

Carroll's Circuit Court History  
Carroll County Times Article for 1 April 2001  
by Jay A. Graybeal

Members of Carroll's legal community and the Historical Society of Carroll County celebrated the 111th anniversary of the Circuit Court on April 3, 1948. The observance was described in the April 8th issue of this newspaper under the headline of "Anniversary of Courts Observed, Oil Portrait of Carroll Presented:"

The historical evening arranged for the special session of the circuit Court on Saturday, proved to be a most interesting affair. The occasion was the 111th anniversary of the opening of the Carroll County Courts.

Immediately after court was called and Chief Judge James E. Boylan, Jr., took his seat, Erman A. Shoemaker, clerk of the Court, read the minutes of the first session and county commissioner Norman R. Hess, read the account of the first session of the Commissioner of Tax.

Francis Neal Parke, former Chief Judge of the Circuit and member of the Maryland Court of Appeals, was presented as the speaker of the evening. Judge Parke gave a most informative talk on the early history of the county and the beginning of the courts. Interesting was his account of the planning and erection of the Court House building. In his remarks, he said:

'It was not until the first Monday of April, the third day of the month, 1837, that the county court convened at Westminster, the county seat of the new county,' he continued.

'It met in the dwelling of Dr. William Willis, a highly esteemed physician. His residence still stands. It later became the home of John Brooke Boyle, a prominent citizen; then of Charles E. Fink, a leading lawyer of his day, and is now known as the Hoffman House at 216 East Main street.

'The Court was called for the first time by Chief Judge Thomas B. Dorsey, and shortly thereafter the Associate Judge, Charles J. Kilgour, appeared and the Court appointed Dr. William Willis the Clerk of the County, named James Keefer, of Westminster, the Court crier, and took the bonds of the Clerk and of Nicholas Kelley, the lately-elected Sheriff. The prosecuting attorney, now the State's Attorney, was then a deputy Attorney General, and William P. Maulsby had been appointed to that office, and presented his commission. On the motion of Mr. Maulsby, T. Parkin Scott, of Baltimore, James Raymond, James M. Shellman and A. Ferre Shriver were admitted and qualified as members of the Carroll County Bar. The Court then adjourned to the next term of the first Monday of September, 1837.

'Meanwhile the Commissioners of the tax of Carroll County, who later became the Board of County Commissioners, met in a room in Wampler's Tavern which then stood on the southeast corner of the intersection of east end of Main Street and Bishop's Alley. This body was composed of William Shepherd, Sterling Galt, John Erb, Joshua C. Gist, Joseph Steele, Jacob Reese, John Lamotte, Nimrod Gardner and Henry N. Brinkman. William Shepherd was elected its President, and Otho Shipley, its Clerk, and James Raymond, its attorney. These Commissioners held office for a term of two years, and it 1839 were succeeded by an entirely new body composed of William Shaw, John Roop of Joseph, Daniel Stull, Peter Hull, Eli Hewitt, Frederick Ritter, Jacob Schaffer, William Houck and Joshua Barber. It was during

the term of the first Commissioners of the Tax that the building of the Court House was begun and the county jail was constructed.

'During the erection of the jail, temporary quarters had to be provided for prisoners and debtors. As Nicholas Kelley had been elected the first sheriff of Carroll County on March, 1837, and had by virtue of his office the custody of the prisoners and poor debtors, he obtained temporary quarters for them in the second story of a brick house on East Main Street, near the Washington Road, rented by the Commissioners of Joshua Sundergill, and which later became the property of William Reese. Colonel John K. Longwell relates that but one prisoner was confined to this temporary jail and that, according to report, this one escaped by climbing down the spouting.

'The stone county jail was built by B. F. Forester and Johnzie Seily in 1837 at a cost of \$4,000. The use of Union Church, then on the knoll in the central part of the present Westminster Cemetery, was secured, and there the Circuit Court held its subsequent sessions until the Court House was erected and could be occupied. The location of the present Court Street and the streets surrounding the Court House and extending to the County Jail, with the sites of the Court House and Jail, are in conformity with the survey and plat of John Smith. The land obtained by Commissioners of the tax from Isaac Shriver and Polly Shriver, his wife, and the heirs of David Fisher, deceased, are dated June 6, 1837.'

The Carroll County Society of Baltimore was represented by a large delegation, who came in particular for the presentation of the oil portrait of Charles Carroll of Carrollton, a gift from the Society to the county. The portrait was copied from the original by Rembrandt Peale and now hangs in Independence Hall, Philadelphia. It is the work of the Baltimore artist, Ronald Lee Anderson. The presentation was made by a former president of the Society, Frank M. Hymiller. In Mr. Hymiller's remarks he expressed the continued interest and high regard he and his former countians had for their native Carroll.

Walter V. Bennett, a member of the Board of County Commissioners, accepted the portrait on behalf of the county. His remarks included in brief, a resume of Charles Carroll's life.

Responding to the addresses of the evening, Judge Boylan thanked the Carroll County Historical Society for arranging the evening's impressive program. Judge Boylan also touched on the highlights of Carroll's life.

A. Earl Shipley, president of the Historical Society, made the announcements and presented the speakers to the Court and the large number in attendance. He also made mention that this was the occasion for the distribution of the Society's first historical Bulletin. The two articles, "Notes on the Beginning of Carroll County", and "The Orphans' Court," are compilations of Judge Boylan."

It is interesting to note that two local judges, Francis Neal Parke and James E. Boylan, Jr., were early writers about Carroll County history. Both made lasting contributions to our understanding of our past.



Judge Francis Neal Parke delivered the historical address about the history of the Circuit Court for the 111th anniversary in 1948. Historical Society of Carroll county collection, gift of Hellen C. Wilderman, 1998.