

CHARLES COUNTY

The present Charles County was erected, April 13, 1658, by order of the Governor and Council (*Arch. Md. iii*, 341). This county is not to be confused with what is often spoken of as Old Charles County, a narrow strip along the south side of the Patuxent River to which the Lord Proprietary in 1650 had given the name Charles County, but which disappeared in 1654 when the land included in the old county was absorbed into the newly created Calvert County. The records of Old Charles County were also doubtless merged with the Calvert County records, but all have long since been destroyed by fire, so need not in any way concern us here. In 1695 Prince George's County was carved out of the new Charles County on the north.

Charles County possesses a more complete series of court proceedings than does any other Maryland county. In this series there are only one or two small breaks of a year or so from the foundation of the county to the end of the Colonial period, or for that matter, to the present day. This volume (LIII) of the *Archives* comprises libers A and B of the court records covering the nine year period from 1658 to 1666. It would be desirable to carry the Charles court series down to the seventies, as has been done in the case of Kent, Talbot and Somerset counties, but owing to their bulk, to do so would require devoting at least one additional volume of the *Archives* to this county, which is not now possible. The importance of the Charles County Court minutes depends not merely upon their completeness as a county record, but also because they fill the gap from March 5 to December 11, 1660, for which all the Provincial and other county records of the Province are lacking. Why the Charles County entries for this period were not also . . . "razed and torn from among the Records", as ordered by the Governor and Council sitting as the Provincial Court, December 11, 1660, cannot be explained (*Arch. Md. xli*, 379). This was the period of the Fendall "rebellion" or "defection", of which the Proprietary wished to erase all record.

In the preceding pages of the introduction to this volume comment has already been made upon some of the more important legal, civil, historical, social, and personal aspects of the entries to be found in the Charles County records. Little has been said, however, of the personnel of the court itself and of the court officers, so a brief mention of some of them may be of interest. The number of justices serving on the court at any one time varied from five to eight. The court sat fifty-five times during this nine-year period, or on an average of about six times a year. During this time twenty-two different individuals appear as justices, not including Josias Fendall, a Charles County man, who when governor nearly always presided in his own local court, which as governor he had the right to do in any county court, a right shared with the Governor by other members of his Council. Apparently a warm supporter of the Proprietary interests, upon the restoration of the Province to Cecilius Calvert by Oliver Cromwell, Fendall was appointed Governor by the Proprietary on July 10, 1656. For reasons not very clear, his feelings toward the Proprietary changed, and in 1660 he staged his ill-timed "revolution" or "defection" in Charles County against Baltimore, and was for a short while a fugitive, although