

Charlestown was chosen as the new county seat for the court met there from 1782 to 1787. However, for some reason no courthouse was built.

First Courthouse at Elkton

Normally the preamble to an act to move a county seat gives the reasons for so doing in the bleakest possible terms, to wit: the courthouse is dilapidated; or it has burned down and it would not be worthwhile to rebuild or repair it since, in any case, its location is inconvenient to your humble petitioners. But there is more warmth in the Act to remove the seat of county justice from Charlestown to Elkton, more bitterness, and more disappointment too:

Whereas it appears to this general assembly, that a great majority of the inhabitants of Caecil County, by petition, have prayed a removal of the seat of justice from Charles-town to the Head of Elk, and it also appearing that no public buildings are erected at Charles-town, except a gaol, and that no considerable improvements, or increase of the value of property, have been occasioned in consequence of the courts of justice being held there for four years last past: And whereas the inconvenience and expense of public ferries in said county may be obviated by such removal: And whereas it appears also, that the inhabitants in general of said county can, with greater ease and expedition, convene at the Head of Elk on court and other public business. . . .²⁰

The body of the Act named a commission to build a courthouse and prison at a cost not to exceed £1,200 current money, but since building a courthouse in those days required a good deal of time, these commissioners were authorized to find temporary quarters for the court in the meanwhile; and they fixed on the Public House of John Barnaby as entirely suitable for this use. The sheriff was ordered to remove the prisoners, and the clerk of court, the records; and all of this was to be accomplished before April 10, 1787. The court acted promptly, for it is a matter of record that the June term of 1787 was held in Elkton. Work on the new building lagged, however, and as was customary, the amount budgeted for the purpose proved to be insufficient. The General Assembly was, therefore, appealed to again, and at the 1789 session an additional £800 current money was authorized.²¹ Once more the building commissioners found themselves in difficulty, and a last appeal to the General Assembly produced authorization in 1791 for another £700.²²

There is general agreement among historians that this first courthouse in Elkton was completed in 1792, but there is disagreement about just what the courthouse was. Joshua Clayton maintained that the original courthouse consisted only of the building in which the offices of the clerk of the court and register of wills were housed, that is to say that part of the building which was spared when the rest was razed in 1940 and which is still in use. Alice E. Miller without taking sides states that there are two theories: one, that the original building was the building still standing, and the other that this building dated from 1832.²³ Johnston stated flatly that the smaller building was the one dating from 1832.²⁴ Again Mr. Clayton seems to have been misinformed, for the Act of Assembly authorizing the building of 1832 stated specifically that the commissioners of Cecil County were empowered and directed "to build two fireproof offices, for the use of the Clerk of the county and the Register of Wills." The site was to be at or near the courthouse and the cost, \$1,000.²⁵ Unfortunately this sum proved to be insufficient and no contract was let until a supplemental act providing for an additional \$500 was passed at the next session.²⁶ Sad to relate, even this supplement did not cover the full cost, and two years later another act was required to allow an

²⁰ Ch. 20, Acts of 1786.

²¹ Ch. 17. Some detail concerning the purchase of supplies and the payment of workmen is found in Johnston, p. 367, but he does not give the name of the designer or builder and his sources are unknown to this writer.

²² Ch. 3, Acts of 1791.

²³ *Cecil County Maryland, A Study in Local History*, Elkton, 1949, p. 66.

²⁴ *Op. cit.*, p. 367.

²⁵ Ch. 11, Acts of 1829.

²⁶ Ch. 81, Acts of 1830.