

boro where they met and proceeded with the business of the court on the same afternoon.¹⁰ At the same term of court they provided for the transfer of the records,¹¹ and for selling the old courthouse.¹²

Details of the building including the name of the architect are not certainly known to us. There is a curious reason for our lack of knowledge in this case: at the March 1718 term of court the justices ordered a special meeting to be held the following April to consider the removal of the courthouse.¹³ There is no record of this meeting in the surviving proceedings and it is permissible to assume, therefore, that a separate book was kept for this special business. If that was the case, the book has since been lost.

While we are never positively told as much, we have every right to suppose that the builder was a certain Levin Covington, whose inventory indicates that he was well supplied with tools and materials for this sort of work.¹⁴ In any case, at the June Court of 1719, it was ordered that "Mr. Levin Covington have the subscription allready subscribed for building a New Court house and the tobacco of the county according to act of Assembly & towards erecting of the same."¹⁵

If we do not know exactly what Covington did, we do know what he left undone because at March Court 1721 his successor, Robert Wheeler, excuses himself for not having completed the tasks which were assigned to him—the interior of the building was not finished—because of a severe fall, and he promised to complete his task with all due speed. The full agreement follows:

According to the directions of the Act of Assembly for removing the Old Court House from Charles Town als Mount Calvert to Marlborough town, on the Eleventh day of Febry last at the new Court house in Marlborough town af^d. the Wppful Robert Tyler Joseph Belt and Ralph Crabb Three of His Losps Justices mett and agreed with Robert Wheeler to lay the upper floor of the said new Court house Carry up the stairs to fitt the office above stairs for security of the Records, to make a place of Judicature and to raile in a place for Clerk and Jury with the old Bannisters, the said Wheeler to make use of all the Stuff in the old Court house and to compleat and finish the above work by the fourth Tuesday in March instant in Considⁿ. whereof the said Wheeler was to have Sundry private subscriptions made for compleating the abovementioned work by severall persons amounting to Twenty four pounds Six shillings and Six pence Current and two thousand nine hundred pounds of Tob^o.—And now here at this Day to witt the fourth Tuesday in March afd Comes the Said Robert Wheeler in his proper person and informs the Court here that by reason of an unhappy fall whereby he greatly hurt himselfe he has not been able to perfect the abovementioned work according to the contract as to the time prescribed But says that he is willing on haveing the Subscriptions ordered him (which unless done now will not be received by him this year) to give sufficient security for Compleating the above work with all convenient speed, Whereupon it was ordered by the Court here, that the said Robert Wheeler receive to his own use the subscriptions of money and Tob^o. abovementioned, In Considⁿ. of his performing the contract above recited as speedily as possible, And thereupon the Worshipful Joseph Belt in his proper person in Court here undertook for the Said Robert Wheeler, That the work abovementioned shall be finished perfected and compleated with all Convenient speed.¹⁶

The history of the two acres which the justices were authorized to purchase in Marlboro upon which to build the courthouse is equally complicated. At March Court 1729/30 Daniel Carroll appeared as a party in a case having to do with the closing of a road. After the hearing we find this minute of a most informal proceedings:

. . . At the same time the said Daniel Carroll being askt by the same Justices whether he would convey & make over for the County's use the Two acres of Land formerly promised by Mr. Henry Darnall (now in England) for the building the County Court-

¹⁰ *Court Proceedings, Liber K*, f. 77. Ms.

¹¹ *Ibid.*, f. 80.

¹² *Ibid.*, f. 85.

¹³ *Liber H*, f. 802.

¹⁴ *Inventories 11*, ff. 623-33. Ms.

¹⁵ *Liber H*, f. 861.

¹⁶ *Court Proceedings, Liber K*, ff. 90-91.