Archaeological Testing of the Dumfries Courthouse Site (44PW231), Prince William County, Virginia

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We would especially like to thank the landowners, James A. Bishop and Emma H. Bishop, for their kind permission to excavate this site. Such public spirit and awareness of our heritage is commendable.

The field personnel consisted of Dr. William H. Adams (Project Director), Dr. Carl R. Lounsbury (Architectural Historian), Mr. Stephen Alexandrowicz (Field Supervisor), and Mrs. Presha Merritt (Excavator). Alexandrowicz did an excellent job of seeing that the site was recorded, while Adams and Lounsbury were debating the many potential interpretations the architecture presented. Merritt proved to be an excellent fieldworker. Both are to be commended for their perseverance over long, hard hours of work.

At Colonial Williamsburg, William Pittman supervised the cleaning and processing of the artifacts, and wrote Appendix 1. Virginia Caldwell undertook the drafting of the maps. We would like to thank them and the rest of the staff of the Office of Excavation and Conservation in the Department of Archaeology and the staff of the Department of Architectural Research for their assistance.

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1. Introduction

The Dumfries Courthouse is located in the Town of Dumfries, Virginia, along the once navigable Quantico Creek (Figure 1). Built between 1759 and 1762, the courthouse served Prince William County until 1822, and the structure stood until perhaps the 1890s. Archaeological fieldwork was conducted by Colonial Williamsburg Foundation in May, 1984, to determine if any significant archaeological materials remained. This work revealed a well preserved courthouse foundation and floor paving, as well as some indications of spatial plans for the courthouse complex. This preliminary report details the results of that research and suggests plans for future research.

The Prince William County Historical Commission has long held an interest in the Dumfries Courthouse, recognizing its potential historical and architectural significance. They awaited the opportunity to include professional archaeologists in a study of the courthouse. That opportunity came because the Colonial Williamsburg Foundation over the past year has devoted considerable research towards understanding the landscape and structures of the colonial courthouse in Virginia. The ultimate goal of that research is the restoration and interpretation of the Courthouse in 1770 in Williamsburg, and an architectural monograph on early courthouses.

2. Project History

In the summer of 1983, sketches of a courthouse were found at Gunston Hall (see discussion below). Thought to be initial plans for the Dumfries Courthouse, these stirred considerable local and scholarly interest. During November correspondence increased interest in conducting archaeological research on the site to determine architectural details and potential for a fuller study. On January 30, 1984, a letter proposal and budget were submitted to the Historical Commission outlining the proposed research. On February 21, 1984, permission was obtained from the landowners, James A. and Emma H. Bishop, to conduct archaeological research on their property. On May 9, 1984 a contract was entered between Colonial Williamsburg and the Historical Commission. Fieldwork was conducted from May 21-26, 1984 and analysis was conducted during June and July.

3. Historical Background

Acting upon a petition of sundry inhabitants, Governor Francis Fauquier and the Virginia Council ordered in June 1759 that the Prince William County Courthouse be moved to the town of Dumfries (Hillman 1966). The partition of a new county from Prince William forced the relocation of the courthouse but Fauquier's decision to establish the court in Dumfries left a bitter feeling among many citizens in the county who felt the courthouse should have been placed in a more central position. A later petition, seeking to undo the Governor's order, stressed "Fauquier for reasons best known to himself. . . fixed the courthouse at the town of Dumfries inconvenient to at least three quarters of the inhabitants" of the county (Burton 1978). Fauquier's decision was supported, however, by influential men such as George Mason, a trustee of the town, and Scottish merchants who had settled in Dumfries in the decade following its establishment in 1749.

Figure 1. Location of Dumfries and Prince William County

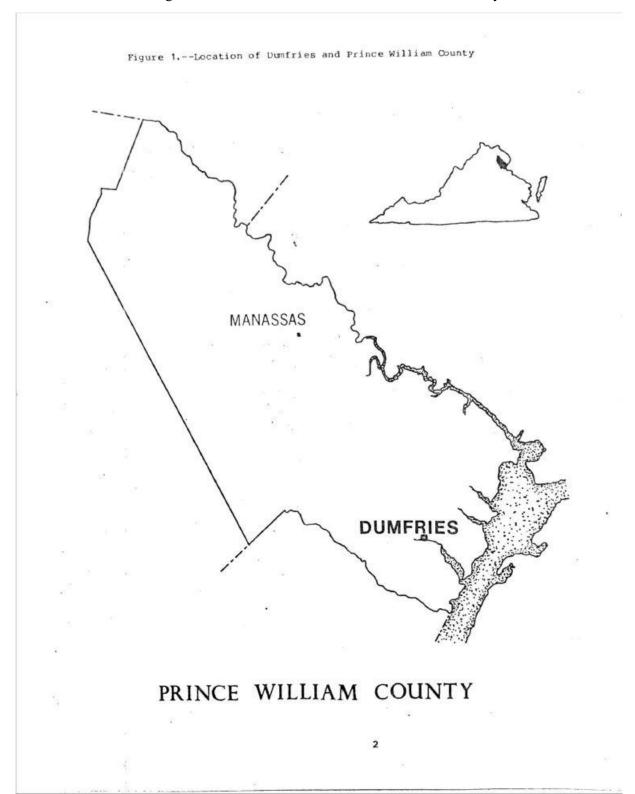


Figure 2. Plan of Dumfries showing Courthouse Lots

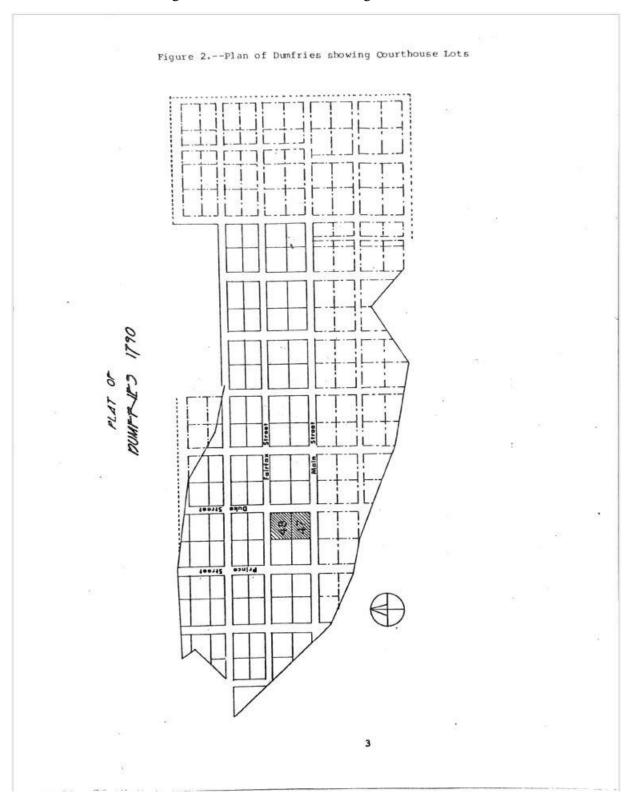


Table 1
Chronology of the Prince William County Courthouse Complex at Dumfries

Date	Source	Subject
6/13/1759	1	Ordered that the Prince William Courthouse be established in Dumfries
11/24/1760	2	Benjamin Tomkins paid £191.13.4 in part for building the Courthouse
11/23/1761	2	Benjamin Tomkins paid £191.13.4 in part for building the Courthouse
		10,000 lb tobacco levied for building Courthouse
5/3/1762	2	Courthouse received by court from Benjamin Tomkins
11/2/1762	2	Hubbard Prince paid £64.10.0 in part for building the prison
9/4/1766	2	Clerk's table to be altered and new bar for the lawyers to be made in the Courthouse
9/5/1766	2	Lock and key for closet under Judge's seat to be procured; books and papers kept there until court time
11/4/1766	2	Prison to be repaired
6/4/1767	2	Bell to be procured for the courthouse; roof of the courthouse, prison, and gaol to be painted red
7/11/1767	2	Benches for the jury room to be made
3/11/1768	2	Courthouse roof to be repaired because of leaks
5/2/1768	2	2 square benches and 4 benches to be made for the use of the Courthouse
6/13/1769	3	papers and deeds in the county court of Prince William
5/24/1777	4	Courthouse is small, but neat tasty Brick Building, rusticated with Stone.
2/7/1805	2	Gully near clerk's office to be filled
4/2/1805	2	An order was to be posted at the front door of the Courthouse
6/10/1824	5	County Commissioners conveyed ownership to William Fitzhugh
10/22/1869	6	William Fitzhugh conveys to John Clarke
4/5/1881	7	John Clarke conveys to J.M. McInteer
10/9/1895	8	J.M. McInteer conveys to Martha McInteer
4/10/1939	9	Heirs of Martha McInteer conveys to James A. Bishop

Sources: 1 Executive Journals of the Council of Colonial Virginia

- 2 Prince William County Order Books
- 3 Virginia Gazette
- 4 Hazard Journal
- 5 Deed Book 10, page 73-74
- 6 Deed Book 27, page 466
- 7 Deed Book 32, page 620
- 8 Deed Book 44, page 126
- 9 Deed Book 102, page 255

Within a year of Fauquier's order, the justice of Prince William had contracted builder Benjamin Tomkins of neighboring Caroline County to build a brick courthouse on town Lot 48 (Figure 2). The site, set on a slope rising northward above Quantico Creek, may have been set aside for public buildings when the town was laid out in 1749 or purchased by the county when the court was moved to town. If the town had made no provision for public lots originally, then the courthouse site may have been occupied prior to Tomkins undertaking construction of the courthouse. Progress on the courthouse must have proceeded with few delays for the justices received the building from Tomkins in May 1762 (P.W.O.B 1762). Later that year a prison was probably under construction nearby since Hubbard Prince received 64 pounds sterling for undertaking the work (P.W.O.B 1762). Within a few years of the completion of this prison, it appears that yet another one was erected on the site. This second prison may have been built to house debtors. A 1767 order mentions both a prison and a gaol (P.W.O.B. 1767). Two such structures would not have been unusual as it was common to separate criminals from debtors by putting them in two different buildings.

Other structures probably appeared on the two courthouse lots during the second half of the 18th century (Table 1). Since stocks and a pillory were required by statute, it seems reasonable that such instruments of punishment were situated near the courthouse. Because of the fragmentary nature of the early Prince William records, it is difficult to determine whether lawyers' offices, stables, and privies—buildings invariably found surrounding other county courthouses—were erected in Dumfries during this period. Also unclear is the date of construction of a detached clerk's office. In the early years the court record books and papers were kept in a closet beneath the judge's seat (P.W.O.B. 1766). Many other Virginia counties did not provide for a separate clerk's office but kept their records either within the courthouse or at the home of the clerk. Only in the last decade of the 18th century was a law passed requiring every county to build a brick clerk's office. Prince William may have complied at this time if it had not already erected an office previously. The county may have bee spurred to erect one in 1788 when the newly established District Court began to meet at the courthouse. What is certain is that by 1805 a clerk's office had been constructed on the site, probably just south of the courthouse (P.W.O.B. 1805).

The pressure to move the Prince William Courthouse to a more central location had never subsided through the late 18th and early 19th centuries. The decline of Dumfries in the last quarter of the 18th century hastened the withdrawal of the courthouse to a new location. In 1822 the county seat was moved from Dumfries to Brentsville (Harrison 1924). Two years later the town commissioners sold the courthouse lots and the buildings thereon to a private owner (Merritt 1984) (Table 1). The fate of the courthouse, clerk's office, prisons, and other buildings through the rest of the century is uncertain. They may have briefly served some other functions before being allowed to fall into ruin. Local informants suggested the courthouse may have been used as a church during the middle and late decades of the century. A Civil War photograph of some frame buildings has tentatively been identified as an old prison and other buildings on the southern part of the courthouse lots but cannot but substantiated (Lansing 1974). Other buildings may have been erected on the courthouse lots in the more than 160 years since the court was moved. What and where these buildings were remains unknown. It is almost certain that the courthouse and its ancillary buildings had totally collapsed or been pulled down by the end of the 19th century. Antiquarians in the 1920s made no reference to a brick courthouse on the site and, in fact, confused this structure with the then surviving Tebbs House (Berkley 1924). Older residents of Dumfries recall playing in the ruins of the courthouse and the sunken basements of one of the prisons at the turn of the century. Since that time no other structures, except the brief placement of a mobile home astride the courthouse foundations and a frame house on the northeast corner of Lot 48, have occupied the courthouse lots in Dumfries.

4. Courthouse Plans in Colonial Virginia

Although courthouses, buildings specifically to house county courts, had appeared in colonial Virginia as early as the 1660s, it was not until the second quarter of the 18th century that the two fully mature plan types began to dominate courthouse construction. In the late 17th and early 18th centuries, the planning arrangement of courthouses showed significant variations among the various counties. Some buildings were no more than post-in-the-ground, earthfast, structures enclosing a courtroom. Others consisted of a courtroom with detached jury and magistrates' buildings. A few had ancillary rooms upstairs.

In the first quarter of the 18th century, in counties where a planter elite had emerged to dominate the judiciary, attempts were made by them to reinforce this new social hierarchy in courthouse architecture through placement and treatment of the courtroom furnishings. Whereas in earlier years justices had been content to spend as little money on public buildings as possible, they now began to spend larger sums for wainscoting, Royal Coats of Arms, carved chairs and cushions, and finely turned balusters. In earlier years justices had been obliged to sit on benches around a table at the same elevation as the rest of the court participants. They now sought to give presence to their role as magistrates by having their seats of judicature raised three or four steps above the rest of the courtroom. By the elaborate display of panelling, armchairs or armed benches, cushions, and turned baluster railing, they literally tried to set themselves apart from the rest of the court participants. It was an age where higher authority had a direct and literal meaning. These county justices, no doubt, tried to emulate in their courthouses the courtroom fittings that they saw in the General Court in the Capitol in Williamsburg.

This move to elevate the justices was part of a series of architectural changes inaugurated in early 18th century courthouses. The increasing professionalization of the law—stressing the elaboration of proper court procedure—enhanced the status of clerks and lawyers. As procedural rules and points of law became essential elements in prosecuting cases or filing petitions, the public had to turn more and more to men knowledgeable in the practice of law. Architectural recognition was given to this growing influence of lawyers by construction of a lawyers bench, which often included shelves on which they could place their papers. Prior to this time no special provision had been made for their presence in the court.

By the beginning of the second quarter of the 18th century the roles of the main court participants (magistrates, clark, sheriff, cryer, jury, litigants, and lawyers) had taken on a pattern that was to be followed through the Revolution. At the head of an 18 to 24 foot wide courtroom sat the half dozen or more justices, elevated on a semi or quarter circle platform that was panelled and railed. Immediately below them and facing the public in the same curvilinear arrangement sat the jury. At a space in the center of the jury was the clerk who sat at a railed table. Along the side walls just in front of the jury were two raised boxes reserved for the sheriff and his assistant or the court cryer. In the center of the room sat the lawyers, litigants, and prisoner at one or two benches. Behind these benches stood the outer bar which separated court participants from the public. Often at this point the pavement in the courtroom would change. The inner courtroom might be floored with planks while the public space and outside arcade might be paved with a more durable material like brick or stone.

If there were little variation in the arrangement of the courtroom, other elements of the courthouse showed some range of differences. The placement of the one or two jury rooms offered builders with two principal alternatives. As in the King William County Courthouse the jury room are placed to the side of the courtroom with doors opening into the lower public end (Figure 3). This allowed the main entrance to be placed axially on the center of the shorter courtroom wall. Upon entering the front door, the public would have immediately seen the ranged magistrates platform. This T-shaped plan was used in other mid-18th century courthouses at Charles City, Hanover, King and Queen, and York.

An alternative to placing the jury rooms to the side of the courtroom was to build them at the end of the courtroom behind the public space. With the courthouse shaped as an elongated rectangle, entrance

into the building would be through doors placed near the center of either one or both the longer walls, as can be seen in the 1767 plan for the Amelia County Courthouse (Figure 4). Surviving but altered rectilinear courthouses include ones in Essex and Middlesex Counties.

In addition to the placement of the jury rooms, colonial builders faced another alternative in planning county courthouses. Some chose to add an arcade onto the front of the building such as the one at King William Courthouse. Others simply erected enclosed porches in front of the main entrance. Such spaces provided a convenient place to sit and talk before entering court or an area to gather during inclement weather. Landon Carter, the undertaker of the Richmond County Courthouse in 1750, devised a plan which allowed two arcades within a rectilinear plan (Figure 5). Such a plan, however, created an awkward courtroom space.

If the T-shaped plan of King William Courthouse and the rectilinear plan of Amelia Courthouse represent the most widely used plan types in mid-18th century Virginia and the double arcaded Richmond County Courthouse an interesting variant, evidence exists illustrating that builders sometimes sought to experiment with new planning arrangements. In 1983 a series of design sketches for a courtroom were discovered on the back of an interior frieze board at Gunston Hall. These sketches reveal a significant departure from standard courthouse design (Figure 6). Possibly these illustrations may represent the first stages of the design of the Prince William County Courthouse in Dumfries. The sketches probably date from 1759, the time when English-trained architect William Buckland was finishing supervising installation of the interior woodwork at Gunston Hall for George Mason. As a trustee of the town in Dumfries, Mason must have had a keen interest in promoting the development of the neighboring port. He may have even influenced Governor Fauquier in his decision to locate the courthouse in Dumfries. As a leading figure in northern Virginia, Mason must surely have been aware of the need for a design for the new courthouse. The sketches found at Gunston Hall possibly represent the results of an initial conversation between Mason and his skilled builder Buckland. If Mason had decided to supply the justices of Prince William with the design for the new courthouse, Buckland could certainly help devise one that would be suitable for the growing port town.

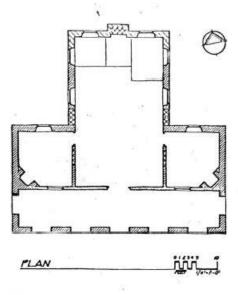
A careful study of these seemingly random pencil sketches clearly reveals a thought pattern. The plan right of center probably represents the initial scheme of conversation. It closely resembles Landon Carter's 1750 plan of the Richmond County Courthouse. Two side arcades are in the sketch with a pair of jury rooms at the opposite end of the semi-circular magistrates' bench. Mason may have liked the idea of a double arcade but saw that the Richmond County Courthouse suffered from the lack of one dominant entrance. Buckland tried to rectify this deficiency in the design in the sketch immediately below. In order to create a visually satisfying entrance façade, Buckland shifted the jury rooms to the side of the courtroom but kept their outer walls parallel to the arcade walls. At the end opposite the curved magistrates bench, he created a polygonal entrance. The plan above the Richmond County one slightly varies this attempt to integrate a T-shaped plan with a double side arcade. Here, the jury rooms have been rotated at a 45 degree angle to the principal arcaded façade. The elevations above and to the left of this plan are attempts by the architect to work out the façade and roof configuration of such a scheme. This effort to develop a symmetrical and pleasing elevation for a polygonal plan can also be seen in the lower right hand corner. This last elevation with its continuous cornice and roof lines is perhaps the best resolved design of the group of sketches. Buckland's penchant for polygonal forms, evident in his design for the back porch at Gunston Hall and much later in the dependencies at the Hammond-Harwood House in Annapolis, can clearly be seen in these sketches. The use of polygonal shapes was coming into widespread use in English architecture by mid century and was being popularized in pattern books such as Robert Morris' Architectural Remembrancer. At some point in his career in America, perhaps as early as 1759, Buckland owned a copy of Morris' book which was filled with designs of polygonal-shaped pavilions, follies, and other smaller buildings. The lower right hand elevation of the Gunston sketches may have derived or at least have been inspired by Plate 10 in Morris' book (Figure 7).

It is tempting to associate William Buckland with the design of the Prince William County Courthouse, however, no direct link between the Gunston sketches and the final courthouse plan has yet been established. Although Benjamin Tomkins was paid for constructing the courthouse, this does not mean that he was the source of the design. More often than not, county magistrates settled upon the plan for a courthouse themselves before they let it out to undertakers. This does not preclude the fact that the design for the courthouse could have come from some other source such as George Mason or even Tomkins. The court order book for the period 1757-1759, the critical time when any description of the proposed plan may have appeared in the minutes of the court proceedings, is lost. Only the complete excavation of the courthouse will reveal if the link between William Buckland, Geroge Mason, the Gunston sketches, and the courthouse in Dumfries is an acceptable hypothesis. Even then if the plan of the courthouse turns out to be significantly different from the Gunston sketches, it would still be impossible to rule out the hand of Buckland. It could be argued that these hasty designs were either not acceptable or were further refined in drawings now lost.

Figure 3. Plan of King William Courthouse

Figure 3.--Plan of King William Courthouse

KING WILLIAM COUNTY COUNTHOUSE



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Figure 4. Plan of Amelia Courthouse

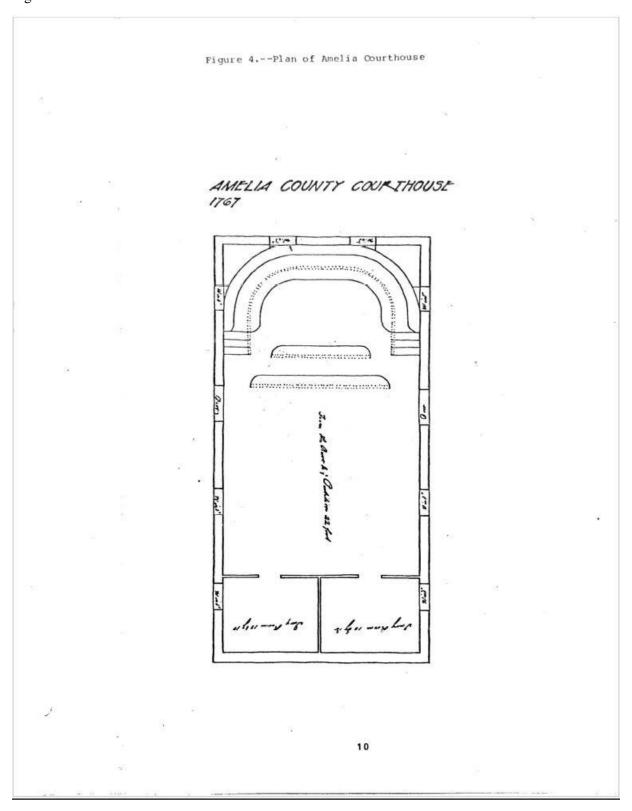


Figure 5. Plan of Richmond County Courthouse

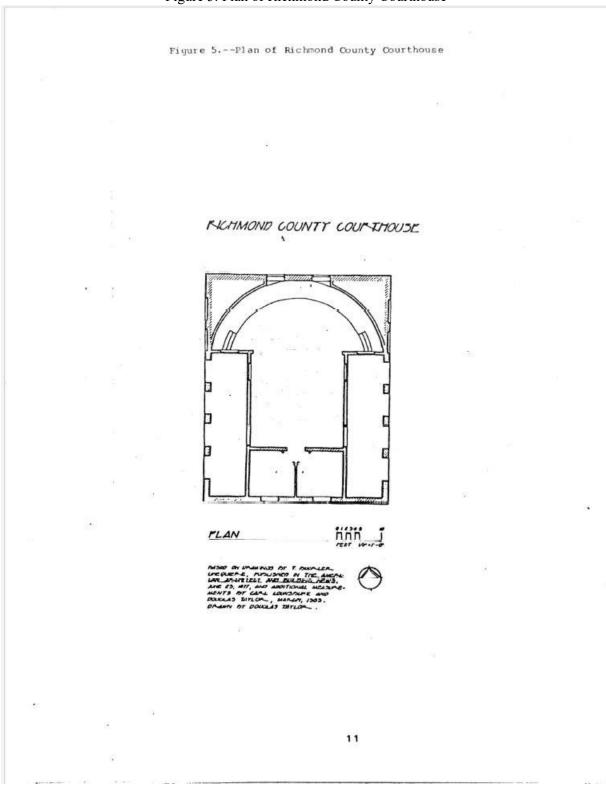


Figure 6. The Gunston Courthouse Sketches

Figure 6.--The Gunston Courthouse Sketches

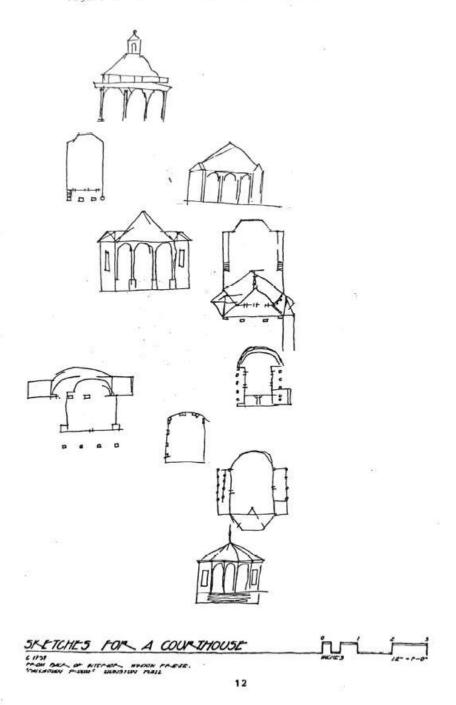
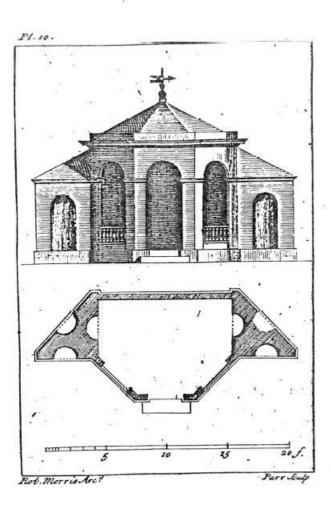


Figure 7.--Plate from Robert Morris' Architectural Remembrancer



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5. Research Design

Based upon the historical documentation and previous architectural research on courthouses in the region, we expected that the Dumfries Courthouse would have the following features. It would probably be a T-shaped structure facing east to Duke Street, the main road at the time, or, less likely, downhill toward Main Street and Quantico Creek. The front of the building would have an arcaded porch. Inside would be a large courtroom with a raised area for the judge and either one or possibly two jury rooms. The May 24, 1777 entry in the Hazard Journal mentioned a "neat tasty Brick Building, rusticated with Stone." While we expected the more common T-shaped plan, the amount of money spent on the structure, the other plans used in the region, and the Gunston Hall sketches suggested that we should not assume anything about the plan while designing our field strategy. In addition to the courthouse itself, the following structures and landscape features would or might be present:

- --clerk's office
- --jail/prison
- -- fence or brick wall
- --privies
- --stocks and pillory
- --well
- --stables
- --law offices

The clerk's office was mentioned in 1805 as needing a nearby gully filled in (Table 1); however, no remains have been located yet. The jail and prison were mentioned in 1762 and 1767. The remains of cellar depression (locally identified as being the jail) were located just south of the courthouse, but this was not tested. A photograph in the Weems-Botts Museum in Dumfries has been identified by some as being the jail; however, the structure at the time of the photograph was obviously a house having no architectural features normally associated with a jail. Possibly the structure incorporated portions of the jail or was built on the same foundations later.

The field research undertaken had very limited objectives and should be considered only a preliminary testing. While some attention was paid to the area south of the courthouse, the prime focus was the courthouse itself, rather than the entire courthouse complex. The available funds were not sufficient at the time for a full study of this complex of buildings. We thought that if the courthouse was not sufficiently well preserved than little interest or funding could be generated for studying the ancillary buildings. But for those other structures we wanted to know the potential for preservation and to do this used a single carefully excavated backhoe trench across much of the lot. For the courthouse itself we had the following questions:

- 1. How has the site been disturbed since the structure was abandoned? How extensive are disturbances to the site?
- 2. Are sufficient architectural remains left so we may determine the plan, size, and other details about the way it looked?
- 3. If further work is warranted, how can this best be accomplished?

Figure 8. Site Plan showing all Excavation Units

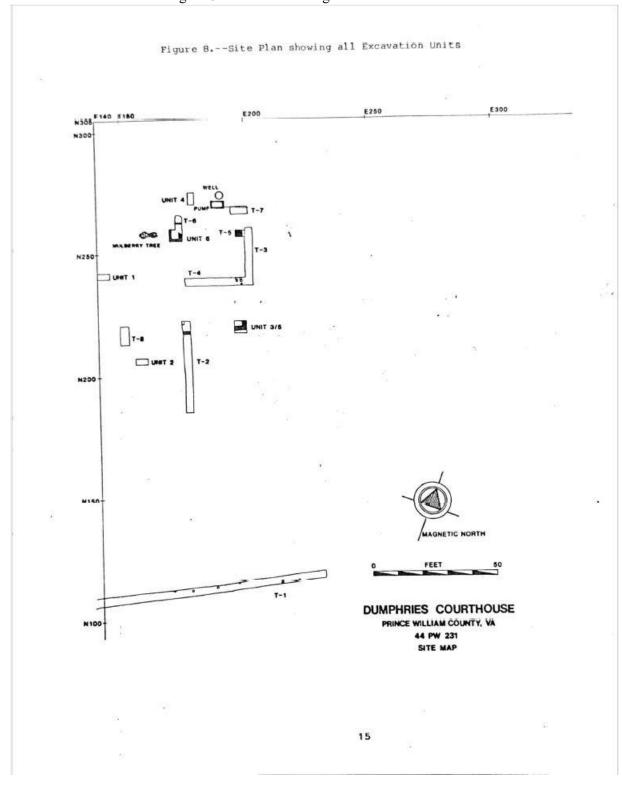
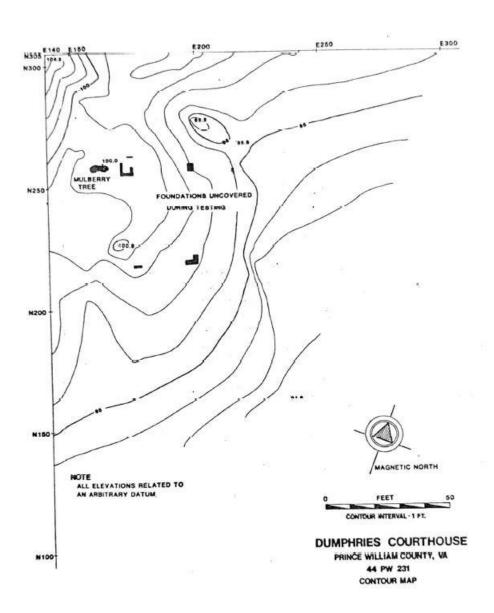


Figure 9. Contour Map of the Courthouse Lots





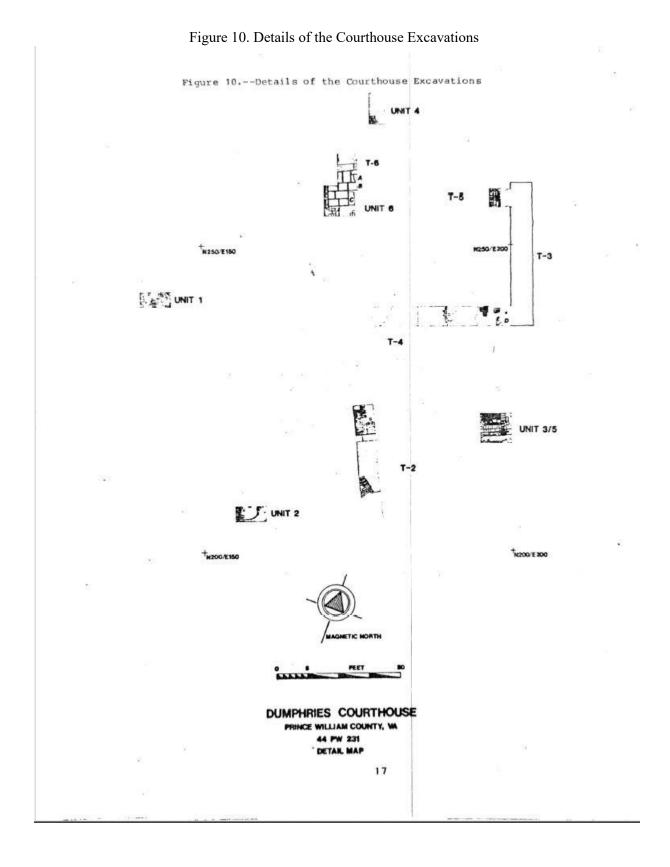
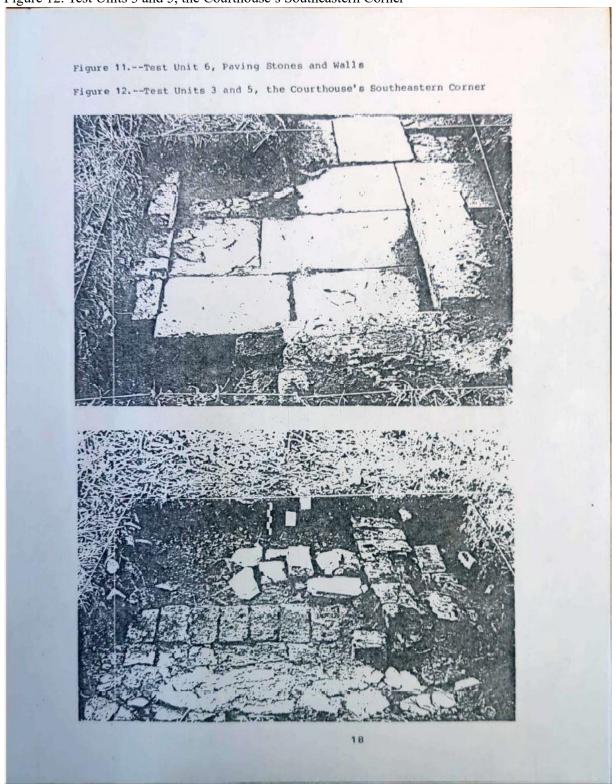


Figure 11. Test Unit 6, Paving Stones and Walls

Figure 12. Test Units 3 and 5, the Courthouse's Southeastern Corner



6. Field Methods

Since the field season was budgeted for one week with a crew of four people, we chose to maximize our efforts through selective use of hand and machine assisted excavation. Given the established construction date of 1759-1762 and the supposed abandonment and demolition in the 1880s and 1890s, we saw little point during the testing phase in excavating beneath the courthouse remains or removing any in situ architectural material. One small section of a builder's trench was examined, but within the courthouse area we simply removed the soil and rubble associated with the demolition and the soil accumulating during this century. The result was that in each excavation unit and backhoe trench the walls and floors were exposed, mapped, and photographed, but the deposits dating prior to ca. 1890 were left in place for further work. Archaeology is a destructive process, for as we dig, we remove the relationships between objects left in the ground for so long. This is why it is so necessary to photograph and draw the research in progress, so that we can later "reconstruct" the way the site looked.

A cartesian grid using the English system of measurement (i.e. feet, tenths of feet) was established along a baseline surveyed by the Town of Dumfries. This baseline represents the best approximation of the centerline for Fairfax Street on the colonial town plat. So our grid orientation was established as close as possible to the way the courthouse would have been layed out (Figures 8, 9, 10). The grid north is 16 degrees west of magnetic north. Various temporary grid locations were staked where needed and a topographic map prepared using different transit stations and vector readings. An iron bar serves as a temporary benchmark at N305/E140, and this point was tied into the western corners of the Henderson House nearby. The southwestern corner is 9- feet from this point at a bearing of 21° 11' 20", while the northwestern corner is 114 feet at 11° 53' 40".

Using shovels, trowels, dustpans, and buckets, the soil was removed stratigraphically, layer by layer, and then screened through 1/4" hardware cloth, keeping all material for later identification. The stratigraphy varied somewhat from unit to unit, but generally can be characterized as follows.

The topsoil, Stratum A, consisted of a dark humus, with much organic remains like roots, as well as some 20th century material. At Units 3/5, this accumulation was deeper and contained hundreds of fragments of glass and other artifacts associated with the trailer located there. The bottles were made in 1942 and 1943, and the quantity of items marked "Japan" indicate a post-war occupation, probably only for a few years, say 1948 to 1953 or so.

The post-abandonment debris, Stratum B, consisted of a matrix of much lighter sandy loam surrounding broken bricks, chunks of mortar, sandstone, and slate. This deposit represents the period from about 1890 until about 1948 and shows that the area was not used significantly for any purpose during this time. The site had been scavenged for usable brick during or after demolition, with the broken materials strewn around then, and later by children playing amidst the ruins. Dirt would be blown or be washed downhill onto this area and weeds would eventually cover it.

The excavation of each unit was by these layers, so first the topsoil was removed, and then the rubble down to the point where the fallen walls or the foundations were revealed. The placement of units was based on observation of microtopographic differences in the freshly mown grass and by means of a probe. Once a wall had been defined, the probe was useful, but the fallen walls made the readings less accurate. Test Unit 1 was placed across what appeared to be the west wall (Figures 8, 9, 10), but it encountered only rubble and one small section of a fallen wall. Test Unit 2 was similarly based on the probe results and it encountered a fallen wall section. Test Unit 3/5, however, revealed the southeast corner of the courthouse (Figure 11). Test Unit 4 revealed the fallen northern wall. Test Unit 6 was placed adjacent to Backhoe Trench 6 to expand the exposure of the north wall and paving stones (Figure 12).

Backhoe Trench 1 was used to provide a stratigraphic profile across the site to the south and will be discussed later. Backhoe Trench 2 was excavated to determine the extent and character of the south wall. Backhoe Trench 3 was excavated to assure that no walls ran toward the east. Extending from that trench were three other trenches. Backhoe Trench 4 was excavated to provide a cross-section of the courthouse and reveal the east wall extent; apparently a gap existed in the east wall (an arcade arch?) at the very point this trench intersected it. Backhoe Trench 5 was excavated to determine the extent of the east wall which it encountered, so Backhoe Trench 7 was excavated nearby. The last Backhoe Trench 6 was excavated to locate the north wall and it succeeded.

All of the backhoe work was accomplished using a skilled operator provided by the county. We were able to strip away dirt carefully, an inch or so at a time. The operator was skilled and the work done slowly enough that the backhoe blade ran across the length of a bottle with only minor scratches and across fallen and standing walls without any damage. The material in the dirt was examined as it was dumped slowly from the bucked and any artifacts saved according to general location along the trench.

7. Results

The research on the courthouse revealed a considerable amount of architectural details, yet left many unanswered questions. Surprisingly in many ways, the more area we exposed the more questions we had. Three sides of the building were found, along with data on the interior configuration, but the lines of evidence are equal and contradictory. We do have sufficient data to plan a fuller investigation effectively and efficiently, but we still do not know what the courthouse looked like. This is to be expected at this stage of investigation, for rarely do testing projects hae sufficient time to expose enough of any site to understand it. But in this case, enough details were found to be tantalizingly incomplete. It is, however, fairly safe to state that the Dumfries Courthouse is sufficiently different from all other courthouses in the region that we cannot know from the evidence at hand what it looked like. The structure was built of brick and had some stone facing. Given the fallen brick walls on the north and south sides and the brick foundation on the east side, the structure was built of bricks. Exterior stone facing of the lower walls is indicated on the three sides found, and based upon other prominent public and domestic buildings in the area, it is likely that Aquia sandstone quoins decorated the corners of the brick walls. Let us examine the courthouse, beginning on the north side (Figure 10).

On the north side, considerable details of construction were found (Figure 12). On the outside of the structure brick rubble and fallen walls cover the surface. The exterior wall exposed here was Aquia sandstone, probably resting on a brick foundation. Time did not permit excavation of the foundation or the original ground surface here. The sandstone wall black is badly worn on the eastern part, as were the paving stones immediately to the south, indicating that this was adjacent to an entrance or the termination of a path leading to the structure. One paving stone (A) had only traces left in the mortar, while the next one's (B) northern edge was very rounded. Another block of sandstone (C) was found running north-south from a brick wall. This suggests an entrance immediately to its east. Portions of two brick walls were discovered. The brick interior wall running parallel to the outer stone wall creates a foyer or arcade 5.5 feet wide. The paving stones lie only 0.9 feet below the ground surface.

On the east side, three excavation areas revealed traces of the courthouse. In Backhoe Trench 5, the eastern brick foundation contains seven courses 2.5 bricks wide (1.8 feet). On the outside, the top of the fifth tier is covered with a thick layer of shell mortar and small slabs of slate, presumably as a base for a stone facing above that point. The top of the foundation lies only 0.4 foot below the surface. A similar construction was observed for the building's southeast corner found in Test Units 3/5. From this corner at

N218/E198 is 47 or 48 feet, the center thus would be at about N242. Backhoe Trench 4 intersected this wall from N237-240, very near the center. No evidence of a wall was found, although it could have been deeper, for the backhoe excavation stopped when the paving stones (D) were encountered. These were left in place. Also possible, given the trench's location near the center of the wall line, is that an arched entranceway was located here.

West of the interior part of the wall line, at 8.5 feet (E189) was brick rubble extending downward into a filled in trench probably resulting from an interior wall robbed of brick. The elevation across this area rises only 0.4 feet, but at E189 the western edge of this trench abruptly rises 0.8 feet in less than 0.5 linear feet. This raised area and at least the western wall of the robber's trench shows evidence of burning, with charcoal and burned clay being evident from E189 to E184.6. The area is a relatively flat, probably artificial, mound of greyish tan soil. Above the burned surface was scattered small bits of sandstone and mortar, suggesting that the "room" had paving stones which had been robbed. Based upon the difference in elevation of nearly a foot and the drop occurring at the probable robber's trench, there was major separation architecturally between these two areas. With a projected interior width of only about 7.5 feet and a length of 48 feet, this easternmost area would be too narrow for a jury room, as well as disproportional. The most likely use for this area would be as an arcade.

On the south side, a sandstone block foundation was found. Although no evidence was found of a robbed brick foundation inside this stone, it likely rests on brick. Inside this were brick crumbs until the north side of Backhoe trench 2 is reached. Here a paving stone was found in the corner of the unit and another area of fill dirt suggest paving stones had been removed. Separating these two areas was a rectangular area the size of a sandstone block and perfectly aligned with what is believed to be its counterpart on the north side. There the block jutting north-south was 3.5 feet from the inside of the stone wall, as this is a rectangular area; thus the building was perhaps arcaded on the north and south sides. A fallen brick wall was discovered 6 feet south of the stone foundation; any artifacts sealed beneath these fallen walls might provide clues for the destruction date. A beveled water table brick found in this area indicates a molded water table course along the foundation. Backhoe trench 8 did not find the continuation of the south wall.

8. Possible Interpretations

Without complete excavation the courthouse plan will remain unknown; the architectural data recovered in the preliminary testing is simply not conclusive. We know the courthouse was made of brick with stone trim. At some point a slate roof was added, since we recovered two roofing slates. The structure was about 48 feet wide, but its length could not be determined yet. Evidence was found suggesting an arcade along the east (front?) side possibly with partial arcades bending around the north and south sides for a distance of 27 feet. If this interpretation is correct, then a room or several rooms could be within the area enclosed on three sides by the arcade; this projected room would be 18 by 32 feet with an entrance on the north side, based upon the worn paving. At this point we cannot say whether or not this area represents an entrance flanked by jury rooms, a raised judges' platform, or some other feature.

9. Test Excavations on Lot 47

In order to evaluate the potential of the rest of the courthouse complex, a single backhoe trench was excavated running east-west across Lot 47. This 3 foot wide trench ran from N105.5-N108.5/E133 to N116.0-N119.0/E230. The soil was scraped away stratigraphically to reveal any features present. Fortuitously, the trench coincided with a fenceline, as evidenced by six postholes filled with brick (Table 2). The fill of these postholes was not excavated due to lack of field time so we cannot date their construction; however, each was mapped and photographed and can be located again for complete excavation. Similarly two trash pits or privies located along this trench were exposed, a sample of artifacts taken from their surfaces, mapped, photographed, and then backfilled to await excavation earlier.

Table 2. Fence Posthole Dimensions

Posthole	Diameter	Location
#1	0.8	N112.8 E169.3
#2	1.0	N112.8 E177.4
#3	0.9	N113.7 E186.7
#4	0.9	N115.0 E195.8
#5	1.2	N115.0 E212.5
#6	1.0	N115.5 E219.5

Very likely a posthole existed between #4 and #5, given the regular spacing of 7-9 feet. A local informant said she remembered putting in a fenceline near this location and filling the holes with brick from the courthouse; unfortunately the fact that we had found brick lined postholes at this location was supplied to the informant by a well meaning interviewer, thus making her statement useless to us. So, for now we do not know if this fenceline was associated with the courthouse or later occupants. However, we suspect that the fenceline in fact was associated with the courthouse because two trash or possibly privy pits containing pre-1780s ceramics (Westerwald, white salt glazed stoneware) were found on the same line. The location of these two pits is not presented here to avoid disturbance by relic collectors; however, the exact location is recorded and is on file at Colonial Williamsburg and at the Virginia Research Center for Archaeology. Feature 1 contained bone, shell, glass, nails, and ceramics. One piece of manganese cleaned glass provides the latest date of post 1880; however, given that the other materials date to the last half of the 18th century, this one piece was likely intrusive. This feature and Feature 2 were not excavated more than about an inch of surface material. Feature 2 contained similar kinds of artifacts, but dated after 1779 (Appendix 1).

10. Recommendations for Future Work

The courthouse structure shows remarkable preservation. While we found evidence (as should be expected) for salvaging building materials, surprisingly much of the foundation and the fallen walls remain. The fallen walls present the possibility that portions of their architecture may remain intact; that is, it appears possible that the walls fell outward in sufficiently large enough pieces that arches, doorways,

and window openings may still be evident. If this is true, then a reconstruction drawing of what the courthouse may have looked like is much more feasible.

Given the excellent preservation of the courthouse architecture and the potential for other structures to be located on the two courthouse lots, we suggest that the research be conducted within a three stage approach. Stage I was conducted in May and is reported here. Stage II consists of the complete excavation of the courthouse itself and the surrounding area in order to view the complete remains. A systematic sampling of both courthouse lots also would be implemented to locate any additional structures like the gaol, prison, and clerk's office. In addition, Stage II would include the excavation of the two trash pits found in Backhoe Trench 1. Stage III would then excavate any structures or features found during Stage II.

Stage II

The evidence collected during testing indicates that there is about one foot of rubble and soil accumulated since the demolition or abandonment of the courthouse structure in the 1880s and 1890s. The artifacts from these strata will not reveal very much meaningful information about the courthouse or later activities there which we do not already know from other sources. Hence, we recommend that the following steps be taken. First, two backhoe tranches be excavated north-south and east-west across the courthouse and extending for 20 feet outside it to provide a stratigraphic record of the build-up of material since the demolition. After photographing and recording that profile, all post-1890 deposits would be removed using a backhoe within the area N205-285/E130-210. This would be approximately 6400 cubic feet of soil. This will take about three days with a backhoe since the work will have to be done so carefully. The last inch or so above the wall foundations and paving will be stripped by shovel at the same time. Mapping and photography will take two people one week to accomplish. At that point excavation of the courthouse structure and surrounding surface can begin. This will entail detailed recording of the construction techniques, by means of dissecting the remains. The builder's trenches will be excavated so we may view the full foundation and recover artifacts tossed into the fill at the time of construction. These artifacts may help to confirm the construction date. In addition, paving stones would be removed and the soil beneath excavated to provide information on the ways the builders prepared the site.

At various times during the mapping and recording of the courthouse area, the crew can proceed with continued testing of the courthouse lots, searching for other known and suspected structures like the gaol, prison, and clerk's office. The methods to be used in this sampling will provide optimal spatial information, by using 2.5x2.5 foot test units aligned in a systematic grid, and combining that information with additional judgmentally placed test units. The soil from these units will be screened for artifacts and these data mapped to provide a spatial view of artifact density across the site. This will aid finding known and suspected building location. In addition, it will take four people about two weeks to excavate the two trash pits located along the fenceline.

With the data collected during Stage II, a realistic assessment can be made of what research remains to be done on the courthouse lots, and the potential these other courthouse buildings will have on the interpretation of the courthouse complex as it existed from 1759-1822.

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P.W.O.B

Prince William County Court Order Books.

APPENDIX 1

DUMFRIES COURTHOUSE 44 PW 231

Artifact Inventory

<u>GROUP 101</u>

Feature 1, level 1, trench 1

N-111.5

E-158 *terminus post quem – 1880

Object	Quantity
Bone, fragments	9
Tooth, fragments	2
Shell, fragments	7
Shell, oyster, bottom valves	5
Stone, slate, fragments	15
Glass, dark green bottle, fragments	32
Glass, dark green case bottle, fragments	2
Glass, dark green, bottle, necks, (2 vessels indicated)	2
Redware, black glazed, possible storage jar?, frags.	13
Stone, phyllite/schist, fragments	1
Stone, quartzite, fragments	4
Stoneware, brown, salt glazed, vessel unknown, frags.	4
Stoneware, brown, salt glazed, handled jug fragments	4
Glass, pharmaceutical bottle, pale green, fragment	1
Nails, wrought, rosehead	3
Nails, wrought, T head	4
Glass, colorless, wine glass foot fragment	1
*glass, manganese solarized, wine glass bowl fragment	1
Glass, colorless, tumbler? Base fragment	1
Glass, colorless, vessel unknown, fragments	6
Glass, mirror plate?, fragment	1
Glass, window pane, fragments	7
Delftware, English, plain white, vessel unknow, frag.	1
Pearlware, annular decoration, vessel unknown, frag.	1

Pearlware, hand painte	ed, blue, large bowl, fragments	14
Pearlware, shell edge,	blue, plate? Rim fragments	3
Creamware, plain, plat	te fragments	7
Creamware, plain, sha	llow bowl or dish, fragments (two vessels indicated)	2
Creamware, plain, ves	sel(s) unknown	7
Delftware, English, blu	ue on white, vessel unknown, frag	1
GROUP 102		
Trench 1, featu	ure 1, mapped specimens	
*terminus post	t quem – 1762	
<u>Object</u>		Quantity
Redware, black glazed	, possible storage jar?, frags.	4
Staple, wrought iron		1
Bone, fragment		1
*creamware, plain, ves	ssel unknown, fragments	2
Stoneware, brown, salt	t glazed, (same as in group 101)	2
Glass, dark green bottl	e, fragments	7
GROUP 103		
Feature 2, leve	el 1	
N-115.6		
E-195	*terminus post quem – 18 th century	
<u>Object</u>		Quantity
*glass, dark green, bot	tle, neck frags (2 vessels indicated)	2
*glass, dark green, bot	tle, fragments	8
Bone, fragments		15
Mortar, sand		3
*glass, pale green, bott	tle, possibly French? (1 vessel indicated)	4
*delftware, English, pl	ain white, vessel unknown, frag.	1
Glass, window pane, fi	ragments	2

Brick, fragment	1
Shell, fragments	5
Stone, slate, fragment	1
<u>GROUP 104</u>	
Level 1	
N-207	
E-155 *terminus post quem – no datable artifacts	
<u>Object</u>	Quantity
brick, watertable, fragment	1
<u>GROUP 105</u>	
Backhoe	
N-105-108	
E-210-220 *terminus post quem – 1860	
<u>Object</u>	Quantity
Bone, fragments	3
Creamware, plain, vessel unknown, fragments	5
Pearlware, hand painted blue, vessel unknown, frag.	1
*glass, colorless, jar?, fragment	1
Glass, pharmaceutical phial base, pale green, fragment	1
Glass, window pane, fragments	2
Glass, dark green bottle, fragment	1
Nail, wrought, rosehead	2
Spike, iron, wrought	1
Button, copper alloy, loop shank, one piece	1
Refined red earthenware, black glazed, vessel unknown, fragment	1

<u>GROUP 106</u>

Backhoe

N-105-108

11-105-100		
E-220-230	*terminus post quem – 1762	
<u>Object</u>		<u>Quantity</u>
*creamware, plain, vessel unkno	own	3
Glass, window pane, fragments		5
Glass, green case bottle, fragme	nts	2
Stone, slate, fragments		1
Bone, fragments		2
Nail, wrought, rosehead		1
<u>GROUP 107</u>		
Trench 6, above floor		
*terminus post	quem — 1860	
<u>Object</u>		<u>Quantity</u>
Glass, window pane, fragments		5
*glass, colorless, vessel unknow	7n	1
Bone, fragment		1
Glass, dark green bottle, fragme	ents	4
Nails, machine cut and headed,	complete	3
Nails, wrought, rosehead, comp	lete	2
Nails, wrought, headless shanks		2
Bolt, iron, square head		1
<u>GROUP 108</u>		
Courthouse area		
Backhoe on South side		
*termin	nus post quem – 1860	
<u>Object</u>		Quantity
White salt glazed stoneware, ver	ssel unknown, fragments	2
Porcelain, Chinese export, plate	footring, fragment	1

*glass, colorless, molded bottle base fragment	1
*glass, colorless, possible jar?, fragments	2
Pipe stem, white kaolin clay, fragment	1
Bone china, vessel unknown, fragment	1
Glass, window pane, fragments	2
Pearlware, plain white, vessel unknown, fragments	4
Pearlware, embossed edge, blue debased painting, plate rim, fragment	1
Iron, miscellaneous, possible enameled, vessel unknown, fragment	1
GROUP 109	
Trench 5, above gravel	
*terminus post quem – 1833	
<u>Object</u>	<u>Quantity</u>
Glasss, window pane, fragments	20
Door handle?, cast iron, fragment	1
Stone, slate, roofing shingle, fragment	1
Nails, machine cut and headed, complete	3
Nail, wrought, rosehead, complete	1
Nail, headless shank	1
Glass, dark green bottle, fragment	1
Whiteware, hand painted, vessel unknown, fragment	1
*coin, copper alloy, U.S. penny, 1833	1
<u>GROUP 110</u>	
Backhoe	
N-105-108	
E-190-200 *terminus post quem – 1762	
<u>Object</u>	<u>Quantity</u>
Glass, dark green bottle, fragments	10
Bone, fragment	1

GROUP 111	
Backhoe, trench 5, test of builder's trench	
N-260	
E-195 *terminus post quem – no datable artifacts	
<u>Object</u>	Quantity
Mortar, shell	3
Glass, window pane, fragments	28
Stone, slate, fragments	2
GROUP 112	
Unit 5, level 2	
N-220	
E-195 *terminus post quem – circa 1805	
<u>Object</u>	Quantity
*nails, machine cut and headed, complete	2
Clock key, small, copper and iron alloys, complete	1
<u>GROUP 113</u>	
Backhoe, feature 2, surface	
*terminus post quem – 1779	
<u>Object</u>	Quantity
Bone, fragments	5
Glass, window pane, fragment	1
*pearlware, hand painted, vessel unknown, fragments	2
Creamware, plain, vessel unknown, fragment	1
*pearlware, plain, vessel unknown, fragment	1
White salt glazed stoneware, plate rim, Barley pattern, fragment	1
Redware, black glazed, storage jar?, fragments, (same as in groups 101 and 102)	1

*creamware, plain, plate rim and footring fragments, 1 vessel indicated

Glass, dark green bottle, fragments	12
Nail, wrought, rosehead, complete	
Iron unidentified, fragment	1
<u>GROUP 114</u>	
Backhoe	
N-240-255	
E-200 *terminus post quem – 20 th century	
<u>Object</u>	Quantity
Glass, aqua, molded patent medicine bottle, fragments	7
Glass, colorless, vessel unknown, fragments	3
*hub/axle cap, copper alloy, chrome plated, embossed lettering: "FORD MADE IN USA complete	. ",
Cylinder, copper alloy, CO2 gas?, complete	1
<u>GROUP 115</u>	
Backhoe	
N-105-108	
E-200-210 *terminus post quem – 1820	
<u>Object</u>	Quantity
Stone, quartzite, fragment	1
Creamware, plain, vessel unknown, fragment	1
*whiteware, plain, vessel unknown, fragment	1
Glass, window pane, fragment	1
Glass, dark green bottle, fragments	6
<u>GROUP 116</u>	
Backhoe	
N-105-108	
E-170-180 *terminus post quem – 18 th century	

<u>Object</u>	Quantity
*glass, dark green bottle, fragment	1
Shell, oyster, fragments	2
Shell, oyster, bottom valves	2
Stone, slate, fragments	3
<u>GROUP 117</u>	
Backhoe	
N-240	
E-180-200 *terminus post quem – 1933	
<u>Object</u>	Quantity
Sheetrock or asbestos composition fragment, painted green	1
Plaster, shell, lathe marked, fragment	1
Glass, colorless, bottle, complete, embossed lettering on shoulder: "DAVIS OK BAKING	j
POWDER"	1
Nail, wrought, rosehead, small nail or carpet tack, complete	1
Slipware, shallow bowl, scalloped edge, rim fragment	1
File, steel, triangular, complete	1
*glass, colorless, molded bottle, fragments, (minimum of two vessels indicated) Owens Illinois, 1933	13
Glass, colorless, molded bottle, embossed lettering: "FARMPANY", (1 vessel indicate	ed) 1
<u>GROUP 118</u>	
Backhoe	
N-105-108	
E-180-190 *terminus post quem – 1762	
<u>Object</u>	Quantity
*creamware, hand painted, polychrome, saucer rim, frag.	1
White salt glazed stoneware, vessel unknown, frag.	1

GROUP 119

Unit 4, level 1

N-275

E-177.5 *terminus post quem – 1892

<u>Object</u>	<u>Quantity</u>
Glass, amber/green, bottle fragments	7
Glass, colorless, molded bottle, fragments	2
Porcelain, insulator, brown glazed, fragment	1
*crown bottle cap	1
Glass, aqua, window pane fragments	5
Nails, wire	4
Nails, machine cut and headed	4
Bolt with nut	1
Nail?, shank fragment	1

GROUP 120

Unit 1, level 1, surface

N-240-242.5

E-140-145 *terminus post quem -20^{th} century

<u>Object</u>	Quantity
Stoneware, Westerwald, blue and grey, vessel unknown, fragment	1
Glass, dark green bottle, fragment	1
Porcelain, Chinese export, vessel unknown, fragment	1
Glass, purple, vessel unknown, fragment	1
Whiteware, plain, vessel unknown, fragments	3
Whiteware, plain, handle fragment	1
Glass, window pane, fragment	1
*white metal, possibly aluminum?, window screen frag.	1
Nails, wire	2

GROUP 121

Unit 2, level 1, topsoil

N-205-207.5

E-155-160 *terminus post quem – 1860

<u>Object</u>	Quantity
Whiteware, plate base, decalcomania, fragment	1
Whiteware, plate rim, embossed, fragment	1
Bone, fragment	1
Glass, window pane, fragments	3
Stone, slate, fragment	1
*glass, colorless, molded bottle base fragment	1
*glass, colorless, miscellaneous fragments	5
Glass, aqua, electrical insulator, internal threads, fragments	2
Glass, pale aqua, miscellaneous fragments	5
Nails, wire	6
Nails, machine cut and headed	2
Nails, machine cut and hand headed	1

GROUP 122

Backhoe

N-105-108

E-150-170 *terminus post quem – 18th century

<u>Object</u>	Quantity
Shell, oyster, fragment	1
Shell, oyster, bottom valve	1
Bone, fragments	4
Glass, pale green, case bottle?, fragment	1
Glass, dark green bottle, fragments	3
*stoneware, brown, salt glazed, vessel unknown (similar to sherds in groups 101 and 102 fragment	2),

*stoneware, brown, salt glazed, handled jug? (similar to sherds in groups 101 and 102), fragments	3
<u>GROUP 123</u>	
Unit 2, level 2	
N-205-207.5	
E-155-160 *terminus post quem – 1820	
<u>Object</u>	Quantity
Glass, dark green bottle, fragment	1
Stoneware, American?, bottle, impressed lettering: "JSAI" fragment	1
Stone, phyllite/schist, fragments	3
Stone, quartzite, fragment	1
Stone, slate, fragments	2
Glass, window pane, fragment	1
*whiteware, annular, bowl rim fragment?	1
Porcelain, Chinese export, plain white, fragment	1
Pearlware, transfer printed, blue, vessel unknown, fragment	1
Plaster, shell, fragment	1
Nails, wire	1
Nails, wrought, rosehead	5
Nails, machine cut and headed	4
Nail, headless shank, fragment	1
<u>GROUP 124</u>	
Unit 6	
N-260	
E-170 *terminus post quem – 20 th century	
<u>Object</u>	Quantity
Glass, marble, opaque white and translucent blue	1
Iron miscellaneous, fragment	1

Glass, pale aqua, molded bottle, fragments	8
Glass, aqua, molded bottle, fragment	1
Glass, window pane, fragment	11
Plaster, shell, fragments	3
Nails, roofing, wire	2
Nails, wire	9
Nails, wrought	11
Nails, wrought, T head?	2
Nails, machine cut and headed	10
Nails, headless shanks, fragments	3
Glass, dark green bottle, fragments	3
Glass, colorless, molded bottle, fragments	3
Glass, colorless, molded canning jar, fragment	1
*white metal, possibly aluminum, screw cap from metal tube	1
Whiteware, plain, plate rim and base fragments (1 vessel indicated), fragments	2
Stone, slate pencil fragment	1
Whiteware, transfer printed brown, plate rim fragment	1
White metal, gaming piece, "jack"	1
Copper alloy, chrome plated, clothing fastener, frag.	1
Iron miscellaneous, fragment	1
<u>GROUP 125</u>	
Backhoe	
N-105-108	
E-135-150 *terminus post quem – 1820	
<u>Object</u>	Quantity
Iron "ring"	1
Bone, fragment	1
Iron horseshoe, fragment	1
Stone, slate, fragment	1

*whiteware, plain, vessel unknown, fragments	2
Pearlware, transfer printed, blue, platter rim frag.	1
Stoneware, brown, storage jar or pitcher?, base frag.	1
Glass, dark green bottle, fragments	7
Stoneware, brown, salt glazed, vessel unknown (similar to sherds in groups 101 and 102 fragments),
<u>GROUP 126</u>	
Unit 1, level 2	
N-240-242.5	
E-140-145 *terminus post quem – 1880	
<u>Object</u>	Quantity
Glass, window pane, fragments	16
Glass, pale green molded bottle?, fragments	2
glass, colorless, molded, vessel unknown, fragments	3
*glass, manganese solarized, vessel unknown, fragment	1
Stoneware, Westerwald, blue and grey, vessel unknown, fragment	1
Whiteware, plain, vessel unknown, fragments	9
Stone, slate, fragments	3
Nails, machine cut and headed	2
Nails, wrought	1
Nails, wire	1
Nail, headless shank, fragment	1
Delftware, English, plain white, vessel unknown, fragments	2
Mortar, sand, with slate inclusion, fragment	1
GROUP 127	
*terminus post quem – no datable artifacts	
<u>Object</u>	Quantity
Mortar, sand, or concrete, step? fragment	1