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THE MARYLAND CONSTITUTIONAL CONVENTION OF 1776

by

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In September, 1967, elected delegates will meet at Annapolis to write a new Constitution for the State of Maryland.

In August, 1776, elected delegates met at Annapolis to write the first Constitution for the infant State of Maryland.

What events had taken place that created the necessity for writing a Constitution? What kind of Government had the people of Provincial Maryland been living under? Under what authority were the delegates acting?

Let us take a look at the background against which the meeting of delegates was to take place.

THE BACKGROUND

From the time of its settlement in 1634, Lord Baltimore's Charter from the King of England was the fundamental law of the land. As the Province grew, its government underwent changes from time to time, mostly of a minor nature. By 1770, the government was as follows:

(1) The Proprietary, Lord Baltimore (then Frederick Calvert) appointed the Governor (then Robert Eden) and all other officers except Customs Officials who were appointed in part by the King of England.

(2) Laws were made by an Assembly. Elections were called and meetings were called by the Governor. He dismissed or "prorogued" the Assembly. Laws must not conflict with the laws of England. They must be approved by the Governor and could be vetoed by him or by the Proprietary.

(3) The Assembly was composed of two houses. The Upper House members were appointed by the Governor (for the Proprietary). They were also the Governor's Council, and judges of the highest Court.

In 1770 they were: John Beale Bordley, Benedict Calvert, Daniel Dulany, Walter Dulany, Charles Hammond, William Hayward, William Fitzhugh, Richard Lee, John Ridout and George Steuart. All of them were "esquires".

(4) Members of the Lower House were elected by the "people", four delegates from each County.

To be eligible to vote a freeman must have a freehold of 50 acres; a resident could vote if he had a "visible personal estate of 40 pounds within the County" (Scharf, HM II, 281). The qualifications of a member of the House of Delegates included (besides the other requisites of a voter) the possession of an estate of at least 500 pounds. The mode of election was viva voce.

In the Session beginning Sept. 25, 1770, members from Frederick County included William Luckett, Andrew Heugh and Thomas Sprigg Wootton.

For a number of years before 1770, various members of the Lower House of the Assembly had been among those resisting with all their might dictation by the Proprietary. When the British Parliament began to legislate for the Colonies stiffer resistance was made. The colonists felt that they were still Englishmen - merely transplanted beyond the seas - and entitled to the rights of Englishmen at home. This sentiment was rife in all the Colonies, as well as in Maryland.

In Maryland resistance to Acts of the British Government was not confined to the Assembly. "Activist" groups formed in many areas, calling themselves "Associators" "Sons of Liberty" "Non-Importation Committees" "Committees of Correspondence", etc. Stamps and tea were burned. Endless proclamations were made.

The Non-importation principle was the most effective. Not only did groups agree that they themselves would not buy goods from England, but they had committees to snoop around into their neighbors' purchases, and ostracized those who bought British goods.

The Committees of Correspondence formed a perfect Underground. Within a particular Province they sent news to a central clearing house where a letter containing news from the member committees was consolidated and re-circulated back to the local committees. This letter containing all the news of the Province was also sent to the neighboring Colonial Committees of Correspondence, who carried out similar procedures.

All of these groups were of course purely voluntary and unofficial - similar to such groups as Woman Suffrage Associations, Granges, Americans for Democratic Action, Mothers for Peace, etc.

On June 11, 1774 a large meeting of the inhabitants of the Lower part of Frederick County was held at Hungerford Tavern. With Henry Griffith as Moderator, they

expressed their indignation at the treatment of Boston, recommended breaking off all trade with Great Britain and chose Mr. Henry Griffith, Dr. Thomas Sprigg Wootton, Nathan Magruder, Evan Thomas, Richard Brooke, Richard Thomas, Zadok Magruder, Dr. William Baker, Thomas Cramphin, jr. and Allen Bowie to be a committee to attend a general committee at Annapolis. They also chose a Committee of Correspondence for the lower part of Frederick County.

Similar meetings in the different Counties took similar action. On June 22, 1774 a Convention of deputies from the County meetings met at Annapolis. Matthew Tilghman was elected chairman. "At no time in the history of Maryland did a representative body meet characterized by greater wisdom, truer patriotism, and more lofty unselfishness of purpose. Clearly declaring their real motives and aims, they resolved upon a general system of non-intercourse and appointed deputies to a Continental Congress" (Arch. XI, pg. V). These deputies were: Matthew Tilghman, Thomas Johnson, jr., Robert Goldsborough, William Paca, and Samuel Chase, esq. The Convention resolved unanimously that "This Province will break off all trade and dealings with that province, colony or town which shall decline or refuse to come into the general plan which may be adopted by the Colonies". It was also resolved that the deputies from this Province, upon their return, call together the committees of the several counties and lay before them the measures adopted by the Continental Congress. (Scharf, HM II, pg.158)

The Continental Congress met in Philadelphia Sept. 5 - Oct. 26, 1774. When the Maryland delegates returned, they reported to County Committees "made up of inhabitants qualified to vote for representatives". The Frederick County meeting, held at the Court House on November 18, chose a large Committee to carry into execution the recommendations of the Continental Congress; chose a Committee of Correspondence and selected delegates to the up-coming Provincial Meeting to be held Nov. 21, 1774 at Annapolis. Among those to be on the Committee of Correspondence were Thomas Sprigg Wootton and William Bayley, jr. On the large Committee to carry out the recommendations of the Continental Congress were Thomas Sprigg Wootton, William Bayley, jr. and Jonathan Wilson. Thomas Sprigg Wootton was to be one of the delegates to the next Provincial Convention.

This, the Second Maryland Convention met at Annapolis on November 21, 1774; since not all the Counties were represented, after five days it adjourned to reconvene December 8, 1774. On that date 85 members from all the Counties met. They approved the actions of the First Continental Congress, strengthened the non-importation agreements, called on volunteers to enlist in the militia and made plans for securing arms and ammunition. They elected delegates to the next Continental Congress and set Apr. 24, 1775 as the date for their own Convention to assemble. As a finale to their resolutions was the following:

As our opposition to the settled plan of the British administration to enslave America will be strengthened by an union of all ranks of men in this Province we do most earnestly recommend that all former differences about religion or politics and all private animosities and quarrels of every kind from henceforth cease and be forever buried in oblivion; and we entreat, we conjure every man by his duty to God, his country and his posterity cordially to unite in defence of our common rights and liberties. (Scharf, History Maryland II, 169)

Again meetings in the Counties were held to choose delegates to the next Provincial Convention, raise money for arms, approve the actions of the last Convention,

etc. The Frederick County meeting was held Jan. 24, 1775. It approved the actions of the Continental Congress and last Provincial Assembly, chose a Committee of Observation, Committee of Correspondence, and men in each hundred to collect money. Thomas Sprigg Wootton, William Bayley, jr. and Jonathan Wilson were on the Committee of Observation, and Wootton and Bayley were on the Committee of Correspondence. Wootton was chosen one of the delegates to the next Provincial Convention.

It is interesting to note that those present at this meeting were aware that the Groups now making such important decisions were not in any sense representative. They voted:

In order that a Committee of Observation may be more conveniently chosen and a more proper representation of the people may be had, the several Collectors in each hundred are desired to give notice (to those qualified by their estates to vote for Representatives) of some time and place of meeting in the Hundred to elect members for a Committee (Scharf Hist. Md. II, pg.176)

When the new Committee should be so chosen they were to take office and the former Committee was to be discontinued.

Another Maryland Convention was held Apr. 24, 1775. In their instructions to the Delegates to the next Continental Congress they resolved:

This Convention has nothing so much at heart as a happy reconciliation of the differences between the mother country and the British colonies in North America, upon a firm basis of constitutional freedom; so has it a confidence in the wisdom and prudence of the said delegates that they will not proceed to the last extremity, unless in their judgments they shall be convinced that such measure is indispensably necessary for the safety and preservation of our liberties and privileges.

But when the next Convention met July 26, 1775, a different situation confronted them. The Second Continental Congress had taken steps which were in open rebellion, especially in raising an army. Battles had taken place and the British Government was taking steps to quell the rebellion.

Thereupon the 141 delegates to the Maryland Convention organized as the "Association of the Freemen of Maryland". After approving the actions of the Continental Congress and other Colonies against Great Britain they declared:

As in these times of public danger and until a reconciliation with Great Britain, on constitutional principles is effected (an event we most ardently wish may soon take place) the energy of government may be greatly impaired, so that even zeal unrestrained may be productive of anarchy and confusion; we do in like manner unite, associate and solemnly engage in maintenance of good order and the public peace to support the civil power in the due execution of the laws so far as may be consistent with the present plan of opposition and to defend with our utmost power all persons from every species of outrage to themselves or their property and to prevent any punishment from being inflicted on any offenders other than such as shall be adjudged by the civil magistrate, the Continental Congress, our Convention, Council of Safety or committees of observation.

Already they had said: We do unite and associate as one Band and firmly and solemnly engage and pledge ourselves to each other and to America that we will to the utmost of our power promote and support the present opposition, carrying on as well by Arms as by the Continental Association restraining our Commerce.

This public statement of defiance by the Association of Freemen was a "bloodless coup". The official Assembly never met again. Governor Eden felt he was lucky to be allowed to take ship for England on June 23, 1776 (Andrews 317). No real opposition was made to the assumption of power by the Association.

THE REVOLUTIONARY GOVERNMENT

The Association then proceeded to set up a de facto government. The Convention, composed of 5 delegates from each County elected to serve 1 year, was the supreme power. In each County the Committee of Observation was in control. When the Convention was not sitting, a Council of Safety was to run the government. It was made up of 8 members from the Western Shore and 8 from the Eastern Shore, chosen by ballot by the Convention. The Convention voted to raise a force of Minute Men. They voted to print paper money and appointed a treasurer for the Eastern Shores and Western Shores respectively. They selected March, 1776 for the date of their next meeting and chose delegates to the Continental Congress.

Several features of the Association are especially interesting:

- (1) The terms of the Association were to be carried by the Committees of Observation to all freemen in their areas who were to subscribe to same. If any refused, his name was to be returned to the next Convention "to the end that the Convention may take order therein".
- (2) The Militia companies could elect their own officers.
- (3) Every able bodied effective Freeman between 16 and 50 (except Clergymen, practising physicians and those whose religious principles forbade them to bear arms) were to enrol in a company of Militia by Sept. 15th next. The Committee of Observation was to make diligent enquiry after and transmit to the Convention names of every able bodied effective freeman "if there shall be any such" who shall not enrol to the end "that the Convention may take order therein".
- (4) To prevent an abuse of power from a continuance thereof in the same persons, that at each Convention, 8 members of the preceding Council of Safety, (4 Eastern, 4 Western Shore) shall be ineligible to the succeeding Council, said 8 to be ascertained by ballot.
- (5) The County Committees of Observation were to be elected as follows:
Freeholders of each County having a visible estate of 40 pounds sterling or qualified by law to vote for Burgesses were to meet Sept. next at Court houses and there under inspection of their respective delegates to present Convention* * and by a majority of the voices of such of said Electors as shall be present elect of the most discreet and sensible of those who are qualified to vote, a Committee of Observation for each county. Frederick County Committee was to have 53 members.

The same voters on same day were to choose by ballot, five of most discreet and sensible Freemen to be delegates to any Provincial Convention within year following.

The Committee of Observation (the authority in each County) chose by ballot five of their members to be the Committee of Correspondence for their County for one year.

One of the Resolves of the Association is of especial interest to Montgomery County, which up to that time was a part of Frederick County which extended from the present Prince Georges and Charles County lines to the westernmost extent of the Province. It was voted that for the ease and convenience of the people of Frederick County, there be three different places of election: the County to be divided into Upper, Middle and Lower Districts. The Lower District was to be bounded with Potomac to mouth of Monocacy, then with Monocacy to Bennett's Creek and with the Creek to head waters of Patuxent. The Lower District was to elect one Delegate, two persons to act as Committee of Correspondence and 17 as Committee of Observation; elections for Lower District to be held at Hungerfords.

The Convention adjourned Aug. 14, 1775 and the Council of Safety took over administration of Maryland on Aug. 29, 1775. During the next few months the Convention and the Council of Safety were busy raising money, men and supplies in support of defense at home and as assistance to the armies of the Continental Congress in the field.

No longer could Maryland put off deciding whether or not she would go along with the Continental Congress should they declare independence from Great Britain. On June 28, 1776 the die was cast when the Convention instructed its delegates to the Continental Congress as follows: (Scharf HM II, 231)

That the deputies of this Colony attending Congress, or a majority of them or any three or more of them be authorized and empowered to concur with the other United Colonies, or a majority of them in declaring the United Colonies free and independent states, in forming such further compact and confederation between them, in making foreign alliances and in adopting such other measures as shall be adjudged necessary for securing the liberties of America; and this colony will hold itself bound by the resolutions of a majority of the United Colonies in the premises; provided the sole and exclusive right of regulating the internal government and police of this colony be reserved to the people thereof.

While the Continental Congress was considering the draft of a Declaration of Independence or the form of announcing the fact to the world, the Maryland Convention, on July 3, 1776, before they had heard from Congress adopted a declaration of their own.

After reciting their grievances, the Convention went on to declare:

Compelled by dire necessity, either to surrender our properties, liberties and lives into the hands of a British king and parliament or to use such means as will most probably secure to us and our posterity those invaluable blessings -

We the delegates of Maryland in convention assembled, do declare that the King of Great Britain has violated his compact with this people and they owe no allegiance to him

We have therefore, taken steps to join with the other Colonies in declaring independence. We have also thought proper to call a new convention for the purpose of establishing a government in this colony.

For the truth of these assertions we appeal to that Almighty Being who is emphatically styled the Searcher of hearts and from whose omniscience nothing is concealed. Relying on His divine protection and affiance and trusting to the justice of our cause we exhort and conjure every virtuous citizen to join cordially in the defence of our common rights and in maintenance of the freedom of this and her sister colonies.

For the purpose of framing a permanent form of government, a new Convention was to be elected, consisting of 4 representatives from each district of Frederick County, 4 from each of the other Counties and two each from Annapolis and Baltimore Town. The elections were to be "viva voce, in the manner heretofore used in this colony". The qualified electors were freemen over 21 years, holding not less than 50 acres of land in freehold, or having visible property not less than 50 pounds. For Annapolis, the elector was to own a whole lot in the city, have an estate of 20 pounds or have served 5 years to any trade in the city, being also a housekeeper.

And to prevent any violence or force being used at the said elections, no person shall come armed to any of them and no muster of the militia shall be made on the day on which any of the said elections shall be held, nor shall any battalion or company of the militia or any ten men thereof give in their votes immediately succeeding each other, if any other voter who offers to vote objects thereto; nor shall any soldiers in the pay of this province be suffered to collect at the time and place of holding any of the said elections.

Persons in the military service of the Colony or the United States were excluded from voting as also those who had been published as enemies or who had not been restored to public favor. The place, time and manner of election of delegates were designated and the 12th of August assigned for the meeting of these delegates.

It is interesting to try to visualize an election such as those held in the different Counties August 1st to choose delegates to the Constitutional Convention. Did all the voters have to meet in one place? Who judged the qualifications of the voters, for although in those days neighbors probably knew how much land their neighbors had, who would know exactly whether a man had 50 pounds or maybe only 48 pounds? How did the candidates present their desirability to the voters? Did all the voters have to be present at the same time so they could shout their approval of their favorite candidates?

We do not know just what took place. But the voters of the Lower District of Frederick County chose as their delegates Thomas Sprigg Wootton, Jonathan Wilson, William Bayley, jr. and Elisha Williams. The choice of these candidates was made after the Convention had ordered a new election in the Lower District of Frederick County. The list of duly elected delegates was returned by the judges of election - Jonathan Wilson, Zadok Magruder and William Lockett. They had been appointed by "the Committee of that district". They certified that the delegates had been duly elected by a majority of voters resident in the district and who had armed in defense of the Country.

THE CONSTITUTIONAL CONVENTION

The Convention met at Annapolis on August 14, 1776, two days later than the date originally set. They took into consideration the action of the Continental Congress

in making the Declaration of Independence and resolved unanimously "That this Convention will maintain the freedom and independency of the United States with their lives and fortunes". They appointed Committees to prepare a declaration and charter of rights, and a plan of government. When these documents had been prepared, it was ordered that they be printed and distributed to the people for their consideration. While waiting to learn the sentiments of their constituents the Convention adjourned until Sept. 30, 1776.

Before adjournment, the Convention on motion of Thomas Sprigg Wootton on Sept. 6, 1776 voted to divide Frederick County into three parts. The Lower District was named Montgomery County in honor of General Richard Montgomery, who on Dec. 31, 1775 had been killed leading an army of Americans against the Fortress of Quebec. The Upper District became Washington County. The boundaries of Montgomery County were substantially the same as for the Lower District of Frederick County: beginning at east side of the mouth of Rock Creek on Potomac, thence with said river to Mouth of Monocacy; then with straight line to Parr's Spring; thence with lines of Frederick County to the beginning.

To set up the new County of Montgomery (which was to come into being Oct. 1, 1776), commissioners were appointed as follows: Nathan Magruder, John Murdock, Henry Griffith, Thomas Cramphin, jr., Zadok Magruder, Allen Bowie and John Wilson. The Maryland Convention ordered that an election be held to decide the most convenient place for locating a Court House and prison; qualifications for voters on that matter were to be the same as of voters for representatives of the Maryland Convention. Some time later the Court House was located at a cluster of buildings which later became Rockville.

When the Constitutional Convention reassembled, assured of backing from their constituents, the members took up the proposals for a Declaration of Rights and a Constitution. These were freely discussed from day to day, both in and out of the Convention by the Members, the people and the Press. After revision and amendment the Bill of Rights was adopted November 3, 1776 and on November 8th, the Constitution having been discussed paragraph by paragraph was adopted. (Scharf, Hist. Md. II, 278; page 279 says it was adopted on November 10th)

THE CONSTITUTION OF 1776

- (1) "A person of wisdom, experience and virtue" should be chosen governor on 2nd Monday in Nov., 1777 and on the 2nd Monday in November in every year thereafter, by joint ballots of both houses. He must not be less than 25 years old, a resident of the state for 5 years preceding the election, and owning in the State real and personal property over 5000 pounds, 1000 pounds at least to be of freehold estate. He could not be in office successively longer than 3 years, and was not re-eligible until 4 years after leaving office. He was the supreme executive, but could not veto laws.

Assisting the Governor, was a Council composed of "five of the most sensible, discreet and experienced men, above 25 years of age, residents of the state for 3 preceding years, having a freehold of lands and tenements above value of 1000 pounds".

The Council, like the Governor, was elected by joint ballot of both houses.

In electing the Governor, the vote was to be taken in each house respectively, and deposited in a conference room where the boxes were to be examined by a joint committee of both houses.

Before the election of a governor or members of the Council, the Senators and Delegates were to take the oath of support and fidelity to this state (as they must do annually) and must take an oath to elect without favor, affection, partiality or prejudice the best qualified man.

- (2) The legislature known as the General Assembly of Maryland was composed of two co-ordinate bodies, the Senate, and the House of Delegates

The Senate consisted of 15 members, taken indiscriminately from any part of the State; 9 must be from Western Shore and 6 from Eastern Shore. Their term was 5 years. They were chosen by an electoral college, composed of two electors from each County, plus one from Annapolis and one from Baltimore. The electors were to have the qualifications necessary for delegates. The qualifications of a senator were that he should be at least 25 years old, have resided in state for 3 years and should have real or personal property above value of 1000 pounds.

The House of Delegates consisted of 80 members, four from each of the 19 counties, and two each from Annapolis and Baltimore. Besides the qualifications of a voter he must have an estate of 500 pounds. They were to be elected each year on the 1st Monday in October in the several counties; the mode to be viva voce.

To vote for Delegates, the voter must be 25 years old, have a freehold of 50 acres in the County, or property in the State of 30 pounds; he must have resided in the State for 1 year.

- (3) There were to be a General Court, Court of Appeals, Court of Chancery and Admiralty Court. For the time being the Governor with advice of the Senate was to appoint the Chancellor and all judges and justices; also the Attorney-General and military and naval officers.
- (4) Also chosen by joint ballot of both houses were the delegates to the Congress of the United States. They were to be chosen annually. They must be at least 25 years old, 5 years a resident of Maryland and own property of over 1000 pounds value.
- (5) County Sheriffs were elected by the people.
- (6) Clerks of the Courts were appointed by the Judges.
- (7) Registers of Wills were appointed by the Governor with approval of the Senate.
- (8) A Treasurer for the Western Shore and one for the Eastern Shore were chosen by the Legislature.
- (9) A register of the Land Office for each shore was appointed by the Governor with approval of the Senate.

Before Adopting the Constitution, the Convention adopted a Declaration of Rights, Nov. 3, 1776. Its philosophy is amazingly like that in the First Ten Amendments to the Constitution of the United States which were adopted in 1791. Perhaps it was copied from the Maryland Declaration of Rights! The latter included such statements as:

All Government of Right originates from the people and is founded in compact only and instituted solely for the good of the whole
No taxation without representation
The legislative, executive and judicial power ought to be forever separate and distinct
Standing armies are dangerous to liberty

It was also declared that no one should be required to attend and support a particular denomination; the Church of England was dis-established.

Having completed its task, the Constitutional Assembly disbanded. Dates were set for the necessary elections to start off the new Government. The First Assembly under the new Constitution met in Annapolis Feb. 5, 1777. Thomas Johnson was elected Governor.

Under this government the State of Maryland spent the next few years trying to win the Revolutionary War. The troops of the State made a significant contribution to achieving military victory. It is also notable that Maryland refused to join the Articles of Confederation government until Virginia consented to relinquish her claims to the vast Northwest Territory.

No significant change in the Maryland Constitution was made until 1837. During 60 years the State won a war, functioned under the Articles of Confederation and the Constitution of the United States, grew and prospered, in spite of the fact that the Maryland Constitution of 1776 was neither democratic nor truly representative.

The delegates to the Constitutional Convention of 1967 have a chance to look back on the successes and failures of their predecessors and to profit therefrom.

THE DELEGATES

THOMAS SPRIGG WOOTTON

One of the delegates to the Maryland Constitutional Convention of 1776 from what is now Montgomery County (then the Lower District of Frederick County) was Thomas Sprigg Wootton. Often he is designated DOCTOR Thomas Sprigg Wootton.

His active participation in public affairs at the time of the American Revolution is well known. Surprisingly, little is known of his personal life.

From December, 1769 through 1773 he was a delegate from Frederick County to the Lower House of the Assembly. He was not a member of the last official Assembly to meet under the Provincial Government in March and April, 1774.

While a member of the Lower House he seems to have been quite active. Among the Committees on which he served were the following:

- (1) To establish a market house in Fredericktown
- (2) To divide All Saints Parish in Frederick County
- (3) For relief of the poor in several counties
- (4) To secure a new church in Prince George's Parish where the old church now stands
- (5) Later, to divide Prince George's Parish and erect a new parish
- (6) For inspection of flour in Georgetown and to prevent exporting flour not merchantable therefrom
- (7) To prohibit raising geese and swine in Georgetown
- (8) To inspect the Public Offices
- (9) For cutting, clearing, amending and putting in good order a wagon road from Ft. Cumberland to nearest navigable water on west side of Allegany Mountains

Although a member of the Assembly, Thomas Sprigg Wootton evidently decided to do all in his power to resist the actions of the King and Parliament of Great Britain which he and many of his neighbors felt were depriving them of their political **rights**.

Beginning in May, 1773, Wootton's name appears repeatedly among those **servi**ng on the Committees being formed to plead, threaten and act. He attended the Hungerford Tavern meeting on June 11, 1774; he joined with others in agreeing not to import anything from Great Britain; he came out in favor of supporting the Continental Congress; he was on the local Committees of Correspondence and on the powerful Committee of Observation.

Repeatedly he was elected a delegate to the various Conventions at Annapolis.

He was one of the Association of Freemen who assumed the government of Maryland in July, 1775.

Then, having been active in promoting the division of Frederick County into three Districts, he was elected one of the four delegates from the Lower District of Frederick County to the Constitutional Convention.

It was he who on Sept. 6, 1776, made the motion in the Convention to divide Frederick County into three separate Counties; the Lower one was named Montgomery County.

Perhaps it is strange that he was not made one of the original justices of the new Montgomery County. He was made Judge of the Orphans Court 1777-1779. He was a Justice of the Peace 1778. He was a Delegate to the House of Delegates in 1779 and again in 1783 - 1785.

Thomas Sprigg Wootton died in 1789.

One would think that there would be a great deal of information about the private life of this patriot. Actually very little is known. We do not know the year of his birth, but it was probably about 1740. He was the son of Turner Wootton (1696-1760) who lived first in Ann Arundel County and later at Essington in Prince George's County. Turner Wootton was successively Justice of the Peace, member of the Lower House and High Sheriff. His third wife Elizabeth (thought to have been the daughter of Thomas Sprigg and Margaret Mariarte) was the mother of Thomas Sprigg Wootton.

We do not know where Thomas went to school nor where he acquired his knowledge of the profession of medicine.

We do know that by 1769 he had become a resident of Frederick County. A brief note by a genealogist says:

"He was commissioned a justice of the Peace for Frederick County August 1, 1768, serving until the end of 1774. In April, 1771 he became a vestryman of Prince George's Parish at Rockville * * * He left no children. His wife, born Mollie Offutt, was murdered".
(Baltimore Sun, May 19, 1907)

Where did Thomas live and where is he buried?

The Montgomery County Land Records have the following:

A - 112. Made Feb. 25, 1778; recorded Mar. 13, 1778

Thomas Sprigg Wootton to Richard Wootton

- (1) Exchange and New Exchange and Exchange and New Exchange Enlarged - on Watts Branch - 353 acres
- (2) Cuckolds Delight - joining aforesaid tract - 20 acres
- (3) Part of Discontent - where Thomas Sprigg Wootton lately lived - 100 acres

No wife signed

Richard Wootton was a brother of Thomas Sprigg Wootton. He and his descendants lived at this location for a hundred years or more. A graveyard here has a number of old stones that are broken and illegible. It has been a legend in the neighborhood that Doctor Thomas was buried here. The property has been divided and recently has been subdivided.

The Assessment of 1783 for Montgomery County shows the following:

Upper Newfoundland and Seneca Hundreds

Property of Thomas Sprigg Wootton:

- (1) Barnards Desire - 180 acres; 1 old log dwelling house
- (2) Granby - 159 acres - no improvements
- (3) Resurvey on Locust Thicket - 82 acres; 1 old framed dwelling house; 1 log ditto; 1 ditto cabin; 1 framed tobacco house
- (4) Resurvey on Needwood - 194 acres

This property is now in the new Needwood Regional Park.

On June 26, 1786, Doctor Thomas Sprigg Wootton received from Charles Beatty a lot in Addition to Georgetown for which he was to pay an annual rent of 1 penny. (Montgomery County Deeds C - 353)

No record has come to our attention as to how and when Wootton acquired these properties other than the lot in Georgetown. If they were obtained before 1776 the deeds are probably in the Frederick County Records.

None of this throws light on where Thomas lived after he willed Discontent "where he lately lived" to his brother Richard in 1778.

Nor does the will of Thomas Sprigg Wootton made Jan. 11, 1789, probated Nov. 20, 1789 give us any clue.

Here is the will:

Montgomery County Wills B - 419. Made Jan. 11, 1789; probated Nov. 20, 1789

I, Thomas Sprigg Wootton doth make this my last will and testament

- (1) It is my will that all my just and legal debts be paid
- (2) I will unto my nephew Turner Wootton all the estate given me by my brother Singleton Wootton in Prince George's County
- (3) I will unto my nephew Turner Wootton all my real estate in Montgomery County as also all my negroes, stock, household and kitchen furniture with all bonds, notes and open accounts
- (4) I request my nephew Turner Wootton to liberate, set free and give a legal discharge to the following negroes:
Sukey, Roger and Hagad and that he make them some small donation

- (5) I request my nephew Turner Wootton will be kind and tender to his sister and help her with his advice and support and maintain her in the same manner she hath heretofore been
- (6) I request my nephew Turner Wootton to be kind and tender to the negroes given him and that he will let them remain in families as they have heretofore done
- (7) I give and bequeath to Samuel Anderson all my books, shop furniture and medicine
- (8) I request my nephew Turner Wootton to make such donation to the poor as I have annually heretofore done
- (9) I appoint my nephew Turner Wootton sole executor of this my last will and testament

Witnesses: Thos. Drane?
Elizabeth Gittings
Zadok Magruder

This will shows us more about the character of Thomas than it does about where he lived and lies buried. It seems to show that he was a practitioner of medicine. It is regrettable that we in Montgomery County do not know more about our "founding father".

WILLIAM BAYLY, JR.

It is not always clear whether the particular person mentioned is William Bayly, jr. or William Bayly.

No data on the personal life of this man is available.

William Bayly, jr. was at the Frederick County meeting on Nov. 18, 1774 when he was put on the Committee to carry out the recommendations of the first Continental Congress (Committee of Correspondence). At another meeting in Frederick County held Jan. 24, 1775, he was put on the Committee of Observation, the Committee of Correspondence and a committee to collect money to buy arms. His territory for the latter was Lower Potomac Hundred.

On Aug. 29, 1777 he was commissioned Captain of a company of the 29th Battalion, Frederick County. On Sept. 10, 1777 the Treasurer of the Western Shore was directed to pay him 237 d. 15 s 5 p on account, he being employed to purchase arms.

He was the first Surveyor of Montgomery County, but was replaced Nov. 29, 1777 by Francis Deakins, jr.; Bayly having resigned.

He was a member of the House of Delegates 1779, 1780 and 1781.

Land transactions

Beginning in 1777, he owned lots in Georgetown notably Lot #47.

In 1780, he acquired about 170 acres Fletchall's Chance and Resurvey on Earl Douglas and Earl Percy, 3½ miles from Georgetown on main road from Georgetown to Frederick.

In the Assessment of 1783 he has several other tracts: Contention 236 acres; Labyrinth 13 acres; Pritchett's Purchase 47 acres in addition to the above.

His wife was Susannah Frazier Bayly.

JONATHAN WILLSON

This man came into Montgomery County (then Frederick County) before 1770 in which year he was on the Commission to divide All Saints Parish.

In 1737 he had married Martha, daughter of Capt. John Briscoe. Martha died in 1793.

Jonathan and Martha had a son John born in 1738.

Jonathan died in 1797. He is said to have been 98 years old, which means he was born about 1700.

Hence he would have been an old man in his 70s at the time of the Revolution. Yet he was very active. In 1774 and 1775 he was chosen to serve on the Committee of Observations. He was 76 years old when chosen a delegate to the Constitutional Convention.

Jonathan had an original Patent to "Willson's Inheritance", a tract of some 1200 acres near the border between Montgomery and Frederick Counties. The Assessment of 1783 for Montgomery County shows:

Linganore and Sugarloaf Hundreds

Willson's Inheritance - possession Jonathan Willson - 600 acres
Framed dwelling house 15 x 30; shed on one side; kitchen;
negro quarter; sundry outhouses; 2 tobacco houses

Willson's Inheritance - possession John Willson - 600 acres
Well finished framed dwelling house with 4 rooms on lower floor;
kitchen; corn house; negro quarter; 3 good tobacco houses and barn

John Willson, son of Jonathan married 1762 Elizabeth Perry, daughter of James Perry. They had four sons:

John - bachelor d. 1849 aged 89

Thomas F. - lived in Rockville; d. 1832

William - lived in Clarksburg; was a merchant; married daughter of John Clark

Charles - merchant in Poolesville; went to Kentucky

A daughter married a doctor Magruder and became the mother of Dr. William B. Magruder who lived near Brookeville and of other children, 10 in all, whose descendants are numerous and widely scattered. That could be said of all the other descendants of Jonathan Willson. His Family Bible published in England 1723 is now in possession of Miss Maria Waters of Gaithersburg.

ELISHA WILLIAMS

It is difficult to identify this man who was one of the delegates to the Constitutional Convention, because there were two and maybe three men of the same name in Montgomery County about the time of the Revolution.

Although the other three delegates had been active in the pre-Revolutionary struggle, Elisha Williams is not listed in known lists of any of the active Patriot groups.

An Elisha Williams was listed in the Census of 1776 in Sugarland Hundred, age 41. His wife was Ann and they had seven children too young to have been active in the Revolution. He and his wife Ann sold part of Resurvey on Friends Advice, 455 acres, and Resurvey on Beginning, 162½ acres to George F. Magruder in 1778; and in 1779 they sold 40 acres of Williams Choice to Zephaniah Dowden.

Sept. 12, 1776, the Western Shore Treasurer was ordered to pay to Elisha Williams 600 pounds "for to raise the Militia Company in Lower District of Frederick County" (Arch. XII). Jan. 28, 1777 he was to get 150 pounds (pg. 83). On Mar. 7, 1778 he was Justice of the Peace for Montgomery County (pg. 529). An Elisha Williams was a member of the Lower House of the Assembly in 1777.

It seems that the man referred to above was not the same as Elisha O. Williams who was an Assessor in Montgomery County in 1783 and owned a great deal of property. Elisha O. was a son of ~~Thomas~~ *William* and Barbara who owned the land on which Rockville was later built.

Another Elisha Williams later married Jane Plater; he apparently was too young to have participated in the Revolution.

Note:

The Editor would like to receive corrections and additions to the biographical data on the Four Delegates. This would be published in a later issue of the Story and would be of interest to many descendants and others.

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