

MONTGOMERY COUNTY

Along with Washington County, the delegates to the Constitutional Convention meeting on September 6, 1776, created its twin, Montgomery County, out of the territory then included in Frederick County.¹ The exact date for the creation of the new county was set for October first, following, but in fact little local government was possible before the election of officers which was scheduled to be held December 18 "at the house now occupied by Charles Hungerford."² The Convention had named commissioners for purchasing the necessary land and erecting a courthouse thereon, but until this project was finished the court chose to meet at Leonard Davis's Tavern.³ Its first meeting at Davis's Tavern occurred May 22, 1777; the last, March 9, 1779.⁴

The term of court which opened August 10, 1779, was held, according to the clerk at "the courthouse," indicating that for some reason Leonard Davis's place was no longer considered suitable. What this "courthouse" was is revealed by a proposal found in the records of the same term of court as follows:

Thomas Owen Williams files in Court here the following proposals, to wit, August the 14th 1779. Proposals made by Thomas Owen Williams to the Justices of Montgomery County Court—To have the House they sitt in—The upper and lower floors to be laid Doors and Windows convenient to the House The Windows to be Glazed the lower walls to be filled in with Brick one fireplace above and one below Stairs two Rooms above Stairs to be Seated for Jurys Tables and Benches to hold Court the present Gaol to be fill'd in and made secure with a Stove at the Season of the Year when required the whole to be compleatd by November Court next and received and approved of by Court for three years Rent free Witness my Hand the Date above—Th^o O Williams Upon reading which proposals and consideration thereon by the Court here had the same was Approved by the Court And Ordered that the said Thomas Owen Williams enter into Recognizance himself in the Sum of two thousand pounds Current Money with two Sureties in the Sum of one thousand Pounds Current Money each for the due and faithful compliance of him the said Thomas Owen Williams with the same proposals so offered and accepted of by the Court. Whereupon the said Thomas Owen Williams present here in Court acknowledges himself to owe and stand justly indebted unto the State of Maryland in the sum of Two thousand Pounds Current Money and Elisha Owen Williams and William Robinson likewise present here in Court acknowledge themselves to owe and stand Justly indebted unto the said State in the sum of one thousand Pounds Current Money each which Sums they and each of them yielded and granted should be made and Levied of their respective Bodies Goods and Chattels Lands and Tenements for the use of the said State In Case he the said Thomas Owen Williams shall not well and truly comply with the proposals filed by him and accepted by the Court as aforesaid.⁵

In addition to the improvements mentioned in this proposal, the court also found it necessary to erect a new whipping post, stocks and pillory, for which Benjamin Ray was paid out of the levy for 1780.⁶ How long the court met in this converted house is not known, but it seems to have been there still in early 1783, for in the assessment of that year the same

¹ *Proceedings of the Convention of the Province of Maryland held at The City of Annapolis, in 1774, 1775 & 1776*, Baltimore, 1836, p. 242.

² Constitution of 1776, Article 61. The location of this "house" is far from certain; see Martha S. Poole, "Early Rockville Taverns," *The Montgomery County Story*, Vol. I, No. 3 (Publications of the Montgomery County Historical Society).

³ *Court Record, 1777-1781*, f. 2, Ms. This tavern was owned by the Willsons; it was rented to Hungerford, who kept it

only until 1775 when it was taken over by Leonard Davis, son-in-law of Joseph Willson. (Roger Brooke Farquhar, *Historic Montgomery County*, Baltimore, 1952, p. 194.)

⁴ *Court Record, 1777-1781*, ff. 2, 211, Ms.

⁵ *Montgomery County Court Record, 1777 to 1781*, f. 290, Ms.

⁶ *Levy Books, Montgomery County, Montgomery County Courthouse*. For this and other valuable information I am indebted to Miss Martha S. Poole.