

# ST. MARY'S COUNTY

## Records

The first loss of St. Mary's County records of which we have any evidence occurred in 1768, when several dockets and original papers of the court which were being kept in the home of Owen Allen, the Deputy Clerk, were burned. The General Assembly provided the means for reconstituting these records but whether it was done or not is now purely academic, since every surviving court record of this period was burned in the fire of March 8, 1831, or was lost before that time.<sup>1</sup>

This was surely the most disastrous fire so far as records are concerned in Maryland history. St. Mary's was not only the first county to be erected in the State but, for part of its history, its government was closely related with that of the infant province. It is because of this loss that so much of the early history of the province must be conjecture and speculation. One must wonder why it was not possible for the "large concourse of citizens" who gathered at the fire to save something more than they did. Of the records of the clerk of court only a single marriage record and one volume of land records, the next to current one at the time of the fire, escaped.<sup>2</sup> The General Assembly of 1831 provided for the re-recording of deeds, but what is found in this one volume is only a pitiful suggestion of what was lost.<sup>3</sup> Of the records of the levy court and of the other administrative agencies of the county not a page was saved.

The register of wills fared somewhat better. All the papers were lost. The recorded Wills seem to be complete. The Accounts were in small part preserved for the colonial period, and in full after 1798. The Inventories of the colonial period were a total loss, but are complete after 1795. The Proceedings of the Orphans' Court prior to 1807 were lost (but see below). All the other records series are found only after the Revolutionary period. The division date between saved and lost records seems to indicate that at some time before the fire the older records had been moved out of the Register's office, perhaps to the attic, and were lost. Only the indispensable wills were kept handy.

The first volume of Orphans' Court Proceedings, which had long been considered a victim of the fire, has recently appeared in private hands. This volume was loaned to the Hall of Records for microfilming and thereafter returned to the anonymous owner. Several volumes of assessments dating from the late eighteenth and early nineteenth centuries have also reappeared in the same fashion, and the Hall of Records now has microfilm copies. These recent rediscoveries give hope that from time to time other "lost records" will come to light.<sup>4</sup> It should be noted, too, that the Hall of Records in recent years has been collecting land records of the burnt-out period from the owners of collections of family papers. In time these fugitive papers should form a welcome supplement to the surviving land-record volumes. It will be recalled that the land record abstract system was begun in 1784. Of the St. Mary's County abstracts of deeds the following have been preserved in the Land Office and in microfilm copies at the Hall of Records: 1796-1818: Index 1796-1873.

<sup>1</sup> Ch. III, Acts of 1768.

<sup>2</sup> For some reason, Louis D. Scisco ignores the one volume of land records which was saved. See "Colonial Records of St. Mary's County," *Md. Hist. Mag.*, XXVI, 58-59.

<sup>3</sup> Ch. 175.

<sup>4</sup> Is it possible that these fugitive records were not burned but

"lost" much later at the razing of the courthouse in 1901? I quote from an article of recent date by Thomas E. Stokel who quotes a clipping found among his grandfather's papers: "In tearing down the Court House many old private papers were unearthed and thrown out in the yard. . . . One of these books was picked up by our reporter."