

GARRETT COUNTY

The effort to carve a new county out of the western half of Allegany County had to be sustained over a long period of time and against much opposition before achieving its end. A permissive clause for the erection of a county in the area now included in the bounds of Garrett County was inserted in the Constitution of 1851.¹ Nothing was accomplished, however, until the adoption of two other constitutions, those of 1864 and 1867, which provided that no new county could be erected whose area was less than four hundred square miles and whose population was less than ten thousand.

Following the erection of Wicomico County on the Eastern Shore, a renewed effort was made to create another Western Shore county; and in 1871, the fight for Garrett was renewed. Petitions were accordingly presented to the General Assembly in 1872, and an act was passed "to provide for taking the vote of the people for or against a new county in certain Election Districts of Allegany County at the election to be held in the fall of eighteen hundred and seventy-two."² The results of the General Election of November 4, 1872, were as follows: for the new county, 1,297; against, 405. On the same ballot the County seat was chosen. The vote was as follows: Grantsville, 590; McHenry, 461; Oakland 653. Oakland was therefore declared the county seat and has remained so to this day. The new County was named for John W. Garrett of Baltimore, who was then president of the Baltimore and Ohio Railroad.³

First Courthouse at Oakland

Governor Whyte issued a proclamation on December 4, 1872 declaring the existence of Garrett County. A special election was held January 7, 1873 when a full slate of officers was named. Office space was found in one existing building or another, and when the court met for the first time, May 19, 1873, the Glades Hotel was pressed into service as a courtroom. But the contest over which should be the county town was not over nor was it extinguished by an act of the General Assembly of the next year which authorized the county commissioners to borrow, through the issuance of bonds, up to \$30,000 to build a courthouse and jail in Oakland.⁴ The county commissioners, still uncertain, refused to act under this authorization and they took no steps to provide a permanent courthouse until they were required to do so by a writ of mandamus issued by the Circuit Court of the County October 14, 1876. How much was actually expended for the combination courthouse and jail is not certain, but according to Jacob Brown, it was \$15,000.⁵ It was located at Fourth and Green Streets. It was constructed of red brick by two builders known to this writer only as Burton and Burk. The courthouse was finished and occupied before the end of the next year.

Second Courthouse at Oakland

The old courthouse—now part of the Oakland High School—served for thirty years before the growth of the county and the toll of time made it obsolete. Thereupon the General Assembly, in response to a demand from the County, passed an act authorizing the county commis-

¹ Art. 8, sec. 2. Unless otherwise noted, the information which follows is taken from *Inventory of the County and Town Archives of Maryland, No. 11 Garrett County*, edited by Morris L. Radoff, Baltimore, 1938.

² Ch. 212, Acts of 1872.

³ Thekla Fundenberg Weeks, *Oakland Centennial History, 1849-1949*. Oakland, 1949, pp. 25-6.

⁴ Ch. 346, Acts of 1874. Also Ch. 76.

⁵ *Brown's Miscellaneous Writings*, Cumberland, Md., 1896, pp. 292-93.