E. Williams was re-elected clerk to the Board.

On December 16, 1859, a new Board of Commissioners took over. The members of that Board were R. W. G. Baden, President; James P. Kerby, Thomas H. Osborn, Richard B. Mullikin and Richard N. Darnall.

On June 16, 1860, Edward W. Belt was appointed attorney for the Board.

At the meeting of June 16, 1860, the Commissioners ordered the clerk to instruct the supervisor of roads of Marlboro District that \$100 had been added to the usual appropriations for the roads in that district. It was intended and he was directed to see that it was expended in making a sufficient elevated and durable footway for the public on the side of Main Street leading from the Courthouse to the intersection of the street at Wilson's store in the village of Upper Marlboro.

The tax rate for that year was fixed at forty cents per \$100 valuation.

The voters of Prince George's County, during the four years now under consideration, elected the following to the General Assembly:

John B. Brooke was elected in 1858. He became President of the State Senate at the Civil War session held in Frederick City in the spring of 1861. This session of the General Assembly attempted to deal with the problem of secession which brought on intervention by the Federal authorities.

Chosen for the House of Delegates in 1858 were Edward W. Belt, Edward H. Wyville and John Contee.

In the year 1860 our people elected E. Pliny Bryan, Richard Wootton and Ethan A. Jones.

Let us now consult the columns of the *Baltimore Sun* and read what those people of that day read as news:

The *Sun* of June 5, 1857, recorded the death of a prominent citizen of Queen Anne District and informed us that Henry Jones died at his residence near Queen Ann Town on May 27, 1857. Mr. Jones had been a member of the House of Delegates in the session of 1854.

It further tells us the bad news that the dwelling house of Capt. James Baden in Nottingham District was entirely consumed by fire the previous Friday. He lost almost every article of furniture.

On March 12, 1858, the *Sun* informs us that on March 5 just passed, Col. James Mullikin met with a severe loss through the carelessness of a servant. His large cow house was set on fire which communicated to a large tobacco house, and both were burned to the ground together with their contents. We learn that between 25 and 30 hogsheads of tobacco in the house was destroyed



as well as a very large quantity of tobacco sticks. Col. Mullikin's loss was estimated at \$4000.00.

Another news item concerned the steamship *Mary Washington*. Capt. Mason L. Weems was caught in the ice at Hill's Landing on her last downward trip from Baltimore where she had remained ever since.

The real estate of the late Elizabeth Arnold, consisting of 193 acres of unimproved land, situated near Good Luck in the upper part of the county has been sold for \$4,327.63 to Mr. Shadrack Beall.

The *Sun*, in its issue of August 26, 1859, stated that for weeks an unusually severe drought had prevailed in Prince George's County. Since June 17 only sufficient rain has fallen in some localities to lay the dust. Everything was literally burnt up. The *Marlboro Advocate* says: "The corn crop is the greatest failure since 1816. So far we have had a frost in every month this year and the cold and dry weather like that in 1816 has made the corn crop almost a total failure. The tobacco crop is but little better. It was planted earlier than usual, mostly in the month of May and has grown up without the aid of rain to a narrow spindling top. The best judges say that not more than one-half of a crop can be made.

"These misfortunes with the loss of their wheat crop has seriously injured and retarded the prosperity of the farming classes."

The *Sun*, published July 20, 1860, reported the result of the D. Sheriff, et al vs. B. O. Lowndes, etc., which case involved the right of control of the Bladensburg Academy between the successors of the original board of trustees and those elected by the parents of the children attending as provided for in the Acts of 1858. The Court decided in favor of the old board of trustees, declaring the Academy to be a private corporation and cited as authority for its decision the doctrine in the Dartmouth College case.

On November 16, 1860, the *Sun* published the result of the voting for President. Prince George's County voters cast 1047 votes for Breckenridge, 865 votes for Bell and 43 votes for Douglas. Mr. Lincoln received one vote and that vote was cast in Aquasco District.

On December 21, 1860, the *Sun* reported to the people of the county that the citizens of Buena Vista in Prince George's County had held a meeting and adopted resolutions urging all good citizens to use their efforts to harmonize the present discordant political elements. They agreed to form a corps of volunteer riflemen to be subject at all times and in every emergency to the public authorities in case the pending difficulties were not amicably settled.

The *Sun*, in its issue of December 25, 1860, tells us that the population of Prince George's County was: Whites 9,650; free Negro 1,198 and slaves 12,479. It also stated that there were 1,084 farms producing more than \$100.00 per year and 12 manufacturing concerns producing more than \$500.00 per year. There were 2029 dwellings. Later, in its January 18, 1861

issue the same paper reported that the value of the land was \$9,100,755.00 and that the amount of taxes to be derived from the levy would be \$9,101.75.

The *Sun* of January 4, 1861 reported that at a meeting held in Upper Marlboro on December 27, 1860, resolutions were passed declaring devotion to the Union. These resolutions were drawn up by a committee comprised of Samuel H. Berry, William Clarke, Fendall Marbury, Walter Bowie and Caleb C. Magruder.

Let us now examine the Circuit Court records for this period.

At the April, 1857 Term Peter W. Crain was Judge. Daniel R. Dyer, the Sheriff, and Charles S. Middleton, Clerk.

At that term, the following indictment was made. The State of Maryland vs. William Smith, Sr., and William Smith, Junior. They were presented and indicted for interrupting and overawing the Election in the 6th Election District in this County for President and Vice President of the United States. They were brought into Court this morning and the Indictments read to them. Whereupon they pleaded 'not guilty' and were remanded to the custody of the Sheriff.

"Samuel D. Hance was appointed Commissioner to take proof in civil cases as provided by the Acts of 1828, Chapter 160 and Acts of 1832, Chapter 111.

At the November, 1857 Term Peter W. Crain, was Judge and Daniel R. Dyer, Sheriff.

At that term, John R. R. McCarthy of Berkshire, England, declared his intentions to become a citizen, while John Concannon of Galway County, Ireland, was naturalized.

At the April, 1858 Term Peter W. Crain, was Judge. Daniel R. Dyer, Sheriff and Charles S. Middleton, Clerk.

J. C. Mullikin moved that Thomas W. Anderson be admitted to practice law. The motion was granted.

At the November, 1858 Term: Peter W. Crain, was Judge. John W. Webster, the Sheriff, and Charles S. Middleton, Clerk.

On the motion of S. H. Berry, Frederick W. Jones of the Washington City Bar was admitted to the County Bar. Daniel M. Thomas of the Baltimore City Bar was also admitted. On the motion of John B. Brooke, William P. Preston of Baltimore City was admitted to the Bar. D. C. Digges moved that Thomas Donaldson of Baltimore City be admitted. All requests were granted.

"Ordered by the Court that William Bowie, a colored man, renew his recognizances to keep the Peace generally and particularly against J. T. Clarke, having made a threat to do damage against said Clarke by burning, etc. Who, failing to give security is remanded to the custody of the Sheriff."

On November 6, 1858, on Motion of Gen'l Bowie in consequence of the death of the late John Contee Mullikin having been announced: "The Court adjourns until Monday morning 10 o'clock. After the above adjournment on motion of Nicholas C. Stephen, Esq., the following resolutions were passed and Ordered to be entered upon the minutes of this Court. And afterwards on motion of Col. John B. Brooke, the following resolutions were directed to be published in the County papers, Viz:

"Whereas it has pleased Almighty God in his mysterious dispensation to removed from his sphere of labor and usefulness, and in the prime and vigor of manhood our professional brother and friend John Contee Mullikin, Esq., late a member of this bar and auditor of the Court,

"Resolved, therefore, that we have received the melancholy intelligence of the sudden and unexpected death of our departed brother and friend with the most profound sensibility and heartfelt paid, Resolved further that by his demise this Court has been deprived of a most able intelligent and efficient officer; ever at his post ready with pleasure to give all at all times, fulfilling the duties of his office without favor, affection, partiality or prejudice, and this Bar of a professional brother, friend and Gentleman who was one of its most useful, accomplished and highest ornaments exceedingly virtuous, kind and obliging to all of sound, high tones and unexceptional integrity, taking no reduced advantages, but practicing his profession with the strictest sense of honor and liberably and upon the broad and immutable principles of Equity, and justice to which he was most ardently attached. Resolved further that not only this Court and bar, but the whole community have sustained an inseparable loss by this most affecting dispensation of Divine Providence, for a purer and better heart than the deceased possessed never pulsed within the bosom of man and no one fulfilled in a more preeminent degree the various relations of life than he did for he was an honest conscientious and upright man, a burning and shining light beloved by all for his many virtues and perfections and died unusually regretted as was most forcibly manifested by the deep gloom and meloncholy that overshadowed this village upon the announcement of his death.

"Resolved further that this Court and bar sincerely sympathise with the aged parents of the deceased an account of this to them most sudden heavy and agonizing bereavement the loss of an only and most dutiful affectionate and devoted son: and as a feeble tribute of our high regard for the memory of our departed friend this Court and bar will wear the usual badge of mourning for thirty days.

"Resolved further that a copy of the foregoing Preamble and Resolutions be transmitted by the Clerk of this Court for the parents of the deceased with the assurance of our deepest sympathy for their heavy

loss and of our high regard for the memory of their beloved son, that the same be entered upon the minutes of the Court and that the Court now adjourns.’

Also, at that term of the Court Shelby Clark was appointed one of the standing Law Commissioners of this Court. John Brady of Galway Co. naturalized in Cecil County, brought in the certificate of naturalization to be recorded.

At the April, 1859 Term Peter W. Crain, was Judge. John W. Webster, Sheriff and Charles S. Middleton, Clerk.

James A. Medley, the former messenger, was displaced and Henry Brooke appointed in his place.

It was Ordered that Genl. Thomas F. Bowie be assigned counsel to assist Daniel C. Digges, State’s Attorney to try one of case of State of Maryland against Cook & Keese. Presented & indicted for conspiracy and three cases of same against A. E. L. Keese for stealing negroes.

It was suggested that the Commissioners be directed to have a proper hat and coat rack placed in the Court Room for the use of the members of the Bar and officers of the Court.

At the April, 1860 term, the Judge was Peter W. Crain. S. H. Berry moved that John W. Veitch and Walter Bowie be admitted to practice. Fendall Marbury moved for the admission of Thomas H. Latimer. All requests were granted. John R. R. McCarthy of Buleshire, England, and Henry Heller of Hesse Darmstedt, were naturalized.

At the November, 1860 term Peter Wood Crain was Judge. Daniel R. Dyer was Sheriff. Charles S. Middleton remained as Clerk.

The following letter was sent to the Clerk to be entered in the minutes for the Court term:

‘Pottersville, October 22, 1860

Chas. S. Middleton, Esq.

Clerk of the Circuit Court for Prince George’s County.

As the election for electors of President happen this year on Tuesday the 6th of November, you will adjourn the Court to the 8th of November, at which time all persons having business with the Court will be required to be in attendance. You will enter this on your minutes and have the same published in your papers.

Peter W. Crain.’

At the same session of the Court General Bowie moved for the admittance to practice of Henry Bowling. Jacob Sheldon of Ireland was naturalized. Samuel B. Hance was appointed Special Judge in the case of Marcus DuVal against Harvey Stanley and Edmund B. DuVal.

The year, 1861 made its appearance on a cold January 1, accompanied by huge banks of ominous clouds over the southern skies, foreshadowing the troubles that were to descend upon our people—bloodshed, grief, destruction and death.

Let us refer to our Court records for an account of the happenings in the Circuit Court. Peter W. Crain was Judge; Daniel R. Dyer, Sheriff and Charles S. Middleton, Clerk. The Court met April 1. The terrible tragedy at Fort Sumter in South Carolina had not yet occurred, but portentous rumblings could be heard where ever men gathered. At that term, Edward W. Belt moved that James S. Franklin of the Annapolis Bar be admitted to the Bar of Prince George's County.

On April 3, 1861, the Court passed an order that Thursday next, the 11th inst., be set apart for two cases on the trial docket, Marcus DuVal against Edmund B. DuVal and three cases, Edmund B. DuVal against Marcus DuVal and also a case of Marcus DuVal against Harvey Stanley. Judge Samuel B. Hance was appointed Special Judge to hear those cases.

The record of the County Commissioners is even more interesting and reflected the temper of the times.

On April 22, 1861, George W. Wilson was appointed Clerk pro tem since Thomas E. Williams had reported for military duty.

This day the taxpayers held a meeting in Upper Marlboro and petitioned the Commissioners to issue bonds to purchase arms with which to protect the property of the community. The Commissioners passed an order to sell \$25,000.00 worth of bonds.

The Commissioners appointed John D. Bowling, William D. Bowie and Thomas E. Williams as a committee to dispose of the bonds.

The Commissioners appointed Major John F. Lee, Colonel Oden Bowie and E. G. W. Hall as a committee to purchase arms with the money raised from the sale of the bonds.

At their meeting held May 10, 1861, the Commissioners received the following communication:

“To the Honorable, the Commissioners of Prince George's County.

The undersigned Commissioners heretofore appointed by your honorable board to negotiate the sale of County bonds to the amount of \$25,000.00 respectfully represent that in their opinion the said bonds cannot be now sold to advantage and that it would possibly be impossible under existing circumstances to apply the proceeds to the purpose originally intended.

The military occupation of the State would no doubt prevent the purchase of so large an amount of arms, and they might be seized by the Military even if procured. The undersigned therefore believe that the

thing to do is to return the said bonds with the recommendation that they be revoked for the present.

Very respectfully,  
William D. Bowie  
Thomas E. Williams.’’

John F. Sweeney was appointed keeper of the Courthouse and Dr. John Mundell, physician to the jail.

The General Assembly met in Frederick City on April 26, 1861.

The only local legislation passed at that session was Chapter 40, passed June 12, 1861, and it provided that the Commissioners of Anne Arundel and Prince George’s Counties be authorized to levy an amount not to exceed \$1,000.00 to erect a bridge over the Patuxent at Queen Anne.

The members of that session were: Senate, John B. Brooke, also President of the Senate and House of Delegates, Ethan A. Jones, Richard Wootton and E. Pliny Bryan.

Let us return to the *Baltimore Sun* under date of January 18, 1861, which informed us that the citizens of Upper Marlboro had held a large meeting on January 11 and had adopted resolutions requesting that all stores be closed at 7 P.M. It also declared that no slave from the adjoining neighborhoods should visit the village after that hour in the evening without a pass, and those living in the village should not walk the streets after 9:00 P.M. unless on special business.

Dr. James Harper, Gen. Thomas Fielder Bowie, Dr. R. H. Osborn, William A. Jarboe, George W. Wilson, Fielder Suit and Samuel B. Hance were appointed to supply the place of local government and to carry out the resolutions of the meeting.

A committee comprised of Dr. John H. Boyle, Washington J. Beall, Dr. Frederick Sasscer, Charles Claggett and Richard O. Mullikin were appointed a committee, as it was suggested at the meeting, to organize a home guard.

In the issue of February 1, 1861, the *Sun* tells of a meeting held in Upper Marlboro on January 28 last. Samuel H. Berry was named Chairman; Joseph K. Roberts and William B. Bowie, were chosen Vice-Presidents; George W. Wilson and Henry Brooke, were appointed Secretaries.

Messrs. Oden Bowie, Edward W. Belt, Daniel Clarke, E. B. Stephens and John Contee were appointed a committee on business and resolutions.

The following resolutions were announced at the meeting:

1. The Crittenden compromise was approved.
2. Unless accepted, slave holding states ought not to remain in the Union.
3. The action of handing Maryland over to the North was condemned.
4. Maryland and Virginia must remain in the same confederacy.

5. Maryland would assert her right over the District of Columbia.
6. The committee declared that the destiny of Maryland was with the South.

Daniel Clarke offered a resolution that an election be held February 9 to select four delegates to represent our County in a convention to meet in Annapolis on February 18. This Convention would attempt to establish the relation of Maryland to the Federal Government. This was to be submitted to the people for approval or rejection.

Appearing in the *Sun*, on August 9, 1861, was the news that the members of the Legislature had met in Frederick City on August 5, and the Convention recommended that all persons in favor of peace organize, and that a State Convention would meet in Baltimore City on September 10 next, at 11 A.M. Each county was to send delegates in the number equal to that county's representatives in the General Assembly. John B. Brooke was Chairman and Henry M. Warfield, Secretary, at the August 5 meeting.

(Here Judge R. Lee Van Horn ended his manuscript. Apparently, he was reserving his account of the Civil War and the ensuing years for a second volume which could well have been entitled "Prince George's County—To The Present.")

#### EPILOGUE BY THE COMMITTEE

So the county was begun and so it grew, year by year, life by life. In the variety reflected in its court calendars, the reports of the news media of the day, and in the official records, so was the warp and woof of the county woven. Men and women hewed out here in Maryland a physical and spiritual life. As evidenced by the many cases quoted, human liberties were often abused, but gradually the rights of man came to be recognized.

Family names that were woven into the fabric of Prince George's County life are still to be found here. It took many people and many willing hands to build the County into a prosperous and stable region as it was at the time Judge Van Horn ended his story—at the beginning of the Civil War.

As Judge Van Horn said at the beginning of this book, it is our hope that we can look back on the old days so that our tomorrows will benefit from lessons we learned from our yesterdays.

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**In Memoriam**  
**Elizabeth P. Van Horn**  
**Died, April 27, 1976**