



# The Archivists' Bulldog



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## **Roads in Kent County, 1765-1794**

by Pat Melville

During a period of road expansion from Baltimore City northward and westward, little state legislation dealt with ground transportation on the Eastern Shore. Only three laws between 1765 and 1794 specifically pertained to roads in Kent County, all involving access to mills. A 1791 law (Ch. 23) authorized John Wilson of George to replace an unstable mill dam in a different location and lay out a road to the new site. Commissioners were appointed to survey and construct the route and to ascertain damages to land owners. No provision was made for the means to make these payments. Usually the petitioner was required to provide the funds.

Another 1791 law (Ch. 44) directed commissioners to determine the necessity for a road between New Market and Isaac Perkins' mill, and, with a positive response, to survey and construct the route and to ascertain damages. In this case the county justices were given the task of deciding how to pay the affected landowners - by the petitioners, parties interested in the road, or taxation. The legislation specified the continuation of the existing road from March's Lane to New Market.

Legislation enacted in 1793 (Ch. 41) dealt with roads to John Newel's grist mill at the head of Still Pond Creek. Newel and other landowners along the roads hired Jeremiah Ford and Donaldson Yates to survey and redirect the existing private roads and to determine damages. Newel then petitioned the General Assembly to have the routes declared public and to have a jury decide the damages due the minor heirs of John Unick. Newel agreed to assume responsibility for paying funds due the landowners.

Kent County Court (Minutes) in series C1086 provide other information about road activity administrated at the local level. Petitions filed with the court mostly pertained to route changes and the establishment or obstruction of private roadways. The latter transportation system was designed to give residents access to public roads and facilities such as mills, churches, courthouses, and wharfs. In addition, the court justices annually appointed overseers to maintain roads.

Most petitions for road changes came from landowners who wanted routes that were less disruptive to their fields. In 1779 Dr. John Scott requested movement of the present road to the head of his plantation Pentridge. The court agreed to let him make the alterations, under the supervision of two justices. In 1780 this road was included in the assignment to overseer William Kendall: "Your Roads are from Ambrose's lane to a lane at the head of Doctor Scotts Land, called Pentridge, then through and down the present large road until it intersects the Old Main road leading down to Cackaway Neck; from thence to Charles Tilden's Gate, and so on the large Main Road down to Cackaway point."

Another indication of the importance of crops occurred in June 1789 when the court postponed the opening of part of a new road until the flax was harvested.

Benjamin Riley and John Greenwood in 1782 asked for an alteration to a road going through their lands. The change would cause the route to run alongside Riley's cleared land and to intersect the main road between New Market and Perkins Mill two hundred yards from the existing location. The justices granted the request and appointed two justices to review the work.

Abraham Falconer owned lots in Bridgetown and in 1783 wanted the road altered to run on the division line between his lots and those owned by the heirs of Thomas Gilpin. A court ordered review did not appear in later minutes, and Falconer withdrew the petition in 1786.

In 1785 the justices received a petition from thirty-six individuals for the closing of a road. They conceded that community interests could override private concerns. "They hope, however, that this Maxim will not be found to mitigate against the prayer, they are about to make to your Worships. They apprehend that the road from the said Simon Wilmer's Mill to the George Town Road, although a great burthen to them, is of little, if any, importance to the public. They therefore pray your Worships permission to stop the same up." The court granted the request.

The county justices seemed to doubt their authority to deal with obstructions in roadways. In 1785 James Ringgold, Jr., owner of Plains, described a long standing road from that tract to the main road from Chestertown to Fairley. Now John Burk, a tenant of Anthony Benning, was blocking the road, and Ringgold wanted it reopened. The court dismissed the petition saying it lacked the authority to take action. A year later Ringgold successfully got around the issue by applying for a private roadway.

In June 1786 John Thrift filed a similar petition. He owned an island in the mouth of Island Creek, and for many years had used a road through the land of William Frisby for access to public facilities. Now he was being prohibited from using the route. The justices postponed consideration to the October term. But before then Thrift filed another petition asking for a private way from his island to the main road between Downes Crossroads and Chestertown.

Many of the annual appointments of overseers included descriptions of the areas assigned to each individual, such as:

- From the head of Gray's Inn Creek to Joces Run, from Red Root Bridge to Langfords Bay Warehouse, from John Hurt's fence along the new road till it intersects Gresham's land, all the streets in Chestertown, from there to Wilmore Mill Race, from the Gallows to Still Pond Road along Ringgold's fence, from Club House Lane to the Free School;
- From William Fray's to where William Powell formerly lived, from Thomas Bowers' east gate to Deborah Powell's;
- From the Narrows at Eastern Neck to the head of Grays Inn Creek, from the crossroad at John Ringgold's to the wharf of Toveys Warehouse;
- From Carter's road to Col. Lloyd's plantation.

The court dealt with other matters related to transportation. Contracts were made with ferry keepers. In 1786 commissioners were appointed to meet with counterparts from Queen Anne's County to reach an agreement on the construction of a stone bridge over the Head of Chester. The Queen Anne's County officials failed to make the meeting, and no action was taken until two years later. In 1789 the justices levied funds for repairing the wharf and ferry stairs in Chestertown.

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## **Book Review**

by Robert Barnes

*Worcester County Maryland Orphans Court Proceedings Volume 3, MH23: 1816-1832.* By David W. Heise. Westminster: Willow Bend Books, 2004. Pp. 501. Paper. Indexed. \$41.00 plus \$4.00 USPS p+h or \$6.00 for UPS p+h. Maryland residents should add 5% sales tax.

The title is a little misleading because this book really includes four other libers of Orphans Court Proceeding: MH 24, MH 28, LPS 5, and LPS 8, covering the years 1816-1832. In addition to the general index, there are four indices pertaining to slaves and free Negroes, both with and without surnames. Working from the original records at the Maryland State Archives, Heise has abstracted information pertaining to guardianships, apprentices, and probates of estates where minors are concerned. He has used the original spellings as the names appear in the records. The entries are arranged chronologically, allowing the researcher to see all of the business conducted on a given day.

Books like this contain important genealogical links, and they also supply fascinating details of the lives of the inhabitants of the county. For students of Eastern Shore family history and local history, the book is highly recommended.

Copies may be ordered from the publisher, Willow Bend Books, 65 East Main Street, Westminster, MD, 21157-5026.

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### **Excerpts from the *Salisbury Advertiser*, October 14, 1905**

[from the *Salisbury Advertiser* Collection, MSA SC3659]

Surprisingly, this edition of the *Salisbury Advertiser* contained few of the usual notices about personal events such as marriages, deaths, fires, and accidents. Instead, articles concentrated on news about businesses and the upcoming referendum on a state constitutional amendment.

A front page article discussed the increase in manufacturing in Salisbury, especially on Mill St. The W.A. Chew Concrete Works made water and air proof vaults for graves. Brittingham & Parsons was enlarging its grain mill which produced two grades of flour and several kinds of feed, including bran, meal, table hominy, and buckwheat. The F.C. Todd Brick Plant manufactured concrete, ornamental, and face bricks.

Even Chapter 2 of the "History of Mardela" was business oriented. The area was initially named Boiling Springs and then changed to Barren Creek Springs. In 1894 Thomas Bacon, engaged in bottling water, combined the first syllables of Maryland and Delaware to come up with the name Mardela for the town. "The name Barren savors too much of unproductiveness, and this will not do for our fertile soil." The writer was predicting that in ten to twelve years Mardela would become the second largest city on the Eastern Shore as it attracted manufacturing.

To be voted on in November 1905 was an amendment to the Maryland Constitution that added a literacy requirement to the right to vote. At the time of registration the potential voters would be required to read and explain the state constitution. Those unable to read would have the document read to them by the registration officer and then give an explanation.

A question and answer column portrayed the purpose of the amendment in very stark terms. It began with "Q. What are the issues involved in this campaign? A. There is only one issue--Negro Suffrage." and ended with "Q. Who should favor the pending Amendment? A. Every man who

believes a majority of the white people should control the State Government."

Fortunately, the literacy amendment was rejected by the voters of the state by a vote of 104,286 to 70,227.

### **THE ARCHIVISTS' BULLDOG**

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