

KENT COUNTY

Records

The court records of Kent County are among the earliest surviving records of the Province of Maryland. The fact that the very earliest have disappeared has contributed to the difficulty of tracing the history of the County, but the Land Records of 1648, which we have, do indicate that the county government was functioning before that year at least. The passage of time, three hundred years, is explanation enough for record attrition, but in Kent County there was, in addition, noteworthy neglect on the part of the custodians. A legislative committee of 1697/98 reported, as we have seen, that the courthouse had a wooden chimney, a standing invitation to fire, and also that the records were kept at the clerk's house except possibly when court was in session. It may be assumed that the clerk's house presented an even greater hazard because of the necessity for fire being kindled in a dwelling almost every day of the year either for heating or cooking.

The burning of the courthouse by Charles Hill in the spring of 1720 must have taken its toll of records but what and how much we cannot tell. Fortunately, a great deal survived, for another legislative committee, reporting April 5, 1736, advised "That by the Return of the Justices from Kent County their Records and Papers since the time Mr. James Smith hath been Clerk which begun in the year 1707 Appear to be in good order and Repair that the Books before that time are much worn and the Original Papers greatly Decayed."¹ All of the original papers have now long since disappeared, but many of the volumes which were much worn have survived through transcriptions. Since these transcriptions were done economically—what survived of several books might be copied into one—they are difficult to use. Louis Dow Scisco has attempted to analyze them in a study in the *Maryland Historical Magazine*, but apparently many of the Judgment Records were unavailable to him so that his analyses are not so complete as they might be.² A single volume, Liber B, was thoroughly analyzed by Bernard C. Steiner.³ This volume had somehow strayed from the courthouse before Hanson's time in the 1870's and had been deposited, November 12, 1906, in the Maryland Historical Society where it remained until it was reclaimed by the County, October 16, 1912. It has subsequently come to the Hall of Records with the other colonial records of the County.

Liber A has also had a special history. Originally it contained one hundred twenty-six folios, of which the first ninety-five are now missing. That part of the volume which has survived was published in the *Maryland Archives*.⁴ In addition to the manuscript liber, the editor has pieced out parts of the lost record from a transcript volume of 1727 and from the printed excerpts found in Hanson's *Old Kent*.⁵ Apparently all or much of this volume was still extant when Hanson was writing.

While a large collection of Kent County records has survived, it is obvious that a great deal is missing. Moreover, a good deal of what has survived has come to us in the form of transcripts. The records are difficult to follow and the student is urged to use Steiner's abstract as a guide to Liber B and the version of Liber A of the Court Proceedings in *Archives of Maryland* LIV. Scisco's guide to the other Colonial volumes is indispensable.

¹ *Arch. of Md.*, XXXIX, 394-95.

² *Md. Hist. Mag.*, XXI, 356-61.

³ *Ibid.*, VIII, 1-33.

⁴ LIV, 1-352; also to be found here, Liber B and C.

⁵ Baltimore, 1876.