

Mary Washington College

Feasibility Study and Archaeological Assessment  
of the Courthouse Complex Site in Dumfries, Virginia

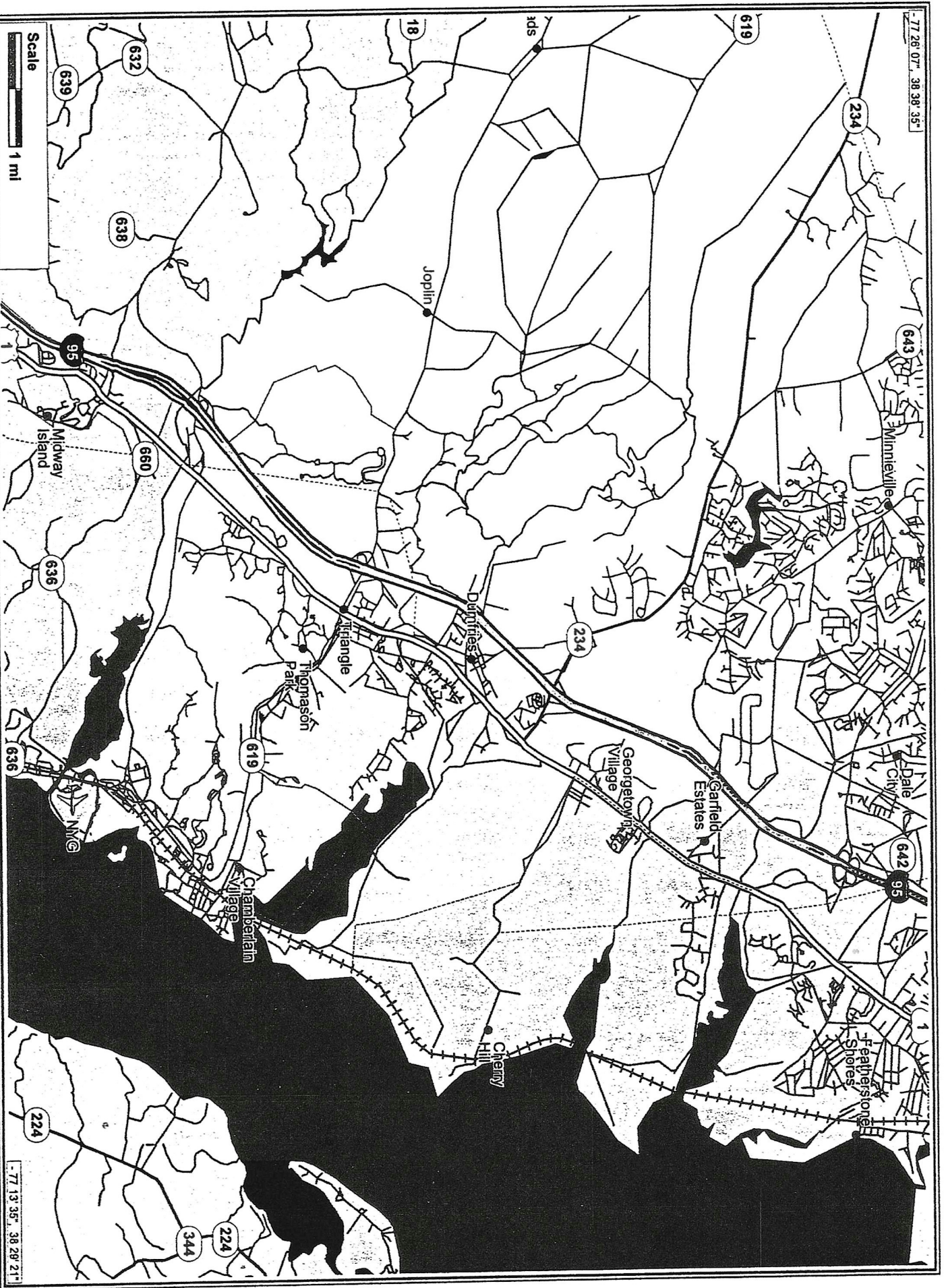
Jessika Reuter  
May, 1999

## ACKNOWLEDGMENTS

This study would not have been possible if I had never been a student in the archaeology class taught by Lisa Racine in 1993. It was then that I first learned about the courthouse complex once residing in the town of Dumfries, Virginia. Therefore, without her I would have never thought of doing this study. Another very important contributor to this project was Robin Landes and the students of her archaeology class. Her input, and the information gathered by her class, was a very valuable asset without which I would have been lost. Finally, Professor Sanford provided me with priceless advice and constant guidance throughout the semester concerning this report.

Thanks to you all.

figure 4  
CURRENT MAP





## **Introduction**

The following is an archaeological assessment and feasibility study of the past, present and future research at the Prince William County, Virginia, courthouse complex that formerly included a prison, gaol, and clerk's office that were located on lots 47 and 48 bordered by Duke Street, Main Street, and Fairfax Street in the town of Dumfries, Virginia (see figure 1). The courthouse was built there in 1762 and served as the County's governmental center until 1822 when a new courthouse was built in Brentsville, Virginia. This study includes the courthouse excavations in the mid-1980s by the Colonial Williamsburg Foundation and the Mary Washington College Department of Historic Preservation, and the jailhouse excavations by C. D. Hylton Senior High School in Woodbridge, Virginia, from 1993 to the present. The major objective of this study is to examine work done at this site in its entirety, collaborating information from fifteen years of excavation and make recommendations for the future of the site as well as promoting awareness and preservation of the site.

The buildings once located on this site no longer exist above ground, minus some scattered bricks on the ground's surface. The site, an empty lot of green grass and some minor littering, is owned by the children of James Bishop (the part containing the remains of the courthouse) and the sister of Chris Brown, the Dumfries Mayor (she owns the part containing the remains of the prison), who lives next door to the lots in question. Excavations within the past fifteen years have shown the location of two of the pre-existing structures. Two years after the County's courthouse was moved to Brentsville, the complex's lots were sold to a private owner. The exact use of the buildings after this is uncertain. Other buildings may have been erected on the courthouse lots, but what they were and where they were located remains unknown. The



FLAT OF  
DUNFRIES 1790

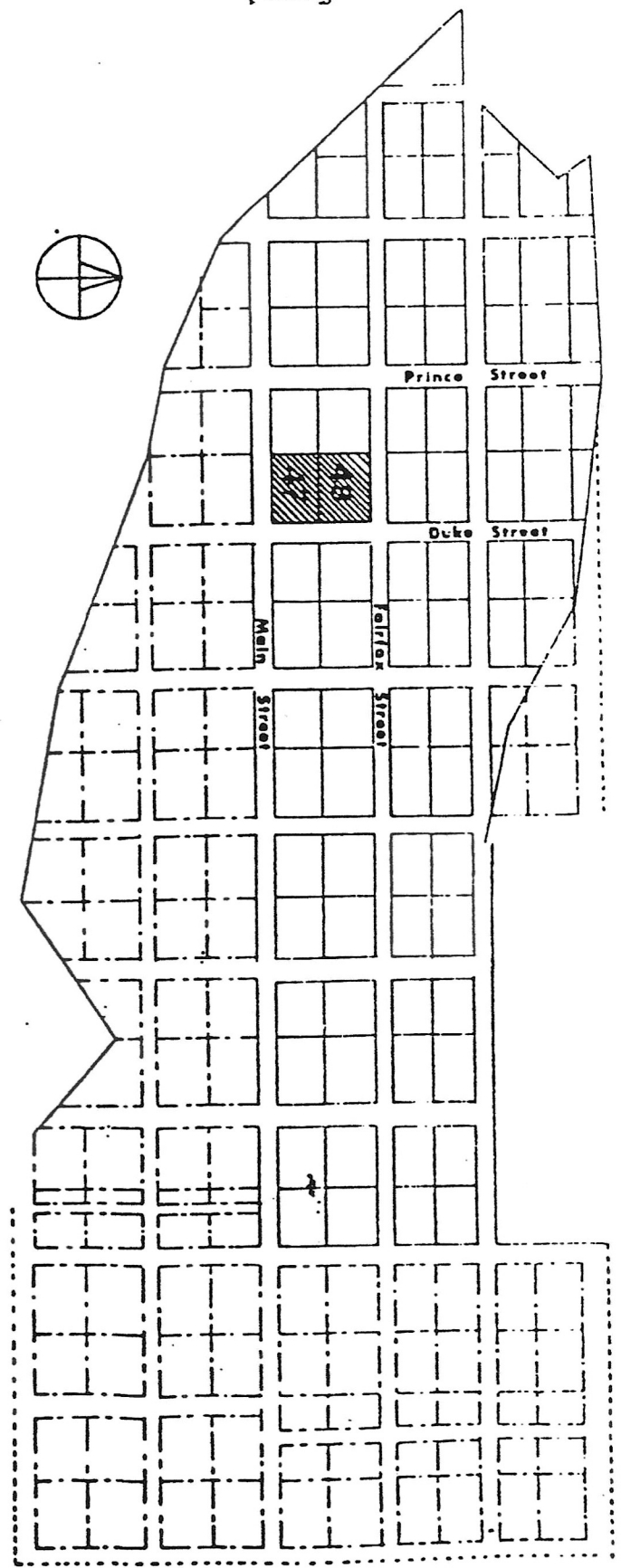


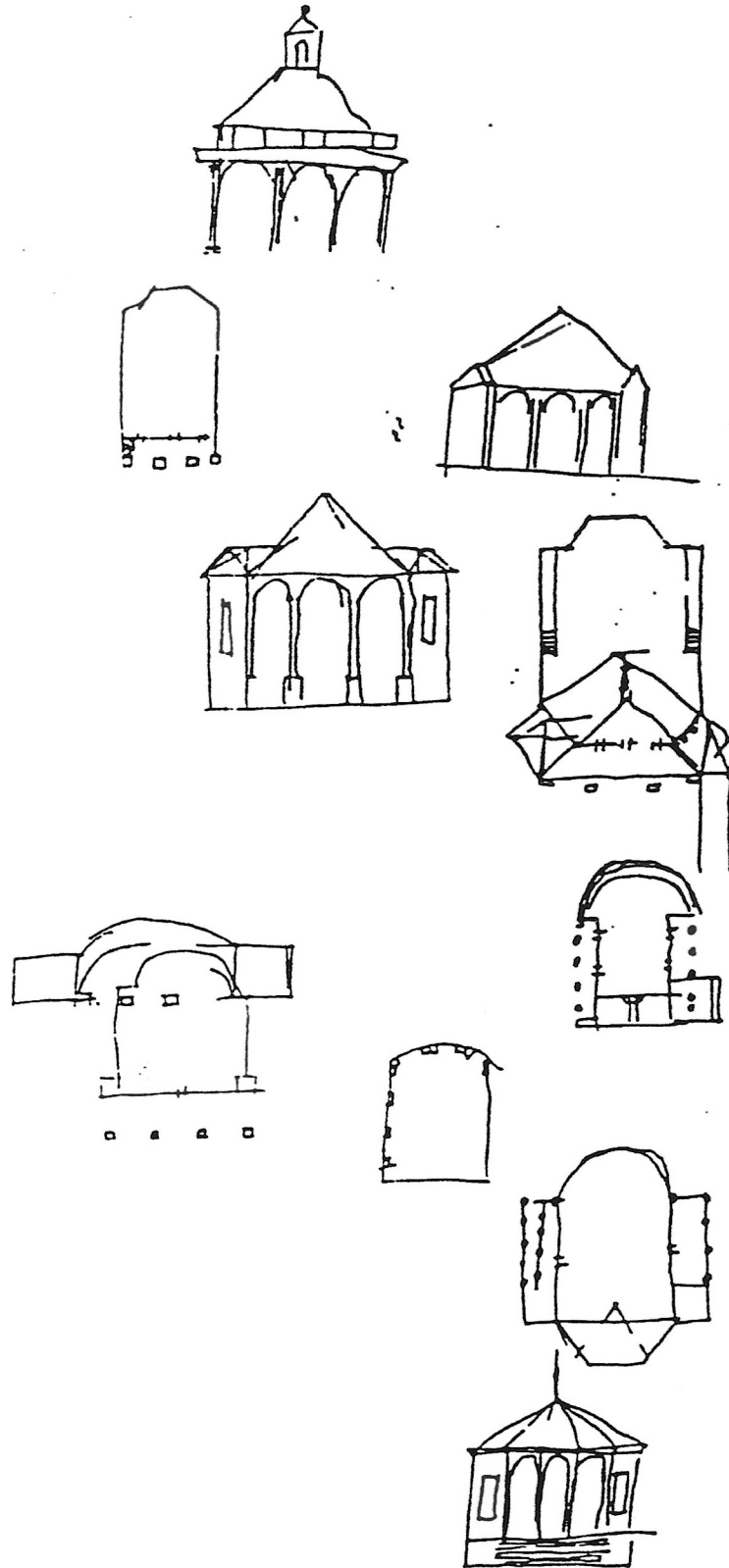
figure 1

courthouse, prison, and other buildings had collapsed or been torn down by the end of the nineteenth century as older residents remember playing in the rubble as children.

In 1983, sketches were found on a wall at Gunston Hall of the Dumfries courthouse (see figure 2). This created a great deal of public support that led to excavations at the site by the Colonial Williamsburg Foundation in 1984 under Carl Lounsbury and William Adams, which uncovered a foundation and paving tiles for the courthouse. The excavations continued in 1985 through the Department of Historic Preservation at Mary Washington College in Fredericksburg, Virginia, under Dr. Carter Hudgins. This was a three month effort in which they gathered more information concerning the layout of the courthouse. The artifacts found were an array of ceramics and an abundance of window glass and nails, showing the public rather than domestic nature of the site. Much information concerning this effort has been lost in the past fourteen years.

After funding ran out in May of 1985, no excavations at the site took place until 1993 when an archaeology class from C. D. Hylton Senior High School began excavating in the vicinity of where the prison was believed to be located. The class has had three instructors: Lisa Racine (1993-1995), Alex Carter (1995-1997), and currently Robin Landes (1997-present). It was not until the fall of 1998 that the class found what is believed to be the possible foundation of the prison. The restraints of using untrained students who are unable to spend large amounts of time at the site at once made the process slow going. The first four years of the class showed a lack of knowledge in some archaeological techniques as stratigraphic levels were not maintained, and there is considerable loss of data from these years. A similar array of artifacts to the other excavations were found at this site as well, but also a good deal of modern trash in the form of

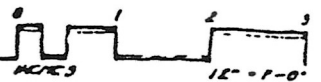
figure 2



-4-

# SKETCHES FOR A COURTHOUSE

C. 1738  
FROM PLAN OF INTERIOR WINDY PASSAGE.  
"PALLADIAN ROOM" CURTAIN WALL





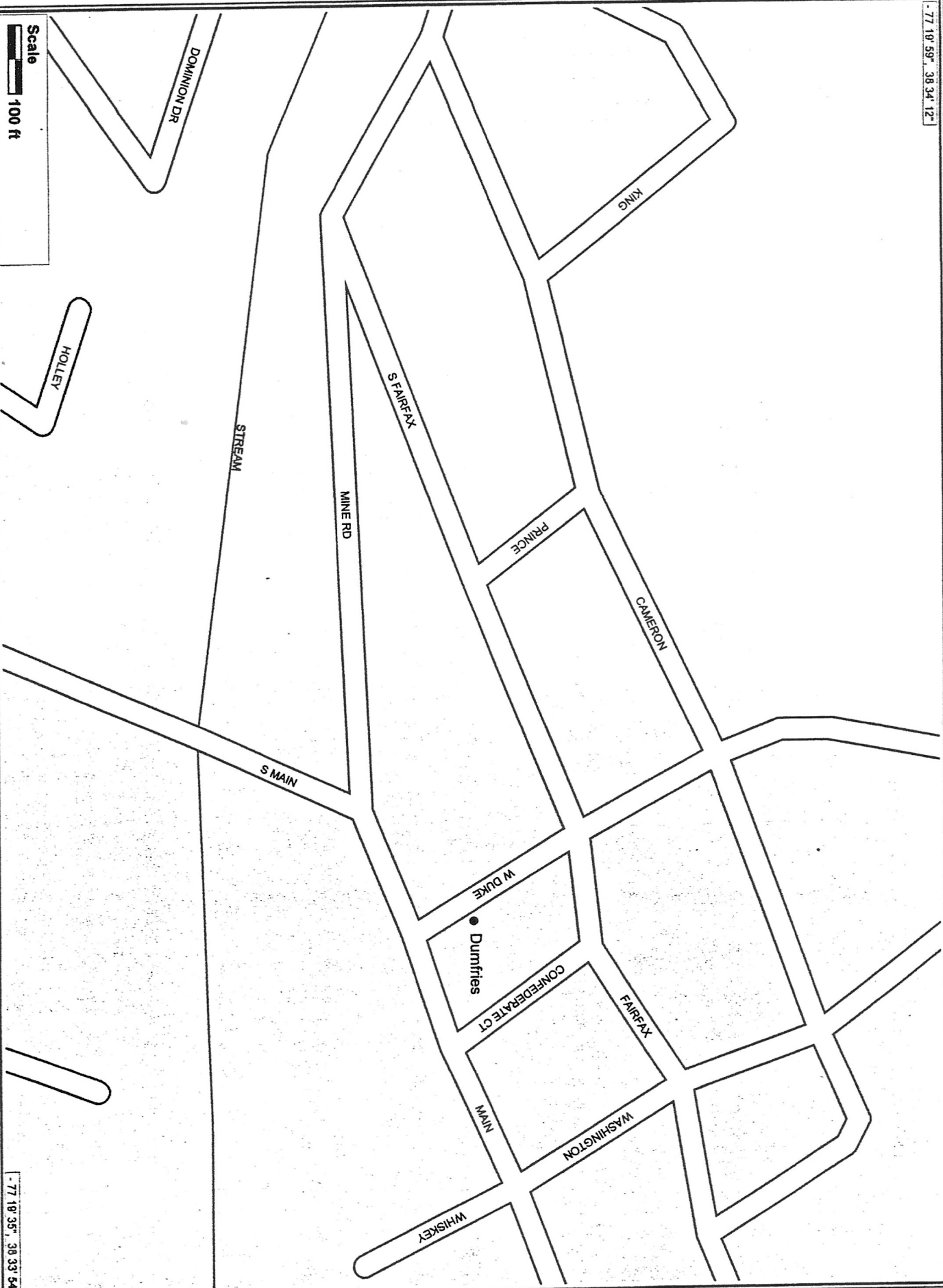
car parts and modern glass. Efforts are also being made by the high school class to research the history of the site and process and identify the artifacts excavated.

This study is divided into four major sections: the first two will describe the historical and archaeological background of the entire site, the third will assess the archaeological work done on the courthouse complex site through the examination of excavation methods used and quality control of recovered artifacts and disposition of relevant information. General artifact types and dates will be examined in order to compare the two sites and see them as one interconnected site. Finally, in the fourth section, recommendations will be made for future archaeological research, collection's management, analysis, and site interpretation and preservation.

figure 5

# CURRENT MAP

- 77 18' 59" , 38 34' 12"



Scale  
100 ft

- 77 18' 35" , 38 33' 54"

changed to Quantico in 1905 to avoid confusion), Railroad ferry terminal on the south shore of the Quantico Creek.<sup>41</sup> Construction of the Quantico Marine Base during the war provided many full-time and part-time jobs for residents of Prince William County. Realignment and pavement during the 1920s of what is today Route 1, or Jefferson Davis Highway (previously the Potomac Path, King's Highway, and Telegraph Road), brought back some increase in the town's importance as it carried the majority of the North-South traffic until the interstate system was put into place in the 1960s.<sup>42</sup> It was after World War II that Dumfries began to assume its modern appearance with the beginning of D. C.'s suburban sprawl.<sup>43</sup> The town now basically serves as the residence of people who commute to the city or to the Marine Base at Quantico and its population as of 1996 was recorded as 4,659 people.<sup>44</sup> Two current maps showing Dumfries, and the area of Dumfries in which the courthouse complex was located (between Fairfax, Duke, and Main Streets) can be see in figures 4 and 5 respectively.

### *The Dumfries Courthouse and Prison*

The courthouse located in Dumfries from 1762 to 1822 was the third Prince William County courthouse, the first located north of the Occoquan River at a ferry landing on the property of George Mason II's land, later known as Woodbridge, from 1731 to 1742. At this time the residents in the western section of Prince William, which would later become Fauquier County, demanded a new courthouse be built nearer to them. So from 1743 to 1759 the County's courthouse resided at Cedar Run just south of the Brent Town Grant area.<sup>45</sup>

With the formation of Fauquier County, it became necessary to move the courthouse yet again. At this time Dumfries was the leading center of commerce and population in the northern



Virginia and therefore named by the governor and council as the new courthouse location on June 13, 1759.<sup>46</sup> On this date the court passed the following resolution:

The board this day having taken under consideration the most commodious place for fixing the Court House for Prince William County, it was the opinion of the Council and accordingly ordered that the Courthouse for the said County be established in the Town of Dumfries...<sup>47</sup>

The operations of the court temporarily moved into the house of Foushee Tebbs in 1759 while the new courthouse was being constructed by Benjamin Tompkins. Occupation did not occur until 1762.<sup>48</sup> Later that year building of the prison probably started since Hubbard Prince received sixty- four pounds sterling for undertaking the work.<sup>49</sup> Within a few years of the construction of this prison, it appears they built another one, possibly to house debtors. The 1767 Prince William Order book mentions both a prison and a gaol. This would not have been unusual as debtors and criminals were usually detained in separate buildings.<sup>50</sup> It is likely that other structures appeared on the courthouse lots (Lots 48 and 49), such as stocks and a pillory and possibly lawyer's offices, stables and privies, as these were commonly found surrounding other county courthouses.<sup>51</sup> By 1805, a clerk's office had been constructed on the site, most likely just south of the courthouse itself.<sup>52</sup>

With the decline of Dumfries in the late eighteenth century, and the request of a more centrally located courthouse, construction of a new complex took place in Brentsville, and the governmental center moved there in 1822. Once described as being a "fine brick building on a fine site with lawn and shade trees," the courthouse, along with the clerk's office and jail, sold for fifty dollars soon after the courthouse structures were abandoned. For a short time the courthouse became the Old School Baptist Church, the old colonial Episcopal Church having

fallen into ruins.<sup>53</sup>

The property on which the courthouse complex was located has been in private ownership ever since 1824. What exactly became of the complex through the rest of the century is vague. Other buildings may have been erected on the lots, but what and where the buildings were is unknown; however, it is relatively certain that the buildings had collapsed or been pulled down by the end of the nineteenth century as elderly residents remember playing in the ruins.<sup>54</sup> A 1861 article by the Richmond Dispatch makes mention of the courthouse and jail. It called the courthouse a "structure of peculiar architecture, built of imported brick with granite corner stones and cornices. The floor is formed by quadrangular floor stones nicely fitted together, most of them worn away...and the benches and the bar, constructed of heavy oak, have grown rotten and worthless with age."<sup>55</sup> The author of the article mentioned a frame house located on the property, and two to three yards away from it the old jail, "a small building made of heavy oak timber, still well preserved, with one window and a strong double door. The original bolt and hinges and grating across the single window still remain as a evidence of its antiquity."<sup>56</sup> In the 1920s, there is no reference by antiquarians to a brick courthouse on these lots. Older residents of Dumfries recall playing in the ruins of the courthouse and the sunken basement of one of the prisons. Since that time no other structures besides the temporary placement in the mid-twentieth century of a mobile home and a frame house on the northeast corner of Lot 48 have been located on the site of this courthouse complex.<sup>57</sup> Besides heavy littering during the twentieth century, very little has been done to the lots since their colonial use.

### Archaeological Background

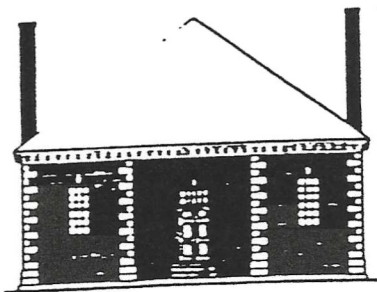
In the summer of 1983, an architectural study of Gunston Hall, the Fairfax County dwelling of George Mason, uncovered a series of sketches on the back of a board in the Palladian Room (refer back to figure 2). This room was constructed between 1758 and 1761, making it contemporary with the Dumfries courthouse.<sup>58</sup> Found on the back of the window frieze, the sketches showed a number of designs including plan and elevation drawings. The sketches comprise ten rough pencil drawings measuring roughly 2 by 3 inches.<sup>59</sup>

These drawings mark a "departure from traditional courthouse design in Virginia and reveal an understanding of local building forms coupled with a precocious knowledge of academic sources."<sup>60</sup> The drawings show a "U" shaped plan which could be entered from a polygonal shaped porch (see figure 6). On each side of the courtroom, porches, or possibly wings, are shown, and the elevations shown with the plans seem to represent the front of the building.<sup>61</sup>

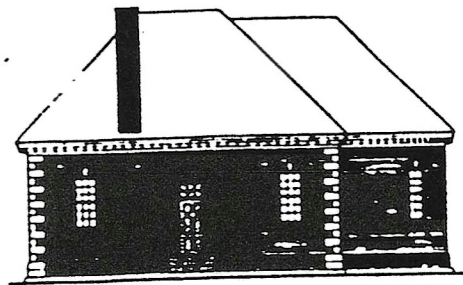
Through the discovery of these drawings public support and funding were received for excavating the courthouse site which had been in private ownership since 1824. Lots 47 and 48 of Dumfries, Virginia, at this time were unused with no standing structures and very little visible evidence for the ones once there besides depressions in the ground and a random scattering of bricks.

Through excavations done in May of 1984 by the Colonial Williamsburg Foundation, it appears that the original builders dispensed with the polygonal projections and complicated roof forms, but did use the circulation patterns demonstrated in the drawings (see figure 7).<sup>62</sup> For the most part, excavations done on the site (44PW231) indicated that the structure bore close resemblance to the sketches found at Gunston Hall.

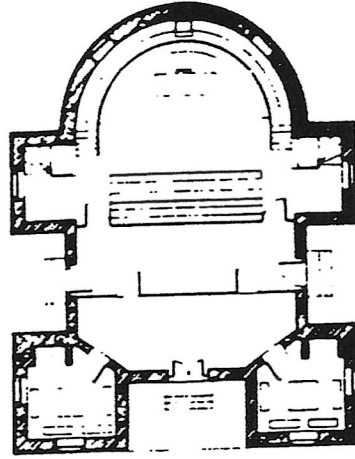




EAST ELEVATION



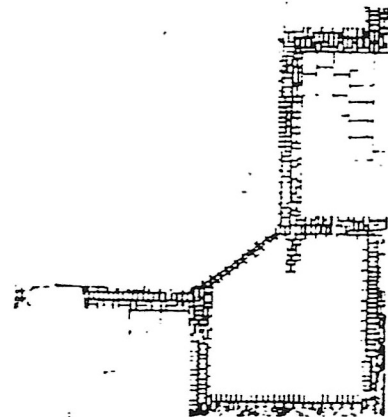
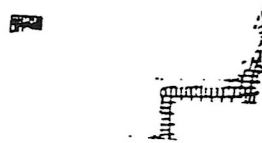
NORTH ELEVATION



PLAN

0 5 10  
FEET 1:6" = 1"

figure 6



PARTIALLY EXCAVATED PLAN  
44 PW 231

figure 7

### *Courthouse Excavations by Colonial Williamsburg in 1984*

In response to the reaction created by the discovery of the sketches in the Palladian Room of Gunston Hall, the owners, James A. and Emma H. Bishop, granted permission to excavate the site on February 21, 1984. They entered a contract with the Colonial Williamsburg Foundation and the Prince William County Historical Commission for a week's worth of fieldwork from May 21-26, 1984.<sup>63</sup> While the location of the courthouse off of the Main Street section of U. S. Route 1 (also known as Jefferson Davis Highway) in Dumfries, Virginia, has long been known, it was not until 1984 that archaeological research took place there.<sup>64</sup> Records of the era in which the courthouse was in use (1762-1822) are few and incomplete, so no description of the building existed, until the discovery of the ten sketches.<sup>65</sup> Therefore, with this information in hand, the Historic Commission decided to uncover what was left of the once prestigious Prince William County Courthouse.

The information concerning the 1984 excavations comes from the report submitted to the Prince William County Historical Commission by the Colonial Williamsburg Foundation in August of 1984.<sup>66</sup> Due to a lack of time and a small crew of four people, the field methods used consisted of a combination of hand and machine assisted excavations. Within the courthouse area, the soil and rubble associated with the demolition of the building and the soil that accumulated in this century were the only materials removed.<sup>67</sup> They left architectural evidence in situ and did not excavate beneath it. There were two stratum above the remains of the courthouse: Stratum A, topsoil with organic remains and twentieth-century material, and Stratum B, the post-abandonment debris ranging from 1890 to 1948, showing no significant use during this time frame.<sup>68</sup> Evidence shows that about one foot of rubble and soil accumulated since the demolition

of the courthouse.<sup>69</sup>

"The placement of units was based on observation of microtopographic differences in the freshly mown grass and by means of a probe."<sup>70</sup> The Colonial Williamsburg Foundation crew excavated six test units and seven trenches (see figure 8 and 9). Test Unit 1 was placed on what was thought to be the west wall, but excavations only found rubble and one small section of a fallen wall; Test Unit 2 encountered a fallen wall section; Test Unit 3/5 uncovered the southeast corner of the building; Test Unit 4 showed the fallen northern wall; and Test Unit 6 was placed next to Backhoe Trench 6 to expand the exposure to the north wall and paving stones.<sup>71</sup>

Backhoe Trench 1 gave a stratigraphic profile across the site to the south; Backhoe Trench 2 determined the characteristics of the south wall; Backhoe Trench 3 was excavated to make certain that no walls ran towards the east; Backhoe Trench 4 showed the extent of the east wall and provided a cross-section of the courthouse. The purpose of Backhoe Trench 5 was to discover the extent of the east wall it encountered, therefore they excavated Backhoe Trench 7 nearby; and Backhoe Trench 6 located the north wall.<sup>72</sup>

In total, three sides of the building were found as well as some data on the interior shape of the building. However, with limited excavation time, the archaeologists were still not completely sure what the courthouse looked like. They discovered enough to say that "the Dumfries Courthouse [was] sufficiently different from all other courthouses in the region that [they] cannot know from the evidence at hand what it looked like."<sup>73</sup> The building materials included brick with some Aquia stone facing.

On the north side of the building, on the eastern part, the sandstone wall block was very worn, as were the paving stones located immediately to the south, suggesting this was adjacent to



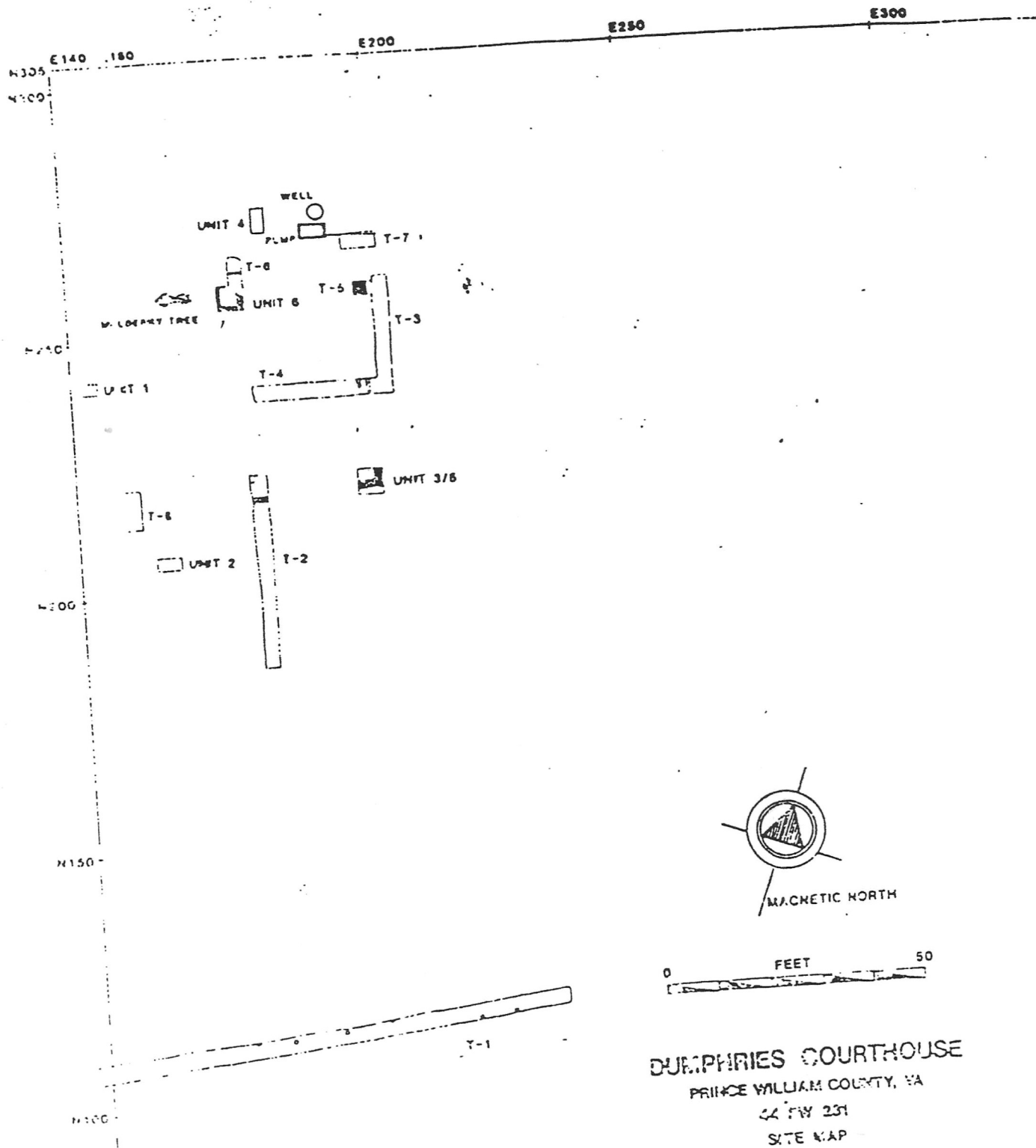
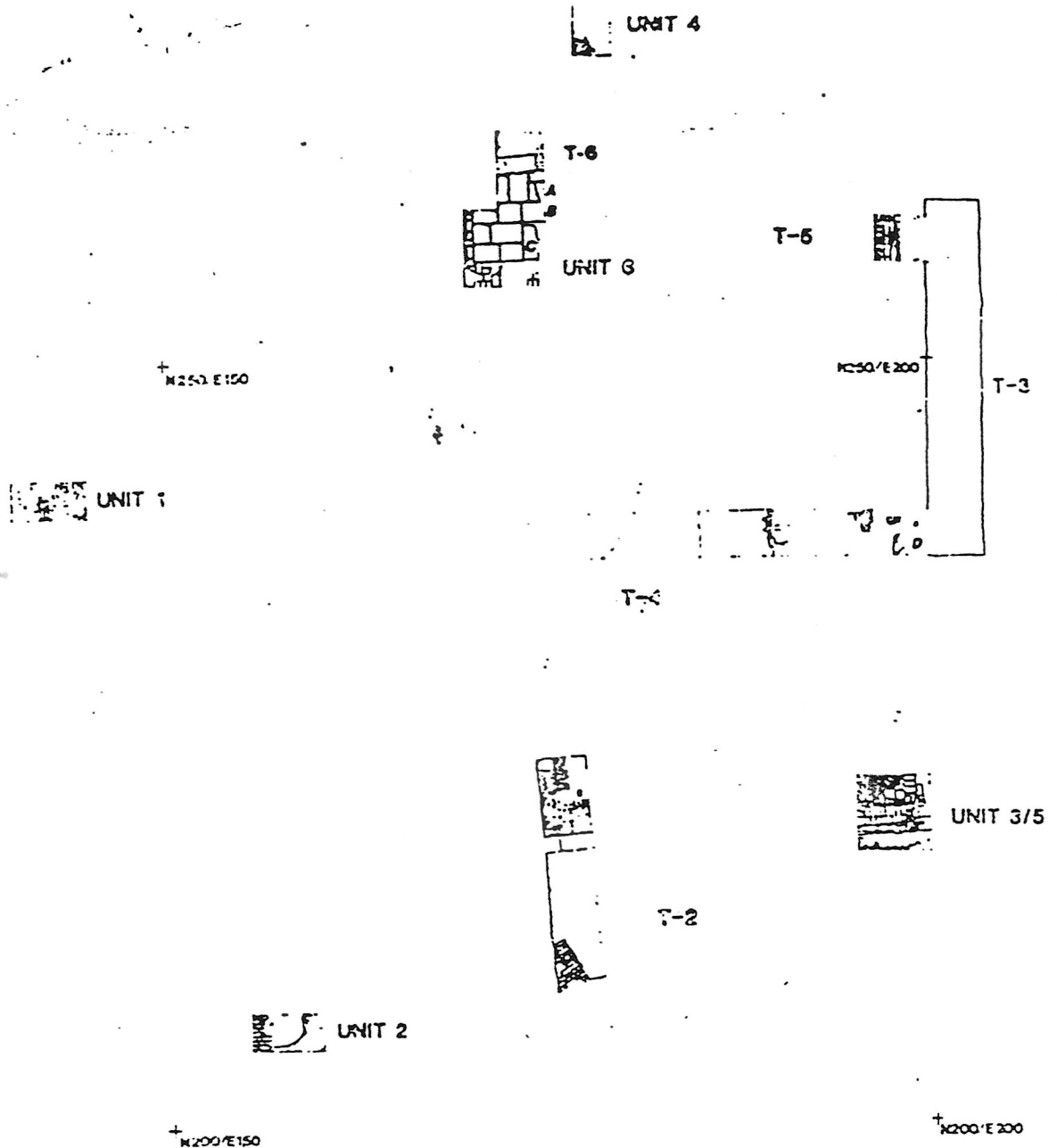


figure 8



DUMPHRIES COURTHOUSE  
 PRINCE WILLIAM COUNTY, VA  
 44 PLY 231  
 DETAIL MAP  
 figure 9

an entrance or the termination of a path leading to the structure. Three excavation areas on the east side showed traces of the courthouse. They uncovered a brick foundation and the southeast corner. Backhoe Trench 4 was placed where the center of the south wall line was believed to be, however it was not successfully uncovered. This may be because the wall was below the level of the paving stones, at which they stopped excavating, or because of the location of an arched entrance way here. West of the interior part of the wall line, the crew found brick rubble reaching down into a filled trench, probably resulting from the robbing of an interior brick wall.<sup>74</sup> This raised area and the western wall of the robber's trench showed evidence of burning through the presence of charcoal and burned clay. Scattered fragments of sandstone and mortar above this burn layer suggests the room had paving stones, eventually robbed. Differences in elevation suggested the location of a major separating architectural feature, possibly an interior wall.<sup>75</sup> On the south side, archaeologists discovered a sandstone foundation. It is likely that it rested on bricks though no evidence of a robbed brick foundation inside the stone was noticed. A paving stone was found in the corner of the unit, and a separate area of dirt fill indicates paving stones had been removed.<sup>76</sup>

Test excavations on Lot 47 found evidence of a fenceline shown by 6 postholes filled with brick and two trash pits or privies located along the this trench. Due to time constraints, the postholes could not be excavated, so it is uncertain whether or not the fenceline was contemporary with the courthouse.<sup>77</sup> A sample of artifacts were taken from the surface of the pits, but was then backfilled. The pits contained pre-1780s artifacts and because of their proximity to the fenceline, it is possible the fenceline was also located there at the time the courthouse was in use.<sup>78</sup>

### *Courthouse Excavations by Mary Washington College in 1985*

The following year, in 1985, students from the Department of Historic Preservation at Mary Washington College of Fredericksburg, Virginia, continued working on the Dumfries Courthouse site under the direction of Dr. Carter Hudgins. Hudgins never wrote a final report about the excavations done there, therefore the archaeological background from this time frame came from a few newspaper articles and the context records and artifact catalogue of the site.

Excavations at this site in 1985 went from March to June. Professor Hudgins led a group of roughly 25 student volunteers that continued to uncover the architectural evidence found the year before by the Colonial Williamsburg Foundation. They worked through spring break, and then on weekends to finish the project.<sup>79</sup> The excavation came to a halt when funding ran out in June of 1985.

The information for the rest of the 1985 excavation background material was acquired from the excavation's context record sheets. The excavation consisted of fifteen units: Units 201-215; six of which were 10 feet by 10 feet, one 5 by 10, one 4 by 10, two 3 by 10s, a 3 by 6, and four of unknown size. Unit 201 uncovered a portion of the north wall of the courthouse and consisted of re-deposited destruction debris and fill from a robber's trench. Unit 202 contained mostly re-deposited destruction debris left by a post-1948 house trailer habitation. More destruction and robber's debris was found in 203, which was over and to the north of the courthouse's wall in 202. Unit 204 was east of 203. Unit 205 chased the exterior wall line to the south of 203. This unit found that the wall continued south and contained a foundation two and a half courses wide. In this unit, the roots of a mulberry tree has churned the soil. Unit 206, located five feet north of the southern baseline west of 207, later extended five feet to the east. In 209, an inside