

that the said Charles Hill be burnt in the Brawn of the Thumb of the Right Hand w<sup>th</sup> the Letter A, and thereupon the Sherr (*sic*) of Anne Arundel County to witt Stephen Warman Gent is commanded by the Court here to do Imediate Execution of the Judgm<sup>t</sup> afd, Who afterwards makes return to the Court here that he has done Execution accordingly—And thereupon the said Charles Hill is discharged.<sup>16</sup>

In all the history of the county courthouses of Maryland, in the course of which there were so many burnings and so many charges of arson, Charles Hill is the unique convicted arsonist. How serious the crime was considered is indicated by the fact that the death penalty was mandatory—Hill escaped because of the plea of Benefit of Clergy, but even this loophole was stopped by the General Assembly which was so shocked by the lightness of the sentence that only six days later, October 27, 1720, it passed an act specifically excluding the plea of Benefit of Clergy in such cases.<sup>17</sup>

Meanwhile, the Justices of Kent County who were meeting in temporary quarters agreed with John Earle for repairing the courthouse. He was required to post a bond and to have the job done by June 15, 1721. The time allowed, almost exactly one year, and the cost, 55,000 pounds of tobacco, would indicate the courthouse had to be rebuilt from the ground up rather than repaired.<sup>18</sup> But no details are available to us because there is a lacuna in the court records of the county following the June term of 1720.

The courthouse of 1698, which was rebuilt in 1720-1721, appears to have served its purpose satisfactorily until the middle of the century when, because of the growth of population and business and also because of its dilapidated condition, a petition from the justices and other inhabitants of the county was presented to the General Assembly asking for authority to spend a considerable sum for "the repairing or enlarging of the courthouse." The act which passed at the session of 1750 authorized the levying of 50,000 pounds of tobacco for this purpose.<sup>19</sup> It is not now possible to determine the extent of the enlargement, if any, because none of the relevant records of the period have survived. We do know something more of the enlargement undertaken in the last years of the eighteenth century.

In 1796, an act was passed authorizing the Levy Court of Kent County to spend up to £400 current money to alter and repair the courthouse "so that the public records of said county may be kept secure."<sup>20</sup> The same petitioners came before the General Assembly the next year to report that they had found it would be less expensive and more convenient to build a new record office rather than to remodel the old courthouse. Authority was granted them to use the funds appropriated the previous year for this substitute project and they were also instructed "to attach the same to the Courthouse of said county, or to build the same separate therefrom . . ." <sup>21</sup> Since there appears to have been an addition to the courthouse represented on *Martenet's Map of Kent County*, it can be assumed that the commissioners chose to attach the record office thereto rather than otherwise.<sup>22</sup>

Forty years later, the Levy Court was authorized to spend up to \$700 for "the enlargement and repair of the house in which the offices of the clerk of the court and register of wills . . . are kept."<sup>23</sup> This appears to have been the last attempt made to fit this ancient building to the needs of a rapidly growing population.

### Third Courthouse at Chestertown

By 1860, it seemed hopeless to attempt to shore up the old courthouse; consequently an act was passed "for taking down the present Court House and building in which the office of Register of Wills is kept, and for executing a new Court House on the Public Square in Ches-

<sup>16</sup> *Provincial Court Judgments, W. G. No. 1, f. 251, Ms.*

<sup>17</sup> Ch. 25.

<sup>18</sup> *Kent County Court Proceedings, 1717-1720, f. 470, Ms.*

<sup>19</sup> Ch. 6; *Arch. of Md., XLVI, 458-59.*

<sup>20</sup> Ch. 29.

<sup>21</sup> Ch. 104.

<sup>22</sup> Simon J. Martenet, Baltimore, 1860, Maryland State Library.

<sup>23</sup> Ch. 132, Acts of 1831.