

First Courthouse at Baltimore

Joppa was to profit from being the county seat for half a century. Then the increased wealth and commerce of the hustling little town on the Patapsco made it inevitable that it would soon demand the seat of government. In 1768, a long petition signed by an overwhelming number of the taxables of the county was presented to the General Assembly praying that Joppa be abandoned and a new courthouse be built in Baltimore. It was alleged that both the courthouse and prison were in bad disrepair; that the town of Joppa offered poor hospitality for those who had business at court; that it was located on a narrow isthmus approached by a marshy road and the water had become so shallow in the Gunpowder that only small vessels of shallow draft could get to the town. A counterpetition answered these complaints and took the offensive by charging that Baltimore Town being at the very southern end of the county would make the trip prohibitive for those living in the northern half and lead inevitably to a further division of the county—which in fact occurred.⁵⁰ The issue was bitterly fought out through the legislative session of 1768 but, apparently, the partisans of Joppa had little chance from the beginning.⁵¹ The end came with the passage of an act “for erecting a court-house and public prison for Baltimore county, in the town of Baltimore, and for making sale of the old court-house and prison.”⁵² The commissioners were authorized to spend up to 300,000 pounds of tobacco on the new building which was to stand on a one-and-one-half-acre plot on Calvert Street “next Jones’s falls.”⁵³ The records were to be removed before August 1769, and the courts were to move at once to the Market House in Baltimore. The move to Baltimore appears to have been accompanied by some violence. But this direct action proved as ineffective as had the legislative fight before it.⁵⁴ The last court day at Joppa was June 7, 1768; the first in Baltimore, August 2.⁵⁵

As the first term of court in Baltimore City progressed, the judges were informed of the difficulties besetting the clerk in the performance of his duties:

The Court being informed by their Clerk that the present Court House at Baltimore Town is very insecure in general & that in particular the Lower Door is weak & wants a good Lock & the Windows are without shutters & wanting in Glass & also that altho he had used his utmost Endeavours to procure Cases to Receive the Record Books & Papers removed from Joppa without which to receive them he cannot well open the Trunks from Joppa but with the utmost Confusion that yet he hath been greatly disappointed by Gerard Hopkins Cabinet maker who had undertook the same who hath made but one of five & that it will be necessary to employ some other Person therefor Ordered that Mess^{rs} Rogers & Aisquith agree for Window Shutters & Barrs & a good Lock & glazing to the said House & such other Repairs & necessary Improvements as may be proper & that they have the Chimney fire Places closed up so that no fire be used therein and also that they agree for such other Book or Paper Cases as may be necessary for the Papers afsd to be done forthwith—⁵⁶

But there was to be no turning back and to make the move doubly certain, the old courthouse and prison at Joppa were sold at public vendue the following December. The courthouse was bid in by Benedict Edward Hall, who later assigned his right to Benjamin Rumsey. Thus when the courthouse property was finally conveyed in 1773, the deed was from Thomas Franklin and others, Justices of the Baltimore County Court, to Benjamin Rumsey. John Boyd, the highest bidder on the prison, assigned his right to John Beale Howard, to whom the Justices conveyed the property in 1771.⁵⁷

⁵⁰ These rather remarkable petitions have been preserved and published in *Arch. of Md.*, LXI, 520-80.

⁵¹ For a full discussion of this legislative skirmish the reader is referred to the “Introduction” of *Arch. of Md.*, LXI, lxxxvi-xc.

⁵² Ch. 14. The plat and bounds of the land condemned for the courthouse in Baltimore Town are found in Baltimore County *Land Records W.G. No. UU*, ff. 477-79.

⁵³ A like sum was needed to finish the work (Ch. 28, Acts of 1771). In addition, £900 current money had been subscribed by interested citizens of Baltimore.

⁵⁴ *Arch. of Md.*, LXI, xc.

⁵⁵ Baltimore County Court *Minutes, Liber B. B., March 1768 to Nov. 1769, Ms.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*, November Term. Baltimore County *Land Records, Liber A.L. No. H*, ff. 385-86 and *Liber A. L. No. D*, f. 174. These references are from an article by William B. Marye entitled “Place Names of Baltimore and Harford Counties,” *Md. Hist. Mag.*, Vol. 53, p. 55. However, Mr. Marye has mistakenly read the surname of John Boyd as “Byrd.”