

County upon the summoning of the inhabitants together for the election of Burgesses do at the same time take their several votes under their own hands in writing to the end it may be seen and known from them distinctly and severally, where they do think is the most convenient place in the County to hold courts, a due return whereof he is to make to this Board with all convenient speed.⁷

Courthouse at Dividing Creek

Whether this referendum was ever taken is not known; however, three months later, the Council reversed itself and ordered that the new courthouse "be out of hand finished and that the courts be there held and kept." Nevertheless, the opponents of the Dividing Creek site continued their agitation, whereupon the Governor proposed, on May 1, 1696, that the county be divided into two parts so that all would be pleased.⁸ Since this was a distasteful alternative for everyone in the county, peace was soon reestablished. The Dividing Creek site was accepted. According to Torrence, the exact site "is a lot of ground on the north side of the Pocomoke River and west side of Dividing Creek, very near where the Creek enters the River . . . about two miles east of the highway from Princess Anne to Pocomoke City, Maryland."⁹ Here court met until Worcester County was formed from Somerset, when the county seat was removed to Princess Anne. That this courthouse was functioning and in good order in 1697 is indicated by this report of a legislative committee of that date: "Somerset County has a very good Court house with a brick chimney no ordinary is kept therein, and the Records are Kept now att the Clerks Lodgeings."¹⁰

First Courthouse at Princess Anne

The act which provided for the division of Somerset County in order to create Worcester County also ordered the removal of the Somerset courthouse from Dividing Creek to Princess Anne.¹¹ The old courthouse and the county land on which it stood was to be sold and the proceeds divided equally between the Commissioners for building the courthouse at Princess Anne and those authorized to build the first courthouse for Worcester County. For the new courthouse, a levy of £1,000 current money was authorized and the commissioners were empowered to fix on a likely piece of ground, to buy it if the price proved to be reasonable, otherwise to condemn it. The latter course proved necessary. A lot on the northeast corner of Main and Broad Streets was selected, an inquisition held and the land was appraised January 3, 1742/3.¹² Apparently this record served in lieu of a deed, for no formal conveyance is to be found. The court held its first session at Princess Anne in November 1742, as the act dividing the county had ordered, and it met in temporary quarters until the completion of the new courthouse which occurred in June 1747.

None of the earlier writers has mentioned the name of the builder. However, we can be certain of his identity because of a Court Order of June 1747:

WHEREAS a Certain Henry Ballard of Somerset County Gentleman had undertaken to build a Court house at Princess Anne Town in and for the County aforesaid, and foras much as it appears to the Court here that the said Henry Ballard had built the said Court house, and had Comply'd with the articles and plan for building of the Same in Every Respect, as on his part Ought to be Complied with, whereupon the Justices Received the Same Court house of the same Ballard, and it is Ordered by the Court here That Thomas Hayward Clk of Somerset County Court deliver up unto the said Ballard the articles and bond he had entered into for building and Compleating of the said Court house which was accordingly done—

AND further it is Ordered that the Clerk of Somerset County aforesaid remove the Records of the same County out of the press in the Old Court house and Lodge them in the new in the rooms appointed for that purpose as soon as may be with Conveniency.¹³

⁷ *Ibid.*

⁸ *Arch. of Md.*, XIX, 290-91.

⁹ *Op. cit.*, p. 410, fn. dagger or second footnote.

¹⁰ *Arch. of Md.*, XXII, 103.

¹¹ Ch. 19, Acts of 1742.

¹² *Somerset County Deeds*, O-21, pp. 72-73, Ms.

¹³ *Judicial Record, 1744-47, Somerset County*, p. 305, right side, Ms.