

1964

The RECORD

Historical Society of Charles County, Inc., Port Tobacco, Maryland

OUR HERITAGE¹

Fendall at that time was apparently loyal to the Lord Proprietor.

During the period of Fendall's term, Lord Baltimore sent his brother, Phillip Calvert, to the colony to act as Secretary of the Provincial Court, and, no doubt, to endeavor to heal the breach between the Puritans and loyal colonists. (It is interesting to note that Charles County was founded during Fendall's governorship.) But by early 1660, Fendall's allegiance to the Lord Proprietor began to waver. This also seemed to be the case with a number of prominent citizens of the new county, especially the members of the County Court, among them John Hatch, a member of the governor's Council and a Justice of the Peace. Also wavering in their allegiance were Captain John Jenkins (nicknamed Capt. Grinding Stone), Captain Wm. Batten, John Cage, Job Chandler, Robert Handley (Hundley), Edward Parks, Robert Slye and James Walker.

Historians do not agree in the precise cause of the difference

It has often been stated that Charles is the only county in the State which has a complete set of county records. They, perhaps, should be the most complete. In fact, the first court records begun in 1658 have a few pages lost from the book.

But we can say with full confidence that we are the most fortunate county in this respect because upon two occasions the records were destined to be destroyed--once by a decree of the Lord Proprietor in 1660, and again by fire in 1892.

The first occasion is a matter of actual record in the Archives of Maryland; the second is somewhat clouded with folklore.

The Fendall Rebellion -- During the ascendancy of Oliver Cromwell to power in England, William Stone, the first Protestant Proprietary Governor of the colony was wounded and imprisoned by the Puritans at Providence. Lord Baltimore then appointed Josiah Fendall of Charles County on July 10, 1656, to succeed him.

CHARLES COUNTY - MEN OF PROMINENCE

Delegates to the Continental Congress: John Hansen, 1781-83; Samuel of St. Thomas Jenifer, 1778-82; Thomas Stone, 1775-59; Benjamin Contee, 1787-88.

Members of State Constitutional Convention of 1776: Robert T. Hooe; John Dent, Thomas Semmes; John Parnham.

Members of State Convention of 1778 to ratify the Constitution of the United States: Zeph Turner; Gustavus R. Brown; Michael Stone; William Craik.

Members of State Constitutional Convention of 1851: George Brent; John G. Chapman; William D. Merrick; Daniel Jenifer.

Members of the State Constitutional Convention of 1864: John W. Mitchell; Richard H. Edelen; Peregrine Davis.

Members of the State Constitutional Convention of 1867: Walter Mitchell; Vivian Brent; John T. Stoddert. United States Senator, 1838-45: William D. Merrick.

HISTORICAL SOCIETY OF CHARLES COUNTY, INC.
Port Tobacco, Maryland

Mr. & Mrs. John H. Mitchell
La Plata, Maryland



¹ Maryland Archives, Vol. LIII.

between these men and Lord Baltimore, but there is a feeling that Fendall planned to take over the colony and become dictator. When he endeavored to seize power, he and his close friend, John Hatch, were arrested. Thus ended the so-called Fendall Rebellion.

Phillip Calvert as Governor--
Phillip Calvert then succeeded as Governor. One of the first acts of the Provincial Court under Calvert's administration was :

"It is ordered all Acts and Orders entered in the tyme of the defection of the government from his Lordship, being the fifth of March 1659 be null and of no force and that same be forthwith razed and torne from among the records."

Thus, the Provincial Court records of the colony do not exist from the above date to the time of Calvert's succession in December of 1660.

Probably we will never know who disobeyed this order regarding the Charles County records. The other then-existing four counties complied with the order. We are deeply indebted to that unknown person or persons who preserved our records.

The Burning of the Court House--Our records almost suffered destruction a second time. The county grew and prospered until split asunder by Civil War.

By 1872 the Pennsylvania railroad had been constructed. With it came a decline in water transportation. At the County Seat of Port Tobacco, silt had so filled the harbor that boats were compelled to land at Chapel Point and Brentland Wharf some three or four miles downstream.

Agitation to move the County Seat to another location began as early as 1873 according to the Port Tobacco Times. The suggested places were Chapel Point, which still had water transportation, or La Plata on the new railroad. As time went on, this controversy became a very hot issue between various factions until it finally burst into flames in the Court House itself. There are several versions of how this happened, but needless to say, again in some miraculous way all the records were saved although the building was almost a total loss.

The land records of Charles County were not in the building at that time. They had been removed to Annapolis in 1889 in compliance to a State law. While there, they were rebound. They were returned to the present Court House in 1914.

It is not important to know the real cause of the burning of the Court House at Port Tobacco. It is of utmost importance to know the land records of the County remain

Budget and Levy--

"To John Neuill for tob. due him last year	315
To Richard Roe for att. the burgese 24 d.	240
To Zacharie Wade for his man 24 days	240
To Mr. Wade for his boat 24 d. at 15 per day	360
To " " for one barrell of beer	250
To Mr. Wades Burgess and his charge during Assembly	1033
To Geo. Thompson	535
To Mr. Francis Batchelor	372
To Mr. Wade for his tendances diat the assembly	600
To Secretary Sewell for laws	1000
To Master Generall Coronell William Evans	1428
To High Sheriff James Lindsey for his sallery	925

which is the total sum of the Private Charge of this County which being divided by 357 the taxable persons amounteth unto 28 pounds of tob. per pole."

The above is the exact copy from the records, but I have been unable to understand the difference between the one statement of this levy being forty-four and the other being twenty-eight pounds of tobacco.

Neither can I reconcile the addition and division of the Court in setting the tax. It is reasonable to assume the payment for wolf's heads was not 100 pounds of tobacco but more likely ten pounds.

Reference books available for historical research in the Charles County Library are : Forman, Early Manor and Plantation Houses of Maryland ; Ives, The Ark and the Dove ; Judson, A Biography of the Signers of the Declaration of Independence ; Klapthor and Brown, The History of Charles County, Maryland ; Newman, Charles County Gentry ; Ridgely, Historical Graves of Maryland and the District of Columbia ; Robinson, Dark Companion : Biography of Matthew Henson ; Scarborough, Homes of the Cavaliers ; Scharf, History of Maryland (3 volumes) ; Semmes, Captains and Mariners of Early Maryland ; Semmes, Crime and Punishment in Early Maryland ; Skitren, The First Parishes of the Province of Maryland.

BUDGET AND LEVY

Within a few weeks the Board of County Commissioners will set up the 1964-65 budget for Charles County and set the tax levy for the county. This is one of the most difficult duties the Board must perform. The 1963-64 levy from county sources was \$1,970,000.00.

No doubt the same difficulty faced the County Court of the newly established Charles County in the mid-seventeenth century. The first mention of a levy is in the records of the meeting of the Court

on the 14th day of November, 1659, and is as follows :

"The leavie being cast up for the ferrie and woolves heads amounts unto thirteen pounds of tob : per head the Sherifes salary bee thearin reconed it therefor ordered that the Sherife should leavie the sayd some of tob : upon each respective tithable person in the Countie."

The first itemized levy appears in the court records of November 4, 1662, as follows :

"4 Nov. 1662.

An exact list of the tithabell persons being taken to the number of 357. And the publicke levy amounting to 1578 is thus forty four pounds of tobacco per pole and the county charge to each respective person is as follows :

To Mr. Thos. Burdet for a wolfes head	1b.	00100
To Andrew Watson " " "	"	00100
To Capt. Troope too " "	"	00200
To Mr. Montagew one " "	"	00100
To Samuel Palmer " " "	"	00100
To Mr. Doughty " " "	"	00100
To Richard Dod " " "	"	00100
To Francis Thorington " " "	"	00100
To Henry Moore " " "	"	00100
To Mr. James Walker too " "	"	00200
To Mr. Henry Adams one " "	"	00100
To Giles Glower " " "	"	00100
To John Neuill " " "	"	00100
To James Walker for his man seaven days		140

undamaged, and we should be grateful to the person or persons who had the presence of mind to rescue all the other County records in the doomed building. We have Our Heritage intact.

Society News--An agreement has been reached with the Soc. for the Restoration of Port Tobacco for use of the remaining portion of the Court House as headquarters. Repairs have been made to the building. Suitable notice will be given of the opening.

Southern Maryland Chapter--U. S. Daughters of 1812
Organizational Meeting - March 14, 1964

Mrs. T. Jefferson Greer, a member, announced at the January meeting that she has been authorized by the U. S. Daughters of 1812, Maryland State Society in Baltimore, to organize a new chapter covering the Southern Maryland counties. The Maryland State Board feels that there should be more chapters in Maryland of an organization that represents a significant period in our history as that of the War of 1812. It is therefore supporting the formation of a new chapter on Saturday, March 14th, at 12:00 o'clock at Shorty's Open Hearth Restaurant, La Plata, on Route 301.

Eligibility for membership in the Daughters of 1812 requires direct descendency from an ancestor who served the United States in a military or civil capacity during the period of 1783 to 1815. For eligible husbands, there is membership available in a counterpart organization, namely : the Society of Sons of 1812. There is an active chapter of this group in Baltimore.

In the central library of the National Archives in Washington, there are service records, pension lists, etc., of your 1812 ancestors from Maryland and other states. Of special interest to Marylanders is a volume in the library which includes the names of those who served in the military from Maryland in the War of 1812. The title of the book is British Invasion of Maryland in 1812 by William Matthews Marine. The employees at the Archives are very willing to help you with your lineage research.

A MATTER OF RECORDS¹

The Charles County Court records from 1658 to 1666, Volume LIII of the Maryland Archives, is a most interesting and informative source of information on the people, life, economics and social activities of the founding of the Maryland Colony.

The government of that period was vested in a group varying from five to seven men who in joint session constituted the County Court and exercised judicial power as well as administrative functions. It was similar in character to the Provincial Court at St. Marys City.

The Clerk of the Court kept records of the proceedings, of course. Between sessions of the Court, he recorded writs issued, as well as contracts, suits filed, deeds and mortgages. He also recorded wills and kept land records.

The first clerk of this county was one George Thompson. He performed his duties exceedingly well as the records attest and served until January of 1660 when Governor Fendall replaced him with one of his followers, Thomas Lomax. With the arrest of Fen-

dall in November of 1660, Lomax lost his post and Thompson was given the post again in January of 1661.

One of the most interesting items about these records is the book in which they were written. It apparently was the ledger of a Dutch importer and was in use between 1648 and 1651 when the last entry was made of mercantile accounts. These mercantile records appear in the back, indicating that Thompson turned the book up-side down when he started to record the Court records. An interesting item in the accounts is a large shipment of fullers earth, of raisens (which turned bad), 3,000 pounds of shot and one hog's head of glow (or glew)--the latter is possibly an alcoholic beverage, perhaps a rum from the West Indies.

The first recorded Court entry was May 25, 1658, as follows:

"Arthur Turner demmandeth warrant against John Ashbrooke in an action of debt to the valeu of thirteen hundred pounds of tobacco :

Warrant to Sherriffe of Charles County to arrest & return next

countie court to be holdin at Humphrey Atwiches the fourth of June next."

Herewith is a sample of the records plainly setting forth a mortgage foreclosure and the going wage rate of the period :

"Court of Jan. 14, 1659.

Case of Richard Trew against Walter Ges, defendent.

Trew produced a contract for the sale of land on the west side of the Wicomico River to the defendent for 2000 pounds of merchantable tobacco and cash in lots of 1000 pound each on or before the 10th day of Nov. 1658 and 1659. Not having met the terms of this contract it was taken into court.

The defendent brought in the following account at this County Court:

Per two subpenes	lbs. 240
" one " for Samuel Harris,	
and four subpenes to Samuel and his wife, William Allen and Elizabeth Atwiches.	30
For myself four days at 30 per day	120
The four subpenes at two day apeice at 30 per day	240
For the Clarks fees	179
For the Sherifs fees	055"

One can spend many hours in a study of these records and find narrative after narrative of the joys and sorrows, ambitions, habits, ways of life, living conditions, wealth and poverty, agriculture, hardships, and yes, even death and burial in these pages.

The complete set of archives, the property of the Charles County Court are now housed in the Charles County Library and are available for research. They cannot be taken out of the Library.

¹Maryland Archives, Vol. LIII