

th<sup>e</sup> upper roome well daubed & sealed with mortar white limed & sized, & th<sup>e</sup> shead sealed & lined with riven boards, And allsoe one other house to be built neare unto th<sup>e</sup> S<sup>d</sup> house & upon th<sup>e</sup> s<sup>d</sup> acre of Land three foot within ground at th<sup>e</sup> foundation to be twenty & five foot long & fiteene foot wide within, & of sufficient strength for a prison, the first roome entring to be eight foot in height from th<sup>e</sup> lower floore, & a partition in th<sup>e</sup> middle thereof, with a loft or Garrett over all th<sup>e</sup> s<sup>d</sup> roome, & both the floores of th<sup>e</sup> s<sup>d</sup> roome & loft to be well plankt, & the said loft to be six foot high & sealed & lined with riven boards, Together with free Egresse & Regresse to & from th<sup>e</sup> s<sup>d</sup> houses for all persons at all times, The s<sup>d</sup> dwelling house to be Compleately finished for a Court-house forthwith in manner above mentioned, And th<sup>e</sup> s<sup>d</sup> house for a prison to be finished as afores<sup>d</sup> before th<sup>e</sup> last day of May now next ensueinge, To have & to hold th<sup>e</sup> s<sup>d</sup> acre of Land & houses & all & singular th<sup>e</sup> before graunted premises thereunto belonging with their & every of their appurtenances from mee th<sup>e</sup> s<sup>d</sup> John Allen & my heires for ever, unto th<sup>e</sup> Right Honorable th<sup>e</sup> Lord Proprietary aforesaid his heires & Successors forever, To & for th<sup>e</sup> publicke use of his & their County of Charles County in Maryland afores<sup>d</sup>, & th<sup>e</sup> Inhabitants thereof for a Court house for his Ldps Justices to hold Court in, & a prison to secure prisoners when thereunto Comitted, And to & for these very purposes for ever And I the s<sup>d</sup> John Allen for myselfe my heires Exec<sup>rs</sup> & Adm<sup>rs</sup> doe hereby Covenant promise & graunt to & with th<sup>e</sup> Right Hon<sup>ble</sup> th<sup>e</sup> Lord Proprietary afores<sup>d</sup> his heires & Successors, That I th<sup>e</sup> s<sup>d</sup> John Allen my heires Exec<sup>rs</sup> Adm<sup>rs</sup> or Assignes shall & will from time to time & at all times hereafter maintein provide & keepe or Cause to be mainteined provided & kept a publicke ordinary or house of entertainment neare unto th<sup>e</sup> s<sup>d</sup> Court house & prison, for th<sup>e</sup> Convenient entertainment of his Ldps Justices & all other persons whatsoever at any time thither lawfully resortinge: And shall & will keepe & Cause to be kept the s<sup>d</sup> Court house & prison in good & sufficient repair for ever except their foundations shall happen to decay with rottonesse, And I the s<sup>d</sup> John Allen for myselfe my heires exec<sup>rs</sup> & Adm<sup>rs</sup> doe further Covenant promise & grant to & with th<sup>e</sup> Right Hon<sup>ble</sup> th<sup>e</sup> Ld Proprietary his heires & Successors afores<sup>d</sup> That I the s<sup>d</sup> John Allen my heires Exec<sup>rs</sup> Adm<sup>rs</sup> or Assignes shall & will when & as often as thereunto required, make, doe, acknowledge & execute all other such further act or acts, thing or things, devise or devises, Assurance or Assurances in the law whatsoever, For the further better & more sure & perfect assureinge & Conveyinge of all & singular th<sup>e</sup> above graunted premises with their & every of their rights members & appurtenances to th<sup>e</sup> Right Hon<sup>ble</sup> th<sup>e</sup> Lord Proprietary his heires & Successors as afores<sup>d</sup> to & for th<sup>e</sup> uses afores<sup>d</sup> for ever, In wittnesse whereof I have hereunto sett my hand & seale this tenth day of Novmb<sup>r</sup> in three & fortieth yeare of the Dominion of th<sup>e</sup> Right Hon<sup>ble</sup> Caecilius absolute Lord & Proprietary of Maryland & Avalon Lord Baron of Baltimore &c: Anno Domini 1674 John Allen (locus) sigilli Signed sealed & delivered

in the presence of  
Benjamin Rozer  
John Jones

Memorandū, that full & peaceable possession & seizin of th<sup>e</sup> s<sup>d</sup> house was given by the within named John Allen to M<sup>r</sup> Henry Adames M<sup>r</sup> Thomas Matthewes & M<sup>r</sup> Ignatius Causine three of his Ldps Justices on th<sup>e</sup> behalfe of th<sup>e</sup> Right Honor<sup>bl</sup> Caecilius Absolute Lord & Proprietary of th<sup>e</sup> Province of Maryland & Avalon Lord Baron of Baltimore &c for th<sup>e</sup> uses within mentioned in th<sup>e</sup> presence of us whose names are here under written

Benjamin Rozer  
John Jones  
Cleborne Lomax <sup>12</sup>

Apparently Allen found himself unable to fulfill his agreement for at the January term, 1677, Thomas Hussey was given 20,000 pounds of tobacco for finishing the courthouse and the two rooms in the shed behind, all of this to be done by September Court following.<sup>13</sup>

While this creation of Allen and Hussey was relatively large, it was shortly thereafter to be enlarged by Michael Ashford with whom the commissioners signed the following agreement on September 12, 1682:

That the sd. Michaell Ashford doth hereby promise & covenant to with the Commission<sup>ers</sup> of this County, to adde ten foote in Length to the Courthouse of this

<sup>12</sup> *Arch. of Md.*, LX, 615-18. For the sequel to the relationship of Allen and Hussey see *Arch. of Md.*, VIII, 24-26; and for an interesting and somewhat different account of the court-

house of Port Tobacco see Ethel Roby Hayden, "Port Tobacco, Lost Town of Maryland," *Md. Hist. Mag.*, XL, 261-76.

<sup>13</sup> *Charles County Court Proceedings*, G No. 1, 118, Ms.