

DORCHESTER COUNTY

The exact date of the erection of Dorchester County is unknown; however, it was surely in existence before February 16, 1668/69, for on that date the Lord Proprietary issued writs to the sheriffs of all the counties of Maryland commanding them to hold an election for delegates to the next Assembly. Such a writ was issued to "Raymond Staplefort Sherriffe of Dorchester County."¹ An alternate date, February 4, 1668/69, is given by some historians, but evidence for this earlier date has escaped the writer.² The actual setting up of county government occurred a few months later, to be precise, on May 6, 1669, when the bounds of the new county were set, the justices appointed and instructed in their duties, and a clerk chosen to keep the books and records.³

Courthouse at Harwood's Choice and Before

According to Elias Jones, the first courts of Dorchester County were held in private homes. Thereafter the county seat was located at John's Point on Brook Creek and from there, in turn, removed to Harwood's Choice perhaps on a branch of Fishing Creek. The removal to Harwood's Choice was prompted by a persuasive gift from William Worgin of twenty-five acres "and a new house lately built and finished by George Seward for the keeping of court there." Worgin also gave timber for additional building and firewood, and he gave bond to the amount of 12,000 pounds of tobacco to warrant and defend the gift.⁴

Due to the loss of the records—those between 1674 and 1690 were already lost in Jones' time—we have no details about this first courthouse; but tradition insists that it still survives. A photograph of an ancient structure, purported to be the "First Court House and Jail of Dorchester County," is found in the work of the late historian, Swepson Earle.⁵ It is a small two-room brick structure with a jerkin-head roof and dormer windows. Its location is approximately correct, but at this late date positive identification is difficult. It is more likely that this building is the structure on John's Point referred to above.

First Courthouse at Cambridge

According to Jones and later historians of Dorchester County, the move of the county seat to Cambridge was made as a result of an Act of Assembly of 1686. But no trace of such an act can be found at the Hall of Records or in the county courthouse at this writing. Unfortunately, the Proceedings of the General Assembly—but not the acts—have been lost for this year, and the minutes of the county court have also disappeared. It seems likely to the writer, therefore, that the change was made by a simple order of court. The little information which we have about the first Cambridge courthouse is to be found in the indenture cited in full here below:

This Indenture made the Sixth day of Decem^r. in the Twelfth year of the Dominion of the right honble Charles absolute Lord and Propty of the Province of Maryland

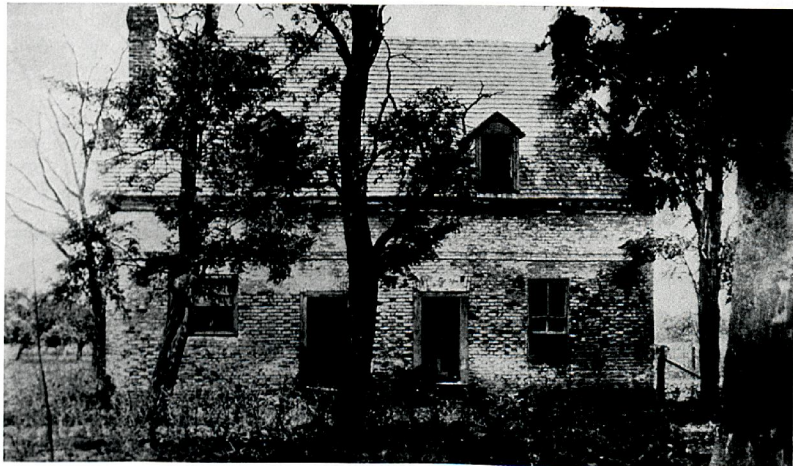
¹ *Arch. of Md.*, II, 155.

² Mathews, *The Counties of Maryland*, p. 477; Virginia Webb, "Dorchester County," in Charles B. Clark, *The Eastern Shore of Maryland and Virginia, II*, p. 1013. The later date is found in Elias Jones, *History of Dorchester County*, Baltimore, 1920, p. 33.

³ Jones, 33-35.

⁴ This information is taken from Jones, who cites as authority the court records for a session of December 11, 1673. This record has apparently disappeared; it was no longer in the courthouse when his list of county colonial records was compiled by Louis Dow Seisco in 1928 (*Md. Hist. Mag.*, XXIII, 243-46).

⁵ *The Chesapeake Bay Country*, Baltimore, 1934, facing p. 389.



First Courthouse and Jail

and Avalon &c: Annoque Domini 1686/7 Between Major Thomas Taylor Stewart of Dorchester County on the behalf of the said County of the one part and Capt Anthony Dawson of the said County of the other part Witnesseth That the said Capt Anthony Dawson for diverse good Causes and Considerations him thereunto moving but more especially for and in Consideration of the Sum of Twenty Six Thousand pounds of Tobacco, agreed upon to be paid unto him the said Anthony Dawson, by the said Majr. Tho. Taylor on the behalf of the said County for and in Consideration of his the said Anthony Dawson his Erecting and building a Courthouse att the town of Cambridge within said County of Dorch'. according to the Dimentions hereafter mentioned and Expressed, Hath Given Granted Bargained sold and by these Presents Doth for himself his heirs &c. clearly and absolutely give grant Bargain and sells unto him the said Tho. Taylor his heirs and Assignes all that tract or parcel of Land containing by Estimation Three hundred and twenty five Acres the same being the moiety or one half part of a tract of Land which he the said Anthony Dawson bought or purchased of one Thos. Walker of this County commonly called or known by the name of Alexanders place situate lyeing and being on Transquaken River within the said County of Dorch'. on the North west Branch of the Said River beginning att a marked Pohicory tree standing by the Waterside on the North West Branch of the said River and running up the Branch Ninety seven Perches and a half North and by West thence West and by South Five hundred and thirty four Perches, thence Southward by East Ninety seven Perches, and a half thence running East and by North five hundred thirty one Perches to the first marked Pohicory and also he the said Anthony Dawson Doth further Give Grant, bargain and sell unto him the said Majr. Thomas Taylor for the use of the Said County all that messuage, Tenement or Dwelling house belonging unto him the Said Anthony Dawson scituat lyeing and being in the Town of Cambridge aforesaid, with all and every its rights members and Appurtenances whatsoever thereunto belonging or in any wise appurtaining, which said Tenement or Dwelling house is now in the tenure and Occupation of M^r. Thomas Cooke of this County To have and to hold all and singular the said tract of Land Cont: by Estimation three hundred and twenty five Acres with the aforesaid house above hereby bargained and Sold with all and singular the hereditaments and Appurtenances whatsoever to the same respectively belonging or in any wise appurtaining & every part thereof to him the said Major Thos. Taylor to and for the only use and behoof of him the said Major Tho^s. Taylor on the behalf of the said County of Dorchester his heirs and assigns for evermore. Provided always and it is the full intent and meaning of these presents by and between as well he the within menconed Anthony Dawson on his own behalf as he the above mentioned Maj^r. Thos^s. Taylor on the behalf of the said County of Dorch'. that if the said Anthony Dawson his heirs Ex^{rs}. and Adm^{rs}. will well and truly build erect and Accomplish a Court house for the use of the said County of Dorchester att the town of Cambridge according to the Demention hereafter & herein menconed and Expressed by the first Day of March which shall be in the year of our Lord God One Thousand Six hundred and Eighty Seven, and Eighty Eight that is to say the said Court house to be built and erected forty foot in length and twenty four foot in Breadth the two floors above and below to be laid with Plank and four large Windows below, and one small Casement Window, with two large Casements to each window, and two large transom Windows above one at each [end?], and the Chambers to be sealed with rived Boards one large pair of Stairs with Rails and Banisters, inclosures for the Stairs and Closett. One large table Inclosed with rails and Banisters, and Seats inclosed, likewise, Seats for the Justices with a Judges Chair Going up two or three Stepps with rails and Banisters before and Sides of the house up to the plaster to be lathed and Plaistered with a large Porch att the end of the house with rails and Banisters about it likewise all Glaziers Work Carpenters Work Smiths Work and Painters Work whatsoever, as shall to the Judgment of Workmen be adjudged necessary or convenient for the said Building, and that he the said Capt. Anthony Dawson find himself Provision Timber and Nalles, and all materialls for the said Building then this present Deed and every Part and Parcel thereof to be fully and absolutely void null and of no Effect and the said Anthony Dawson the said tract of Land with the said house and Premises hereby bargained as aforesaid to have again repossess, and Enjoy as his own Proper Estate, or Estates, anything in these presents to the Contrary Contained in any wise Notwithstanding, In Witness whereof the aforesaid Parties to the Presents have interchangeably sett their hands & Seals the day and year first above written.⁶

⁶ Dorchester County Land Record No. 1, Old, 1669-1683, 148-49, Ms.



Plat of Cambridge, 1853, with Architect's drawing of Courthouse of 1854

The courthouse which was presumably ready in 1687, as demanded by the contract, served the county for almost a century. This extraordinary durability of a frame public building may be accounted for at least in part by certain special, favorable conditions prevailing which were reported by a committee of the General Assembly, March 23, 1697/8: "Dorchester County has good Court house with a brick chimney, no ordinary is kept therein and the Records are kept att the clerks house."⁷ Then in 1770, a petition was dispatched to the General Assembly requesting authorization to raze this old courthouse because it was too small for the growing county, and to build a new one.⁸ There was some delay, however, for the Commissioners appointed to supervise the construction of the new building found that the public land on which the old courthouse stood was inadequate for the newer and larger courthouse. The General Assembly of 1771, confronted with this problem, solved it by granting the commission permission to purchase an adjoining lot, thirty feet by forty-five feet, from Henry Ennals, infant, and to pay his guardian forty pounds for it.⁹

Second Courthouse at Cambridge

In spite of the acquisition of this additional building area, the unimpressed contractor placed the new courthouse in part on the property of Joseph Dowson and up against his house. Whether this was an honest error on the part of the surveyor or is to be explained otherwise is not now clear. In any case, after the unhappy fact was established, remedy was sought in the General Assembly. Chapter 20 of the Acts of 1797 begins as follows:

Whereas . . . the records of said [Dorchester] County are unsafe, and liable to be destroyed, by reason of a private dwelling-house being contiguous to the courthouse of said county, and that a part of said court-house stands upon a lot of ground formerly the property of a certain Joseph Dowson, and it hath been prayed that a sum of money may be levied on the said county for the purpose of purchasing the said lot of ground . . .¹⁰

The petition was found to be reasonable and was granted. The conveyance for parts of lots fourteen and fifteen was made and recorded the next year.¹¹

Although this courthouse stood until 1852, there appears to be no description of it which has survived. Jones, perhaps drawing on James S. Shepherd (whose work *Court Houses at Cambridge* was not available to this writer), states that it was made of brick—and no more.¹² In spite of all the precautions which had been taken against fire, it appears that it was fated for this courthouse to be destroyed in that way. The sad facts of the disaster are found in the Proceedings of the Orphans' Court which met on the day following the fire:

Whereas the Dorchester County Court house was by an Incendiary act totally destroyed by fire on Sunday morning the ninth day of May Anno Domini 1852 between the hours of 2 & 3 A. M. together with all the records and papers of this court—(except the rough and recorded minutes of this court, which two books had been taken home on the Saturday previous by the Deputy Register for the purpose of bringing up the unfinished work of Shadrack Mitchell late Register of Wills for Dorchester County)—by which unfortunate occurrence this court has been deprived of their usual place of meeting . . .¹³

The Orphans' Court found it difficult to believe that the cause of the fire could be anything but incendiary and this belief was widespread, causing the County Commissioners to take the following appropriate action:

Ordered by the Board, that a reward of one thousand dollars be offered to any person or persons, who may give such information as may lead to the Detection,

⁷ Arch. of Md., XXII, 102-03.

⁸ Ch. 13, Acts of 1770, September Session.

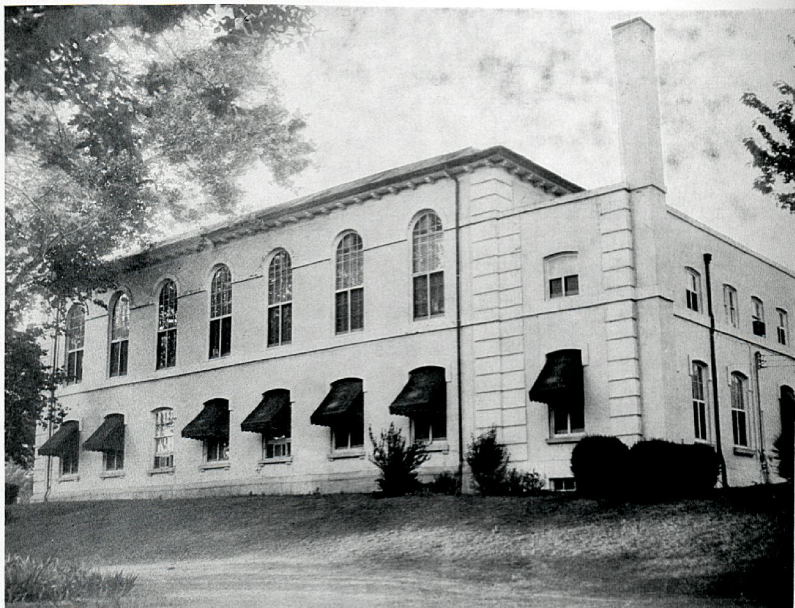
⁹ Ch. 16. For some reason, now obscure, the General Assembly of 1704 found it advisable to confirm the title of the Commissioners of Dorchester County to the original courthouse lot (Ch. 76).

¹⁰ Kilty, William, *Laws of Maryland*, Annapolis, 1890, Vol. II.

¹¹ Land Record, No. 15 H. D., 1792-1800, 43-44, Ms.

¹² *Op. cit.*, 40.

¹³ Liber T.H.H. No. 1, 1845-1854, p. 258. Microfilm copy.



Rear and Side of Courthouse of 1854 with Additions of 1931

prosecution and Conviction of the Incendiary or Incendiaries, who fired the Court House of this County on the 9th Instant and that the same be published in the Cambridge Chronicle and Democrat for three Months.¹⁴

If the fire was really of incendiary origin, then the culprit or culprits were never found and the reward went unpaid. Meanwhile, all the offices of county government began to function again in temporary quarters and for the most part without records. Fortunately, the General Assembly was then in session, and before adjournment on May 31, 1852, just three weeks after the fire, two acts were passed for the relief of the county. The first was "An Act to authorize the appointment of a Commissioner to take testimony to provide for the recording of copies of wills and other papers, of which the originals were lost by the burning of the Court House in Dorchester County, and to remedy as far as practicable the evils likely to ensue from the destruction of the records of said County."¹⁵ The second act appointed a group of Commissioners who were authorized to build a new courthouse on the ground where the burned one had stood and for this purpose to levy up to \$12,000 on the taxables of the county.¹⁶

Third Courthouse at Cambridge

The records of the commissioners for building the new courthouse have not survived; however, there is now in the Hall of Records a handsome architectural drawing superimposed on a plat of Cambridge, dated February 14, 1853. Since its date precludes the possibility that it was drawn after the building was finished, and since there can be no doubt that it represents the present courthouse, we may assume that it was prepared to accompany his bid by the successful architect or bidder. It is signed Geo. (?) Winthrop. In the lower righthand corner appear the names of the following individuals: Thomas W. Anderson, Alexander H. Bayly, William Wingate, Lewis Ross and Charles A. Mitchell, who are listed as "Commissioners" (no doubt, "Commissioners for Building the Courthouse," although the individuals are in several cases different from those mentioned in Chapter 324 of the Acts of 1852). William Rea was Clerk; he was also Clerk to the Board of County Commissioners.

Some of the subsequent chronology of the building is sketched out roughly in the Proceedings of the County Commissioners. On June 28, 1853, two gentlemen were appointed to seek out a proper place of meeting for the Circuit Court which was to include jury rooms "until the completion or erection of the court house." Then, there is no further mention of the new courthouse until the meeting of March 20, 1854. The minute of that date is interesting enough to be quoted in full:

Whereas James Wallace Esquire a Member of the late general assembly having called the attention of this board of Commissioners to an Act of the late general assembly entitled "An Act to authorise the Commissioners appointed by virtue of the Act of 1852 Chapter 324 to build a New Court House in Dorchester County to borrow a sum of money to furnish said House and enclose the ground" and having urged this board to an immediate action thereon assuring them he would assume the responsibility of all Complaints from the public growing out of the Sanction of this board with the provisions of said law—And whereas after a mature Consideration of the Application in Connection with the Act of Assembly; the board determined to postpone present Action thereon and adjourned Whereupon Thomas H. Hicks and William H. Allen Esquires urged upon the Commissioners the reassembling of the board and a reconsideration of their postponement of action; thereupon the Commissioners reassembled their board and not with standing their Manifest reluctance to such hasty action in the premisses, Ordered and do hereby Authorize at the earnest appeal and solici-[ta]tions aforesaid the Commissioners appointed by the Act of 1852 Chapter 324 to borrow the additional sum of money contemplated by the Act of the last session afs^d.; Provided they do not exceed the sum limited by the Act afs^d. 3000\$ The Commissioners then adjourned until April 24th 1854.¹⁷

¹⁴ Proceedings of the County Commissioners for Dorchester County, Liber W. R. No. 1, no pagination—first page, Ms.
¹⁵ Ch. 316.

¹⁶ Ch. 324.

¹⁷ Liber W. R. No. 1, no pagination, Ms.

Since the act of assembly of which the board was reminded by Wallace provided that \$3,000 could be levied with the approval of the county commissioners for furniture and landscaping, we may assume that by this time the building was nearing completion.¹⁸ At the meeting of May 16, it was "Ordered that the keeper of the Court House now to be established have the sum of one hundred dollars . . ." This action would indicate that at this time, or shortly thereafter, the courthouse was finished. In any case, by March 19, 1855, repairs were needed to the roof of the building and a gully had to be filled in.

Addition of 1931

The courthouse of 1852-1854 proved adequate to the needs of the county and remained pretty much as it had been built originally until 1931. In that year, the General Assembly authorized a bond issue for various construction needs of the county government amounting to \$175,000 of which \$75,000 was earmarked for repairs, renovation and enlargement of the courthouse¹⁹. Fortunately, the building commission (Chairman John R. Pattison and Secretary Edwin S. Lake) preserved the handsome Italian facade. Such enlargements as were made were confined for the most part to the rear area. The Architect was William A. Stone, Jr. and the builders were Charles E. Brohawn & Brothers.

FREDERICK COUNTY

All that part of Maryland and more, now found in Garrett, Allegany, Washington, Montgomery, Frederick and Prince George's County, had, since 1698, been included in Prince George's County. This unwieldy arrangement survived intact, however inconvenient, until 1748 when Frederick County was created.¹ The new county was formed simply by cutting off all this immense area from the mother county, leaving to Prince George's approximately the area and boundaries which it has today. By the time the erecting act had come to a vote in the General Assembly it was possible to designate the county seat as a place to be chosen by a group of commissioners named in the act "in or adjoining to Frederick-Town." The only rival which appears in the Proceedings was "on the land of Thomas Lemar," but this rival seems not to have been formidable.²

First Courthouse at Frederick

The Commissioners for building a courthouse and prison were instructed to purchase three acres of ground and construct the two buildings for a sum not to exceed £300 current money. They were either hesitant to begin under these conditions or they were divided among themselves about the site, for the land on which the courthouse was built was not conveyed to them until May 10, 1750.³ According to J. Thomas Scharf, the exterior of the courthouse was completed by November 24, 1750.⁴ This conclusion is no doubt derived from two entries in the Minutes of the Court. At the November Court of 1749, "Joseph Hardman Bricklayer and John Shelman Carpenter in Court here engage themselves to build the Hull of a Court House in Frederick Town . . ." ⁵ At November Court, 1750, we are told that "The Justices of the Court here having viewed the Court house lately erected in Frederick Town, approve of the Same, and Joseph Hardman, one of the Undertakers thereof obliges himself to point the Gavel end and fill up the Scaffold Holes." ⁶ On the same day, a commission was appointed by the court "to contract with any person or persons towards finishing the Court house of the County." ⁷

Unfortunately, work on the court's permanent home seems to have lagged after so bright a beginning. When the General Assembly met in the autumn of 1753, the interior was still unfinished, and an act was passed to provide the additional sum of £210 current money to get it done.⁸ But a restriction was placed on the use of this money—one hundred and ten pounds had to be paid to Thomas Bradford, joiner of Frederick Town "for the work done by him in and about the said Court house." The date for completion of the courthouse, which is generally accepted, is 1756; and a delay of one year is attributed to the fact that General Braddock impressed some of the workmen when he passed through Frederick in 1755. But of this there seems to be no solid evidence. During this long if undetermined building period, the court made itself snugly at home, first, at the "Dutch Meeting Place," and then at Mrs. Charlton's Tavern.⁹

¹ Ch. 15, Acts of 1748.

² *Arch. of Md.*, XLVI, 91. A good account of the circumstances surrounding the formation of the new county as well as a sketch of the history of Frederick Town, laid out only a few years earlier, is found in Edward S. Delaplaine, *The Origin of Frederick County*, Washington, 1949.

³ The purchase was made from Daniel Dulany and the price was £18 current money. *Frederick County Land Record, Liber B, f. 267, Ms.* For this reference and other material concerning

the courthouses of Frederick County the writer is indebted to Charles McC. Mathias, Jr., "Court Square, Frederick," *Md. Hist. Mag.*, XLVII, 110-20.

⁴ *History of Western Maryland*, I, 424.

⁵ *Judgment Record, 1748-1750*, pp. 249-50, *Ms.*

⁶ *Judgment Record, 1751*, p. 176, *Ms.*

⁷ *Ibid.*, p. 177.

⁸ Ch. 30, Acts of 1753.

⁹ Scharf, *op. cit.*, p. 424.

¹⁸ Ch. 117, Acts of 1854.

¹⁹ Ch. 493.