

house & prison on & which two acres are included in Mr. Darnall's Conveyance to him the said Daniel Carroll And the said Daniel Carroll in his proper person in Court here declared that he would make over one Lott where the Courthouse and prison now stand.¹⁷

Later in the same term, the Court ordered that there be "with all convenient speed prepared a deed for Conveying the said land to the county" ¹⁸ This deed was recorded December 19, 1730.¹⁹

Unfortunately, this was not the end of the story. Twenty years later, when both Henry Darnall and Daniel Carroll were dead, Darnall's widow, Anne, came into court asking that she be paid for her dower rights in the land. It was then necessary for the General Assembly to "empower the Justices of Prince George's County to treat with Anne Darnall, widow, for her claim of dower to the land on which the County Courthouse is built." The Justices were also directed to take a release from Anne Darnall "and the same release to be acknowledged before one Provincial Magistrate, and entered in the records of the said court."²⁰ A settlement was made and the release duly recorded shortly thereafter.²¹

The courthouse, which was ready in 1721, suffered no disaster, but time and use accomplished a like purpose. Even so early as 1735, extensive repairs and alterations were needed, details of which are given in the building contract:

John Hobson agrees with the Justices of the Court house in Consideration of Eleven Thousand Pounds of Tobacco to be paid him next year to make the following Repairs Alterations and Amendments in & about the County Court House that is to say the Seat of Justice to be made Circular from the Two Corner Posts at least Seven foot five Inches into the Addition where the Seat of Justice now is the Two Side Windows to be Removed into the New Seat of Justice, the Stepps to be Carried up Three foot or thereabouts at Each Wing to remove the Old Barr out Eight foot the Attorney's Barr to be Eight foot square, the Clerks seat to be Immediately under the Middle of the Seat of Justice. Tables & Seat for the Clerks place, Table and Seats for the Attorney's Barr the Old Gallery to be Removed & put Up at the South End of the Main Body of the Court house, another Gallery to be set up Equally large at the Other End with a Conveniency to Come off the Chamber Stairs into it the Floor of the Clerks Place to be raised Two Foot from the Common floor & the Attorney's One The Seat of Justice to be Three Foot high all Neat Plain Work.²²

Second Courthouse at Upper Marlboro

In 1798, the General Assembly received a petition from the justices and sundry other citizens of the county declaring that the courthouse was in a ruinous state and furthermore that there was no jail at Marlboro. The General Assembly, consequently, authorized the justices of the Levy Court to raise \$12,000 over a period of two years for the construction of a jail and the repair of the old courthouse or the construction of a new one.²³ At the next session, the same justices of the Levy Court petitioned the General Assembly for permission to tear down the repository for the records of the Register of Wills and to use the site for the proposed new courthouse, and this petition was also granted.²⁴

The Levy Court decided in favor of razing the old courthouse and building a new one. Consequently, in the levy of 1799, we find this item:

For Building a Court House & Jail to be paid to the order of the Levy Court agreeable to an act of last session. \$6,000.²⁵

We know that the old courthouse must have been demolished before the September term of 1799, for in the levy of 1800 recorded in the same volume certain funds are allotted for pay-

¹⁷ *Ibid.*, Liber P, f. 353.

¹⁸ *Ibid.*, f. 407.

¹⁹ *Land Records*, Liber Q, ff. 191-93, Ms.

²⁰ Ch. 22, Acts of 1751.

²¹ *Court Proceedings*, Liber M. M., f. 69, Ms., and Provincial

Court Judgments, Liber E. I., 13, f. 844: Anne Darnall vs. Edward Sprigg et al., Ms.

²² *Court Record*, Liber V No. 10, 1734-1735, ff. 677-78.

²³ Ch. 104.

²⁴ Ch. 62, Acts of 1799.

²⁵ *Levy Book*, Liber B, no pagination, Ms.