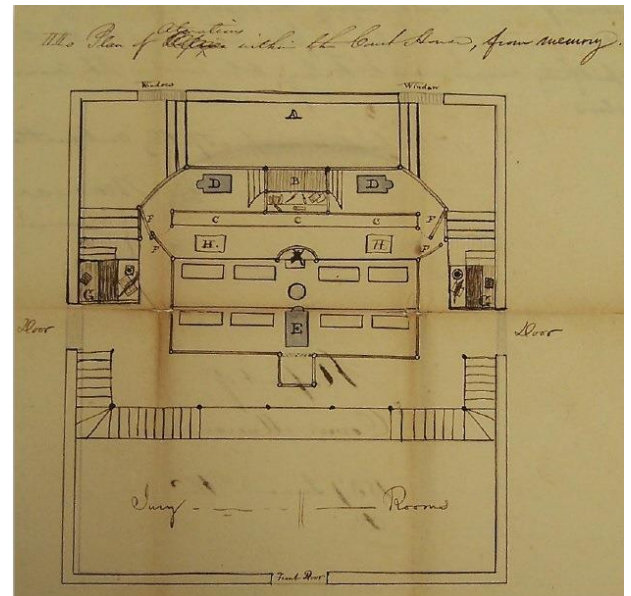


Furnishing and Interpretative Plan

Brentsville Courthouse



Brentsville Courthouse Historic Centre
12229 Bristow Rd, Bristow, VA 20136

Prince William County
Department of Public Works- Historic Preservation Division
17674 Main Street
Dumfries, VA 22026



Furnishing and Interpretative Plan for the Prince William Courthouse at Brentsville, VA

**Brentsville Courthouse Historic Centre
Historic Preservation Division, Prince William County**

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Administrative Information

Mission Statement

The mission of Brentsville Courthouse Historic Centre is to preserve, protect and educate the public about these diverse cultural and natural resources. Supported by on-going research and professional standards, the site's programs, events and collections create a diverse learning environment that addresses the needs and interests of the community's residents, visitors and tourists. The site serves as an educational resource interpreting life as it was at a government center and rural village during key periods of our national growth.

Staff

Brendon Hanafin – Historic Preservation Division Chief
Robert Orrison- Historic Site Operations Supervisor
Michael Riley-Historic Site Manager
William Backus-Historic Interpreter

Interpretative Plan

The five interpretative themes for the building will be:

- Movement in Virginia
- County Government in 19th Century Virginia
- Voting in Antebellum Virginia
- County Court Procedure in 19th Century Virginia
- Race in Antebellum Virginia

Interpretive Objectives

In 2006, under the guidance of architects and historians, the Brentsville Courthouse was restored to a ca. 1825 appearance. Using documentary and physical evidence, the courthouse interior and exterior resembles the most historically accurate restoration of the courthouse that was possible through current standards and information. As a public building, the courthouse was constantly evolving. Repairs and improvements were periodically made to make it a more suitable building for public use. As magistrates and justices changed, opinions and comforts changed that required changes to the physical building, both interior and exterior. Also as the county legal and government system changed over the years, changes were required to fit an evolving system.

It is the objective of the Brentsville Courthouse Historic Centre to furnish the interior of the courthouse to a circa 1825 appearance. The date of the furnishing plan coincides with the beginning of the Jacksonian Era (1824-1840), which had a lasting influence on the remainder of the 19th century. Following the Era of Good Feeling, the Jacksonian Era saw the ascendance of the Democratic Party powered by the emphasis on the average American. This can be seen in architecture, reforms in government and living styles of Americans. Though the American form of government was evolving, many characteristics of local government had changed little since the Colonial Period. Interpreting an 1825 date allows for discussion on both changes and similarities to modern and early government forms and practices.

Roles of magistrates (judges), juries, sheriffs and county clerks will be interpreted. The two rooms upstairs will focus on the role of juries and county clerks. The larger of the two rooms will be interpreted as a jury meeting space. The smaller room will be interpreted as a magistrate office/clerk office. With the absence of the original clerk building, this will allow for the ability to discuss the role of the County Clerk.

The ca. 1825 date is also before the major changes listed and drawn in the report of George W. Macrae, County Commissioner to repair the Public Lot in 1837. By showing an interior previous to Macrae's report, the interior is more represented of the supposed original plan of the 1822 Courthouse. Furnishings will reflect this period and show how many older furniture pieces and styles were still in use. When new public buildings were built, it was a custom practice to keep the same furniture and reuse it in the new structure. This is evident in the Brentsville Courthouse through the chief magistrate's chair ghost mark. This style of chair was not reflective of the Jacksonian Era, but more common with colonial courthouses.

While the interior has been restored to its 1820s appearance and has been furnished with period items, the interpretation of the space will extend beyond the 1820s time period. One reason for this decision is the dearth of primary documentation from with this time period, a result of the destruction of County documents during the Civil War. With the Courthouse being used in its official capacity until 1893, many events occurred here that are worth interpreting outside of the 1820s.

Interpretative Themes:

Voting in 19th century Virginia and its impact on Western migration.

Consolidation of County Power

Race in 19th century Virginia

Secession of Virginia

Historical Information

Time Period

The building served as the Courthouse for Prince William County from 1822 to 1893. From 1893 to approximately 1928 the building was used as a school, and from c.1930 to c.1970 as a community center. As a result of the different ways this building has been used by the community, the structure has seen extensive alteration.

Key Events of the Time Period

- Florida becomes a United States territory (March 30, 1822).
- John Quincy Adams elected President (February 9, 1825).
- Andrew Jackson becomes president (March 4, 1829).
- The Battle at the Alamo occurs (February 23-March 6, 1836).
- California becomes the 31st state in the Union (September 9, 1850).
- Congress passes the Fugitive Slave Law (September 18, 1850).
- Canning of Charles Sumner (May 22, 1856).
- South Carolina secedes from the Union (December 20, 1860).
- Virginia secession convention meets (February 13, 1861).
- The 1st Battle of Bull Run (July 21, 1861).
- Civil War in Virginia ends (April 9, 1865).
- The 13th Amendment ratified ending slavery (December 18, 1865).
- President Hayes declares Reconstruction over (March 31, 1877).
- The United States enters World War I after declaring war on Germany (April 6, 1917).
- World War I ends with the signing of the Treaty of Versailles (June 28, 1919).
- The 19th Amendment is ratified granting women the right to vote (August 18, 1920).
- The 1929 stock market crash occurs (October 29, 1929).
- Pearl Harbor is attacked by Japanese forces (December 7, 1941).
- Japanese forces surrender, ending World War II (September 2, 1945).

History of Title

1964- Prince William County Board of Supervisors

1912-1964- Brentsville District School Board

1908-1912- Dr. W. J. Bell

1898-1908- I.N.H. Beahm

1822-1898- Prince William County

1779-1822- Commonwealth of Virginia

1686-1779- Robert Bristow

Historical Narrative

Presidential Election of 1824

The opening of the second decade of the 19th century witnessed the two major political parties in the United States in flux. The Federalist Party and the Democratic-Republican Party both originated during the decades following the American Revolution. While both parties dominated local, state, and national politics from 1792-1824, by the beginning of the 1820s both parties witnessing major change. The Federalist Party's position during the War of 1812 had alienated public opinion of the party ensuring that it would not survive the new decade. The dominant political party thus became the Democratic-Republican Party, which would also see significant change in the 1820s. By the end of the decade the Democratic-Republican Party had splintered into two new political organizations, the Democratic Party under Andrew Jackson, and the Whig Party under Henry Clay.

The political transition into the Democratic and Whig Parties is best illustrated by the Presidential Election of 1824. While all Presidential candidates were members of the Democratic-Republican Party, the results of the election would ultimately be the catalysis for the emergence of the two new political parties. During the election four major candidates emerged, John Quincy Adams from Massachusetts, Andrew Jackson from Tennessee, William Crawford from Georgia, and Henry Clay from Kentucky. Four strong candidates ensured the split of the Electoral College. Andrew Jackson emerged as the candidate with the most Electoral votes and the majority of the popular vote, followed by Adams, Crawford (who carried Virginia), and Clay. Since Jackson did not have enough electoral votes to win the Presidency, the election was sent to the House of Representatives, with only the top three candidates (Adams, Jackson, and Crawford) as candidates in the House. Since Henry Clay served as Speaker of the House, the former Presidential candidate would display great influence in the selection of the new President. Personally detesting Jackson, Clay and Adams struck a deal sending Adams to the White House. This decision split the Democratic-Republican Party into the pro-Jackson Democratic Party and the anti-Jackson Whig Party.

Jacksonian Democracy

The Jacksonian Era saw the ascendance of the Democratic Party powered by the emphasis on the average American, which in the 19th century context meant a white man. During this time period universal male suffrage became a popular political reform, dramatically expanding the voter pool in America. With more individuals able to vote, the Democratic Party under Andrew Jackson's leadership, tried to curry favor from these new voters by holding the average farmer or tradesman (or blue-collar worker in modern vernacular) as the ideal that everyone should strive to emulate. The emphasis on the Common Man, coincided with the beginning of the Industrial Revolution in America, known as the Market Revolution. The marketplace of the 18th century, with craftsmen producing high quality and high priced goods for a local market, was slowly being replaced with mass-produced goods that could be easily shipped and thus be cheaper than the traditional goods. With the Market Revolution challenging the economic future of many craftsmen, the Democratic appeal to the ideal of the common man encouraged many men to vote Democratic in local, state, and national elections.

Prince William County in 1825

Overwhelming rural with the chief industry being agriculture, Prince William County in 1825 was a county in the midst of change. Cultivating tobacco for nearly a hundred years was taking a toll on the fields in the County. With the once rich soil becoming exhausted, more and more residents were leaving the area for more economically promising areas in the west. While not as dramatic as later in the 19th century, by 1820 Prince William County was already witnessing a substantial decrease in the overall population.

While Virginia remained the most populous state in the Union in 1820, many of those residents were residing in what would become the state of West Virginia. Changes in demographics would ensure that Virginia would soon see a decline in population starting in the second decade of the 19th century. With much of the state barren from the overproduction of tobacco the Western emigration, which had started at the end of the 18th century, picked up momentum. Many Virginians moved within the Commonwealth, mainly into the counties now known as West Virginia. More settled along the Ohio River in the states of Ohio, Indiana, and Kentucky. Other states, especially in the Deep South, saw an influx of Virginians, though the main destination for Virginia emigrants was along the Ohio River.

The shift in population is reflected in the 1820 census, which shows 8,887 white people living in Prince William County. This was a significant decline in the population of Prince William County since 1800 when the population was 12,733. Many people left to find new farmland out west.

While the overall population in Prince William County was decreasing between 1810 and 1820, the enslaved population in the county increased. There were 4,207 enslaved people in the county in 1820 constituting 47% of the population of the county, nearly a 25% increase from the 3,048 enslaved people living in Prince William County in 1810. The number of large labor intensive tobacco plantations had diminished from its height during the colonial period. While some large farms continued to produce tobacco, the rest switched to growing grains, less labor intensive than tobacco. During this agricultural shift the enslaved population continued to increase from natural population growth.

By 1825 the situation was drastically changing with the opening of the Deep South. With settlement in the Deep Southern states demand for slave labor exploded. Since Prince William and other Virginia farmers were switching from tobacco to grains, Virginia had an excess slave population which coincided with the opening of the new markets in the Deep South. In the forty years between 1820 and 1860 the enslaved population in Prince William fell from 4,207 enslaved to 2,510, a 60% decrease.

This shift in population coincided with the rise of Jacksonian Democrats to power in Prince William County. During the tumultuous Presidential election of 1824, Prince William County, like the majority of Virginia, overwhelmingly voted for William Crawford. Four years later during the 1828 Presidential election, Democrat Andrew Jackson received over 75% of the local votes.*

Such a wide victory in Prince William County for the Democratic Party suggests that not only did the party appeal to a majority of the voters, but also it had enough support in place to turn out the Democratic vote in large numbers. One organization that was important to the Prince William County Democracy was the Prince William Democratic Corresponding Committee which met regularly in Brentsville. As county seat for Prince William County, the town of Brentsville would have hosted numerous political meetings and rallies during the 19th century.

*Jackson also received 70% of the vote in the 1832 election and Van Buren received 80% in the 1836 election.

First Board of Supervisors

The Civil War not only caused immersive physical and societal change, but it also changed the form of local government in Virginia. During the Civil War there were two governments: one in Richmond that was recognized by the Confederacy and one in Alexandria that was recognized by the United States. The state government that was recognized by the Federal government as the sole legitimate Virginia government passed a new state constitution in 1864. With the end of the Civil War, many former Confederate soldiers and officials returned to official life and passed laws and resolutions in an attempt to curb the change of Virginia society. At the start of Radical Reconstruction in 1869 a new state constitution was passed. Among other things such as universal male suffrage and the creation of public schools, the 1869 Virginia constitution created the Board of Supervisors. This new system of government was unusual to Virginians but familiar to the system then utilized in New York. The county was divided into townships, similar to the districts under magistrates, and a supervisor was elected from each township. The main change in this new government was that the supervisors had lost their powers of judicial functions to the newly created county judge.

Towns in 1820- Dumfries, Haymarket, Occoquan, Brentsville (county seat), Buckland, Bradley, Greenwich, Landsdown, Sudley, New Market

Judicial Circuit-

Prince William County was in the 9th district in 1860 which also included Stafford County, Alexandria County, Fairfax County, Loudon County, Fauquier County, and Rappahannock County.

Interpretative Plan

With the Courthouse actively being used for nearly 200 years, many different events and uses occurred within the building. The interpretation of the building will focus mainly on a 45 year period of time from 1820-1865. The interpretative time frame spans the time the Courthouse was constructed to the end of the American Civil War. The five interpretative themes for the building will be:

- Migration in Virginia
- County Government in 19th Century Virginia
- Voting in Antebellum Virginia
- County Court Procedure in 19th Century Virginia
- Race in Antebellum Virginia

1820 Map of Prince William County Migration in Virginia

Movement of people, goods, and services were the reasons for Brentsville's creation, prosperity, and ruin. The movement of people through what is now known as Brentsville, predates the existence of the town.

The main thoroughfare through town (modern Route 619 or Bristow Road) was initially part of a series of Indian paths that lead from the Potomac River westward to the Shenandoah Valley and beyond. Like the rest of Virginia, European settlement of Prince William County in the beginning of the 18th century started along more easily accessible tracts of land along the Potomac River. With more and more settlers arriving, land became more expensive, small groups of settlers started traveling westward to find cheaper land. As people were moving west, settling mainly along navigable streams such as Broad Run, new roads were created on the old Indian paths. Between 1731 and 1759, what is now Route 619 was converted into a major conduit of travel and trade from Dumfries to the Shenandoah Valley.

These new roads to central and western Prince William were areas of increased settlement prior to the American Revolution. Towns such as Buckland, Gainesville, and Haymarket and other settlements were founded during this time period. While more people continued to settle in the west, the county seat remained in Dumfries along the Potomac River. Traveling from Haymarket or Buckland to Dumfries for government or court proceedings became onerous to western Prince William residents. Starting in 1776 citizens in the county started to petition the Commonwealth of Virginia to move the county seat to a more centralized and convenient location. It took until 1820 until the state finally heeded these calls and created Brentsville from land from the land the state had seized from the British loyalist Bristow family.

The movement from East to West in Prince William County was a local example of a much larger migration pattern. By the end of the 18th century, hundreds of Virginians were moving away from eastern Virginia to new farms and towns west of the Appalachian Mountains. Beguiled by the prospect of better opportunities and cheap land, by 1850 there were nearly 500,000 Virginians living in other states. This movement by some of Virginians most talented

sons and daughters was a political and economic drain to the Commonwealth which saw a deteriorating economy from 1820 to the start of the Civil War.

The most destructive form of migration came during the Civil War when Confederate and Federal soldiers passed through Brentsville countless times during the conflict. In the late summer of 1861 Southern soldiers did consume large amounts of local food while camping in the local area. After the Confederates evacuated the town in spring 1862, large numbers of Federal soldiers would regularly pass through the town until the end of the war. By the end of the war, 19 buildings in town were destroyed, including the clerk's office adjacent to the courthouse. The roof of the courthouse was so heavily damaged that the Court temporary moved to various buildings in town while a new roof was installed following the war.

Magistrate Bench County Government in 19th Century Virginia

From the colonial era to Reconstruction, county government in Virginia was predicated on the County Justice of the Peace, sometimes referred to as a Magistrate. The legal number for justices in each county was set at twelve, however it was not uncommon for a county to have more than the legal number. For official business not all would need to be present for a quorum.

A very influential and powerful position, the County Justice of the Peace, sometimes referred to as magistrate, was an appointed office. When a space became vacant, the remaining Justices would nominate three individuals as a suitable replacement. The list of nominees was then forwarded to the Governor who selected one and officially appointed him as a Justice, for life. The Magistrates served as all three branches of government: executive, legislative, and judicial. While the separation of powers at the State and Federal level was a concern during this time period, particularly among Virginian politicians, there was less of a concern at the local level. Magistrates could levy local taxes and allocate where those funds would be used, as well as sit on any but the most serious court cases.

Immediately following the American Civil War the modern Board of Supervisors was created that operated government at the County level.

Clerk's Desk Voting in Antebellum Virginia

Political events and voting were important occasions in 19th century American society. The Courthouse at Brentsville was not only the symbol of political life in Prince William County, but one of the polling stations scattered through the county.

When the Courthouse was completed in 1822, the Commonwealth of Virginia had recently revised the *Code of Laws of Virginia*, which stipulated how elections would be conducted. Under the *Code of 1818*, the election of state representatives and senators were to take place during the court days scheduled in April. Similar to previous Codes, voters had to be white, male, and 21 years of age or older to be eligible to vote. A new provision removed the property requirement for the right to vote. If one owned or rented a house and twenty-five acres of land,

fifty acres of unimproved land, or owned or rented a city or town lot, he would be eligible to vote. The law also changed previous code so that a voter could only vote in the county where either his house was located or the majority of his land. Previously a voter could vote in as many elections as he liked provided that he had land in all the counties and could reach the polling place before it was closed. The law also made it compulsory for eligible voters to cast a ballot saying:

Any elector qualified according to this act, failing to attend any annual election of delegates, or of a senator, and if a poll be taken, to give, or offer to give his vote, shall pay one fourth of his portion of all such levies and taxes as shall be assessed and levied in his county the ensuing year.

The voting requirements would be codified in the 1830 Commonwealth Constitution. Like the *Code of 1818*, “the provisions, as finally adapted, were that all male, white, citizens under the previous laws could vote, and, in addition, the owner or tenant for years of a \$25 freehold in land, or a \$20 leasehold, and a housekeeper or head of a family, paying taxes, in an incorporated town could vote.”

While the right to vote was expanded under the 1830 Convention, there were still restrictions on which white males had the right. It was not until a new State Constitution was passed in 1850 that all white males over the age of 21, regardless of social status or property, could vote. African-American men were extended the right to vote after the Civil War and women were illegible until the 19th Amendment was passed in 1920.

Lawyer’s Bench

County Court vs. Circuit Court in Antebellum Virginia

There were two different types of courts held in the Brentsville courthouse, both of which had overlapping jurisdiction. The county court met monthly while the circuit met twice a year, usually in spring (April or May) and fall (September or October). The county court was presided over by at least four, and up to twelve, county Justices of the Peace. The circuit court had two professional judges rotating to various counties, so while it was possible for both judges to sit on a circuit court session, the most common practice was for one judge to preside.

The county court had two different sessions, a quarterly term and a monthly term. Every four months the county court convened what was known as the quarterly term while the remaining months constituted monthly terms. The major differences between these terms were that a monthly court could convene for a maximum of 6 days after the court day was appointed while a quarterly court could convene for a maximum of 12 days.

Under Virginia law, county courts could preside over both criminal and civil cases, though there were restrictions on the particulars of the cases this body could hear. The county courts could only rule over civil cases that had a value of \$20 or under. For criminal cases, the county court could preside over any case except cases in which a free black Virginian was charged with murder or if a white defendant could be sentenced to the state penitentiary or to death. Whichever case the county court was barred from ruling over was automatically the domain of

the circuit court. However by 1860 the county court would hear the preliminary hearings in criminal cases for the circuit court, which would then be forwarded to the circuit court.

The circuit court had overlapping jurisdiction on the county court. Any criminal or civil case could be argued in front of a circuit court if the circuit court coincided with a county court. In 1860 Prince William was included in the ninth circuit which also included Stafford County, Alexandria County, Fairfax County, Loudon County, Fauquier County, and Rappahannock County. Under the 1860 state law, the ninth district court was to meet in Prince William on the second Monday of May and the second Monday of October. Since there was a set schedule for the circuit courts that regulated when the circuit court would move to the neighboring county, if there was unfinished business when the circuit judge moved, a special term could be appointed.

Sheriff Box

Race in Antebellum Virginia

Virginia has had a complicated racial history. The first law that defined race in Virginia was a law passed in 1705. The 1705 law created the legal definition of a mixed race person or “mulatto” which was a person with at least 1/8 African ancestry (parent, grandparent, or great-grandparent). Subsequently the law was revised and in 1785 a new law changes the legal definition to at least 1/4 African ancestry (1 grandparent). After the Civil War one was legally identified as African-American (black) if they had “one drop” of African heritage meaning one African-American relative regardless of how distant. While the legal definition of a mixed race person was amended, under state there were only two legal races in Virginia, white and black. So while a legal definition of a mixed-person was created, it was not an officially recognized by the state as a separate race.

With a convoluted racial structure in place, defining race quickly ended up being decided by the courts. In 1805 the Virginia Supreme Court ruled that if individuals suing for freedom appeared to be white the legal assumption was that they were free (as stated under the Virginia Bill of Rights) and the burden of the proof lay with the person claiming them as slaves. If those suing for freedom appeared to be black, they were legally presumed to be slaves and had to prove that they were not.

In 1833 the state passed a law that allowed county courts “upon satisfactory evidence of white persons being adduced” to “grant any free person or mixed blood resident within such County, not being a white person nor a free negro or mulatto, a certificate that he or she is not a free negro or mulatto; which certificate shall be sufficient to protect and secure such person from and against the pains, penalties, disabilities and disqualifications, imposed by law, upon free negroes and mulattoes, as free negroes and mulattoes.” The new law also stipulated that all blacks, free or enslaved, would be punished the same, mainly by public beatings. It is interesting to note that this law created a new mixed race that had no recognition in Virginia law; there were still only two legally recognized races in Virginia, white and black. As a result this law created much confusion. The mayor of Richmond defined this “not a negro” law as being exempt from carrying free papers, from being sold into slavery for nonpayment of taxes, from restrictions on leaving and reentering Virginia, but argued that one was not white but

should be looked upon as privileged free blacks. Like the mayor of Richmond, it was up to the local governments to make the distinction if a person was not white, black or mixed race.

With these vague definitions of race, it was not uncommon for the racial line to be blurred and for individuals to cross that line. In 1839 Alfred Walker was able to successfully petition the Prince William County court to change his racial status from black to white. After proving that his parents were white, the Court agreed with Walker and changed his racial status to white.

After the American Civil War, with the destruction of chattel slavery, racial definitions in Virginia hardened, with the passage of the “one drop rule”.

Courthouse Floor

Secession Crisis in Prince William County

During the Secession Crisis of 1860-1861, Prince William County played an important role in shaping the course of events that led to the secession of the state. After the Deep Southern states had seceded but prior to the firing on Fort Sumter, Virginia held a Secession Convention in Richmond, to address the future of the Commonwealth. Each county within the state was represented.

To select the delegate that would represent Prince William County at the Secession Convention, the County was divided into several precincts from which ten local delegates were elected and sent to a county convention held at the Brentsville Courthouse on April 1, 1861. During this local convention a series of resolutions were passed, including one that demanded that the county and the state secede from the Union immediately and join the newly formed Confederate States of America. To ensure that the secession resolution received widespread circulation within both the county and the state, the local convention sent this resolution to the major Alexandria and Richmond newspapers. The final order of business before the convention closed was the election of Eppa Hunton, Commonwealth Attorney for Prince William County and Brentsville resident, as the representative of Prince William County to the Richmond Secession Convention.

Furnishing Plan

Courthouse

The courthouse has seen substantial modification over the years. In 2006 the interior of the building was restored back to a circa 1822 appearance based on Dr. Carl Lounsbury's analysis of the architecture features. Reflecting a typical early 19th century courthouse, the rooms are very utilitarian. Through research and physical evidence, the various functional areas of the courtroom have been reconstructed. The goal of furnishing the courtroom as an active courtroom will require several reproduction personal items reflecting the time period and functional furniture. No piece original to the Brentsville Courthouse will be used in this space as it is to be a fully interactive space.

County Clerk of the Court

The Clerk of the Court served a very important role in the 19th century County justice system and government. Located in front of the Magistrates Bench, the Clerk kept records of the court cases, meeting minutes, decision and other various court business activities. He also advised the Magistrates on law and judicial procedure.

Clerk's Table

A reproduction 5' x 2' table reflecting an early 19th century style will be used to represent the Clerk's Table. A reproduction will allow the use of this table during court programs.

(Patrick Henry Arguing the Parson's Cause, George Cooke, c. 1834)

Quill Pen

Four white quill pens.

(Patrick Henry Arguing the Parson's Cause, George Cooke, c. 1834)

Ink Well

One ink well with four slots to allow extra quill pens to be stored vertically.

(Patrick Henry Arguing the Parson's Cause, George Cooke, c. 1834)

Powdered Ink Packet

Two packets of powdered ink.

(Patrick Henry Arguing the Parson's Cause, George Cooke, c. 1834)

Pounce

One tin pounce

(Patrick Henry Arguing the Parson's Cause, George Cooke, c. 1834)

Sealing Wax

One stick of red sealing wax

(Patrick Henry Arguing the Parson's Cause, George Cooke, c. 1834)

Loose Laid Paper

Five sheets of white laid paper scattered onto the clerk's desk
(*Patrick Henry Arguing the Parson's Cause*, George Cooke, c. 1834)

Court Minute Book

Two bounded court minute books
(*Patrick Henry Arguing the Parson's Cause*, George Cooke, c. 1834)

Red Tape

One spindle of red tape for documents
(*Patrick Henry Arguing the Parson's Cause*, George Cooke, c. 1834)

Small Bible

The clerk was the only professionally trained official employed by the county court, one of the duties that was assigned to this position was the swearing of oaths for both criminal and civil cases. For the swearing in of testimony a small bible would have been present, like the 1853 bible in the site collection.
(Lounsbury 155)

Lawyer's Bar

Bench (2 rows)

Based on historical precedents and the 1837 drawing of the Brentsville courtroom, the design of the lawyers' bar would have contained two rows of benches, the center row divided to provide access to the upper tier of seats.
(Lounsbury)

Saddlebags

In an 1835 *Virginia Gazette* article which described the town of Brentsville, it noted that the County seat contained the residences of 3 lawyers. While a small, rural community, 3 lawyers would not have been sufficient to oversee all of the town's legal needs. As a result, lawyers coming from other parts of the county, such as the previous county seat of Dumfries, or from the surrounding cities of Alexandria or Fredericksburg would have travelled to town to argue cases. Travelling moderate distance on horseback, all the required papers for the case more than likely would have been enclosed in the rider's saddlebags, which would have likely been brought inside the courtroom.

Sheriff's Box

Cane Chair

One simple chair for the Sheriff to sit on. As an officer of the court tasked with keeping good order, the Sheriff and a deputy would have been stationed on the boxes. With cases lasting half a day, a chair would have been present in the box to allow the court officer some rest. Since the Sheriff was an elected position filled by a prominent member of the community, the Sheriff's chair should be more ornate than the deputy's chair.

(Lounsbury)

Shelf

One shelf to support the papers of this executive officer of the court

(Lounsbury)

Sheriff Deputy's Box

Cane Chair

One utilitarian chair for the sheriff deputy to sit.

(Lounsbury)

Public Gallery REPRODUCTION PIECES

Fry-Jefferson Map

Completed in 1753 by Peter Jefferson and Joshua Fry, this map shows the extent of European settlement during the colonial time period. Nearly 70 years old by the time that the Brentsville courthouse was constructed. While outdated, the map showed adequate detail of the Commonwealth from the Tidewater to the Blue Ridge. As a result this map was still in use in the Fluvanna and Buckingham Courthouses in the 1820s.

(Robert Orrison)

Wood 1820 Prince William County map

This map was completed by John Wood in 1820 as part of a statewide survey. It would eventually be incorporated into Herman Boye's 1826 map of Virginia.

(Library of Virginia)

Andirons

During the time period when burning wood was the primary source of heating structures, andirons would have been present at the base of the fireplace to ensure that all burning wood remained in the fireplace.

Jury Room (large room) – REPRODUCTION PIECES

Large table

For jury deliberations, a nondescript table would have been furnished inside the room (Lounsbury)

Twelve chairs

Simple chairs for the jury to sit on while deliberating, which had replaced the benches from the colonial time period.
(Lounsbury)

Andirons

During the time period when burning wood was the primary source of heating structures, andirons would have been present at the base of the fireplace to ensure that all burning wood remained in the fireplace.

Framed image of George Washington above fireplace

In the early 19th century the most revered man in the United States was the late George Washington. His role as army commander during the American Revolution and the first President of the United States created a large part of American public memory and identity. With his high place in American society, images of Washington would have been found in the majority of public and private spaces in the early 19th century. One of the most popular images of George Washington was The Portrait of George Washington by Gilbert Stuart. In a room housing the jury an image of Washington would have been likely found, as he was the prime role model for an American's civic duty.

Clay tobacco pipes

In the early 19th century tobacco was a popular pastime for men in the United States. In public spaces such as taverns, oyster bars, and even courtrooms, the use of tobacco would have been a common occurrence. During this time period the most common forms of tobacco use would have been smoking in a pipe or chewing.

Spittoon

In the early 19th century tobacco was a popular pastime for men in the United States. In public spaces such as taverns, oyster bars, and even courtrooms, the use of tobacco would have been a common occurrence. During this time period the most common forms of using tobacco would have been smoking it in a pipe or chewing it. For men chewing tobacco in interior spaces, a spittoon would have been in place in order to keep the floors clean as possible.

Magistrate Room (small room) - PERIOD ARTIFACTS/PIECES

Slant desk

A slant desk would have been present in this space for use of the magistrates and for use of the County Clerk.

(Lounsbury)

Scattered Loose Paper

“Each county clerk accumulated thousands of sheets of loose paper and dozens of bound record books, published laws, and judicial handbooks.”

(Lounsbury)

Side table

An area that could have been utilized as a more private space for the county magistrates, the side table inside this space would have been more ornate as fitting the magistrates’ social and political status. On the table should be glassware and flatware to show the space as a private area for magistrates to use.

(Lounsbury)

Gentleman’s Top Hat

As a space that would have been utilized by the county magistrates, this would be a room in which members could store their outer garments while seeing to their duties inside the building.

Gentleman’s coat with a high shawl collar

As a space that would have been utilized by the county magistrates, this would be a room in which members could store their outer garments while seeing to their duties inside the building.

Gentleman’s walking cane

As a space that would have been utilized by the county magistrates, this would be a room in which members could store their outer garments while seeing to their duties inside the building.

Three empire-style chairs, one for desk and two for side table

As a space that could have been utilized as a more private space for the county magistrates, the chairs inside this space would have been more ornate as fitting the magistrates’ social and political status.

(Lounsbury)

Framed copy of The Apotheosis of Washington engraving by John James Barralet

In the early 19th century the most revered man in the United States was the late George Washington. His role as army commander during the American Revolution and the first President of the United States created a large part of American public memory and identity. With his high place in American society, images of Washington would have

been found in the majority of public and private spaces in the early 19th century. One of the most popular images of George Washington was *The Apotheosis of Washington* by John James Barralet. In a room housing county magistrates an image of Washington would have been likely found, as he was the prime role model for an American in public life.

Mirror

As a private space for the County magistrates, a mirror more than likely would have been present inside the space.

Andirons

Completed during the time period when burning wood was the primary source of heating structures, andirons would have been present at the base of the fireplace to ensure that all burning wood remained in the fireplace.

Appendixes

Appendix 1

Interpretative/ Tour Outline

Visitors to the Brentsville Courthouse Historic Center should be presented with a clear and objective interpretation of Brentsville and Prince William County's history within the larger context of Virginia and United States history. Tours, exhibits, and signage for the Courthouse should be written with the five objectives in mind: migration in Virginia, county government in 19th century Virginia, voting in antebellum Virginia, county court procedure in 19th century Virginia, and race in antebellum Virginia. The Courthouse Interpretive Plan coincides with the Prince William County Historic Preservation Division Interpretive Plan and the overall site interpretive plan of Brentsville Courthouse Historic Centre.

Tours of the Courthouse will reflect the individual who is leading the tour but should touch on each of the interpretive objectives. Individual interests are encouraged as a means to give varied and diverse tours. A basic tour outline should be as follows:

Stop 1- Interior of Courthouse in the stone covered entrance.

[Historical background, movement in Virginia, slave auctions]

In 1820 the construction of the new Prince William County courthouse in Brentsville was the result of over forty years of effort. Prior to the American Revolution the county's courthouse was located in Dumfries near the Potomac River. While an eastern location served the local population well for most of the 18th century, by the time of the Revolution, more and more settlers were venturing into central and western parts of Prince William. The residents of these newly settled sections of the county were annoyed that they had to travel to the other end of the county for court or government duties, which could be time consuming given the primitive nature of most of the county's roads. By 1776 residents of the county had started to petition the state to move the county seat to a more central location. It was not until 1820 that the state acted on these petitions and moved the county seat to Brentsville. The movement of the courthouse was a microcosm of the western movement and settlement happening in the rest of the country. While many people resettled in the western parts of the county or the state, many more Virginians left the commonwealth for new states. The emigration of some of Virginia's leading sons and daughters proved to be an economic and political drain on the state that led to stagnation in the state for the first half of the 19th century. While many individuals moved westward on their own free will, many other Virginians were forced to relocate west after being sold. Many enslaved Virginians were auctioned off in front of the courthouse here and transported either to Alexandria or Richmond to be moved further south.

Stop 2- Clerk of the Court desk

[19th century law, voting, legal definition of race in Virginia]

The courthouse is restored to what we think the interior would have looked like when the courthouse was constructed. During this time period there were two different types of courts. The county courts typically presided over misdemeanor criminal and low civil cases. Magistrates did not have to have formal legal training for their position and anywhere from 3 to 13 magistrates would preside over a case. While they served on court cases, magistrates also effectively ran the county government until the Board of Supervisors was created after the Civil

War. For serious criminal or civil cases, the trial would be held in a circuit court, which met at the courthouse twice a year. Instead of the magistrates, a state appointed judge with legal training would preside over the case. In both types of courts the clerk of the court would sit at the desk to transcribe everything that was said while the jury sat on either side of him on the narrow bench. Lawyers would occupy the center platform while the sheriff and his deputy would occupy the boxes to either side to provide courthouse security. Any witnesses or defendants would just stand in the center of the courthouse; it wasn't until the 1840s that a special spot was constructed for their use.

One of the uses for the courthouse at Brentsville was as a polling place. For much of the 19th century voting would have taken place inside the building, but the procedure would have been very different from what voters experience today. The most glaring difference was the absence of private polling boxes. Instead of secretly voting for a candidate, voters would come to the courthouse and vote by voicing in public their desired candidate. After the voter had spoken, his vote was recorded by his name and the poll book was left open to the public in the courthouse for a day for anyone to examine. When the courthouse was originally built, only a few residents of the county were eligible to vote. A voter must be white, male, over the age of 21 and own a certain amount of farmland or town lot. The requirements would be changed over the years but it wouldn't be until 1850 that universal white male suffrage became a reality in the commonwealth.

Prior the Civil War there was only two legal races in Virginia, white and black. This proved to cause some confusion for the legal status of being of mixed heritage. This legal haze allowed individuals to officially change race prior to the Jim Crow era and the one drop rule, that one was legally African-American if they had a black ancestor, no matter how distant. This phenomenon is best illustrated by the case of Alfred Walker who in 1839 was able to successfully petition the Prince William County court to change his racial status. After proving that his parents were white, the Court agreed with Walker and changed his racial status from black to white.

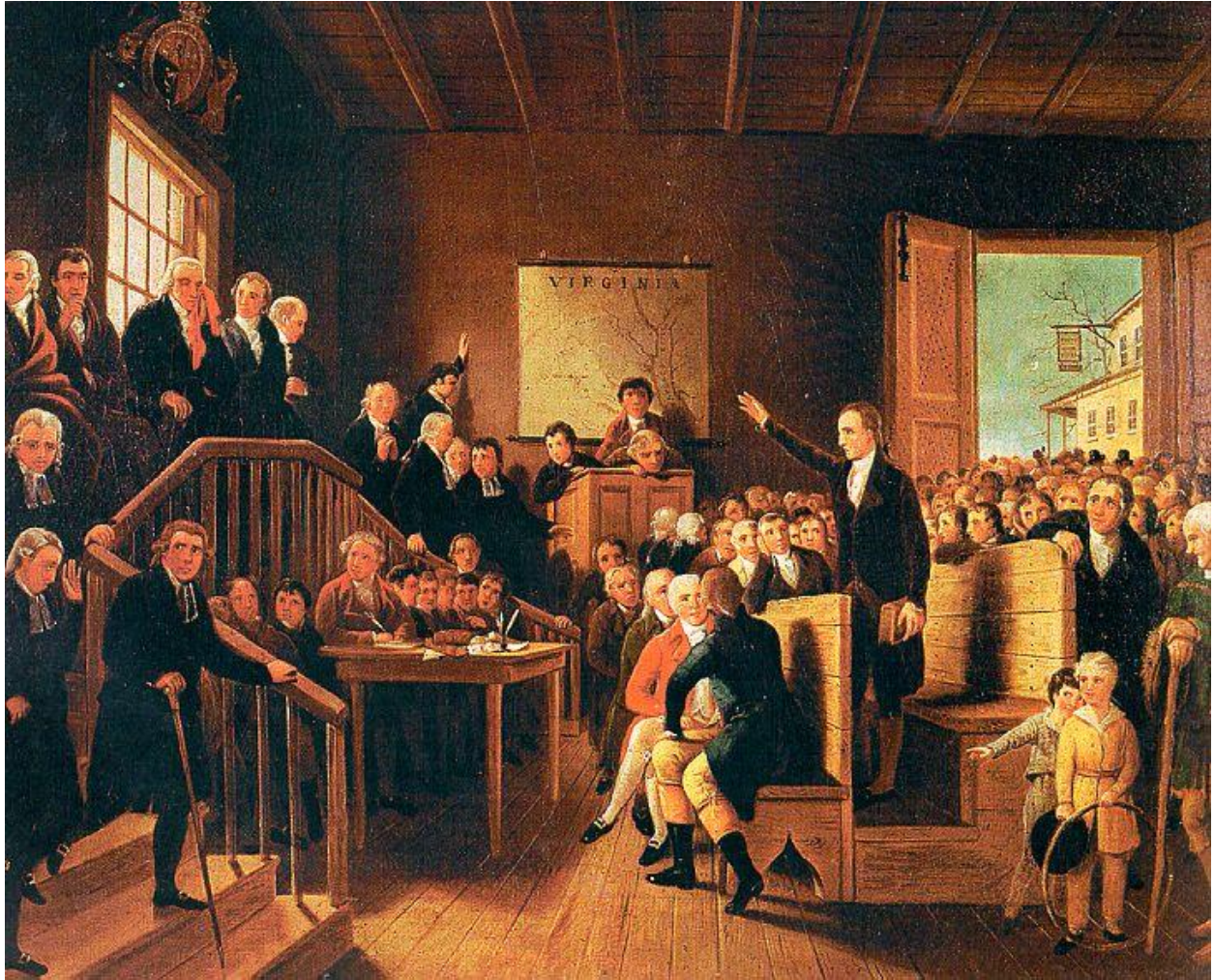
Stop 3-Upstairs **[Magistrates, Jury]**

The smaller room to the left is a room to be used by the justices of the peace, also known as magistrates. These men effectively served as all three branches of local government. Presiding over the county court, the magistrates set taxes and decided which infrastructure projects would receive tax money. Holding incredible power in the county, magistrates were not elected by their fellow citizens. Instead when a vacancy opened, the surviving magistrates would determine two or three candidates as a replacement and sent that list to the governor who then selected one who was appointed for life.

The larger room to the right would serve as a room for the jury to deliberate. The furnishing of the room reflects older furniture that was moved to Brentsville from the old courthouse in Dumfries. Similar to people today, some residents of the county were displeased with being summoned to jury duty and did not to show up. Normally the individual would have been fined.

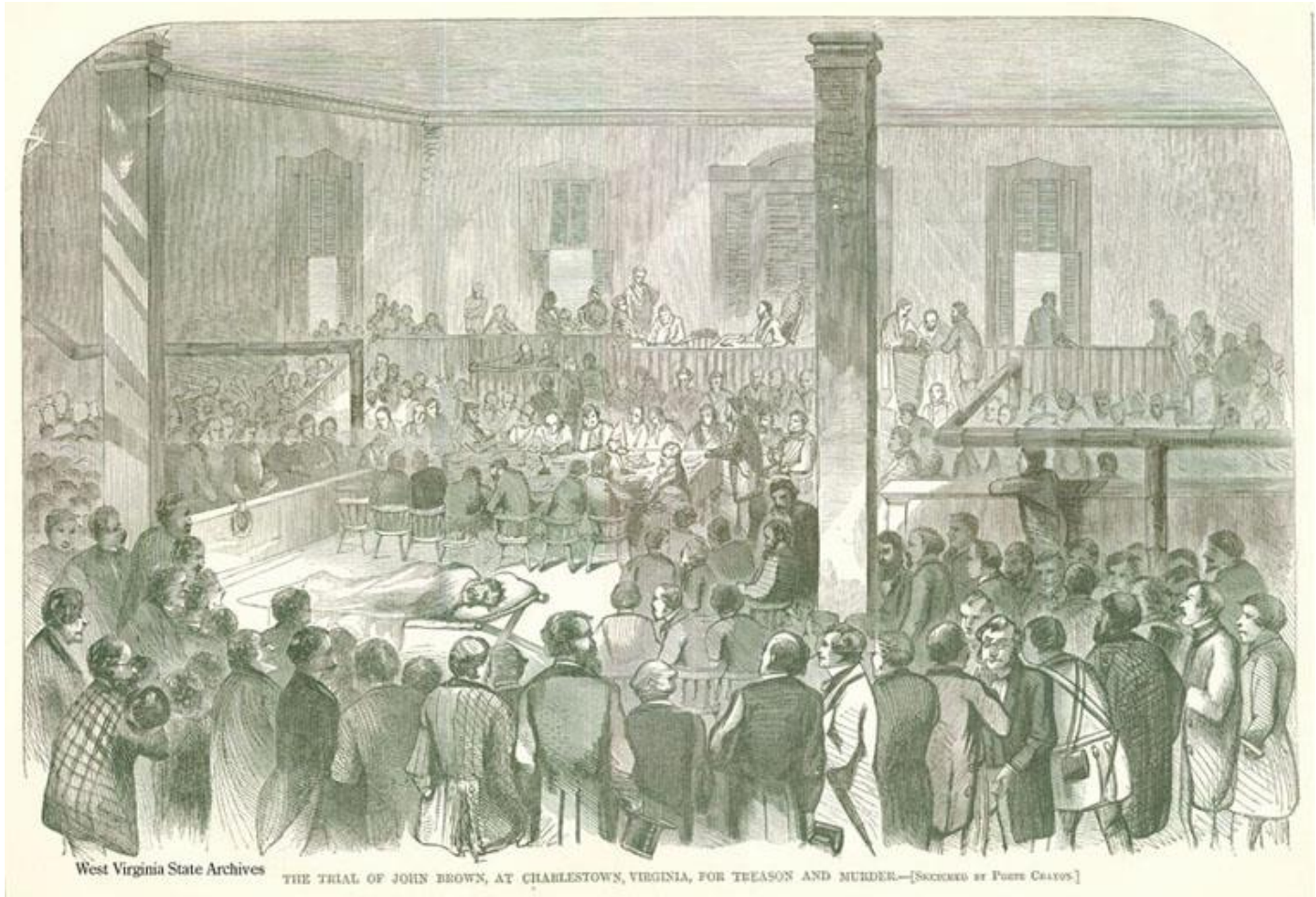
Appendix 2:

Patrick Henry Argues the Parsons' Cause. 1834 by George Cooke (Virginia Historical Society)



Appendix 3

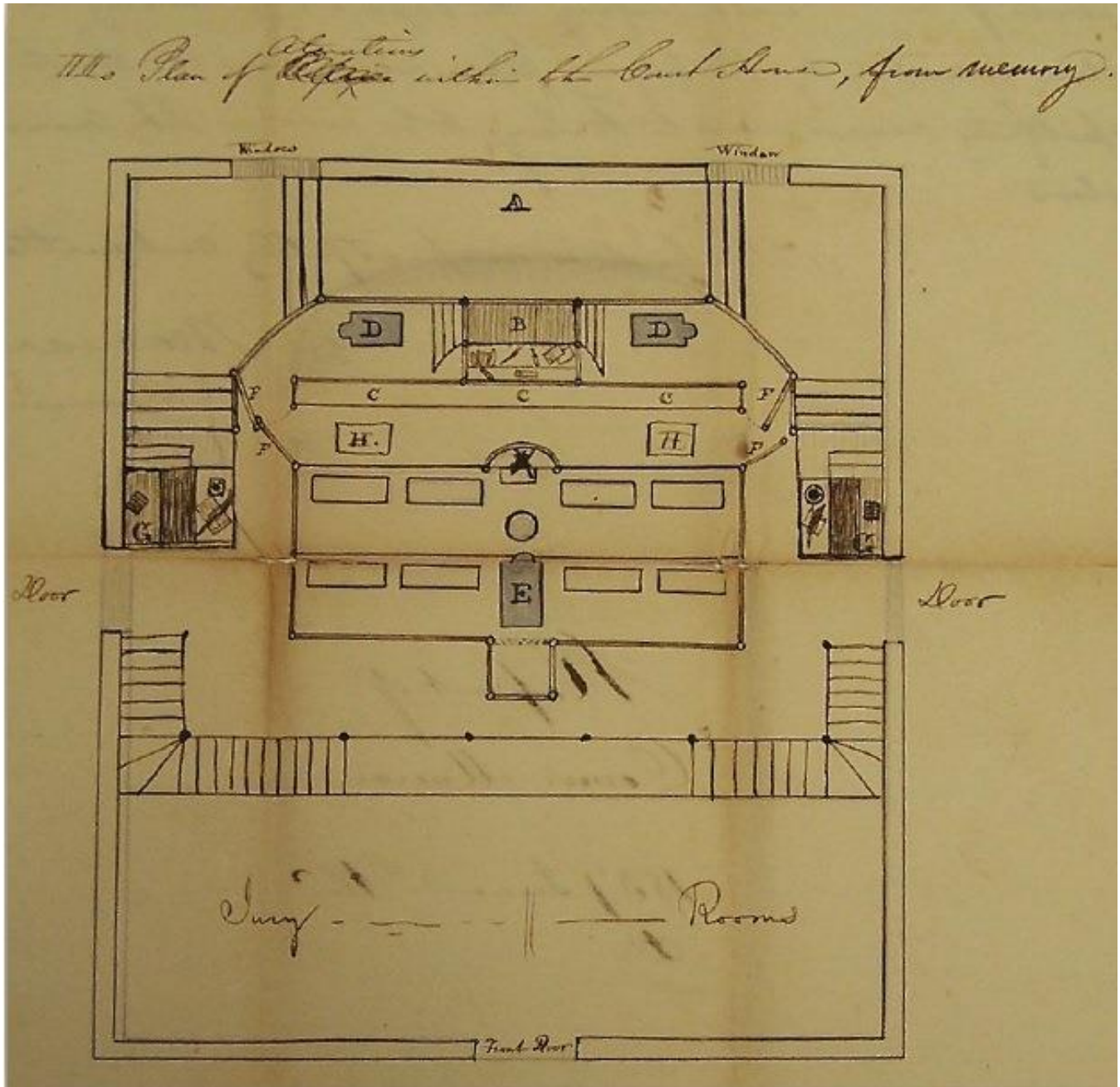
Trial of John Brown, Harper's Weekly November 12, 1859



West Virginia State Archives THE TRIAL OF JOHN BROWN, AT CHARLESTOWN, VIRGINIA, FOR TREASON AND MURDER.—[SKETCHED BY FORTS CRAYON.]

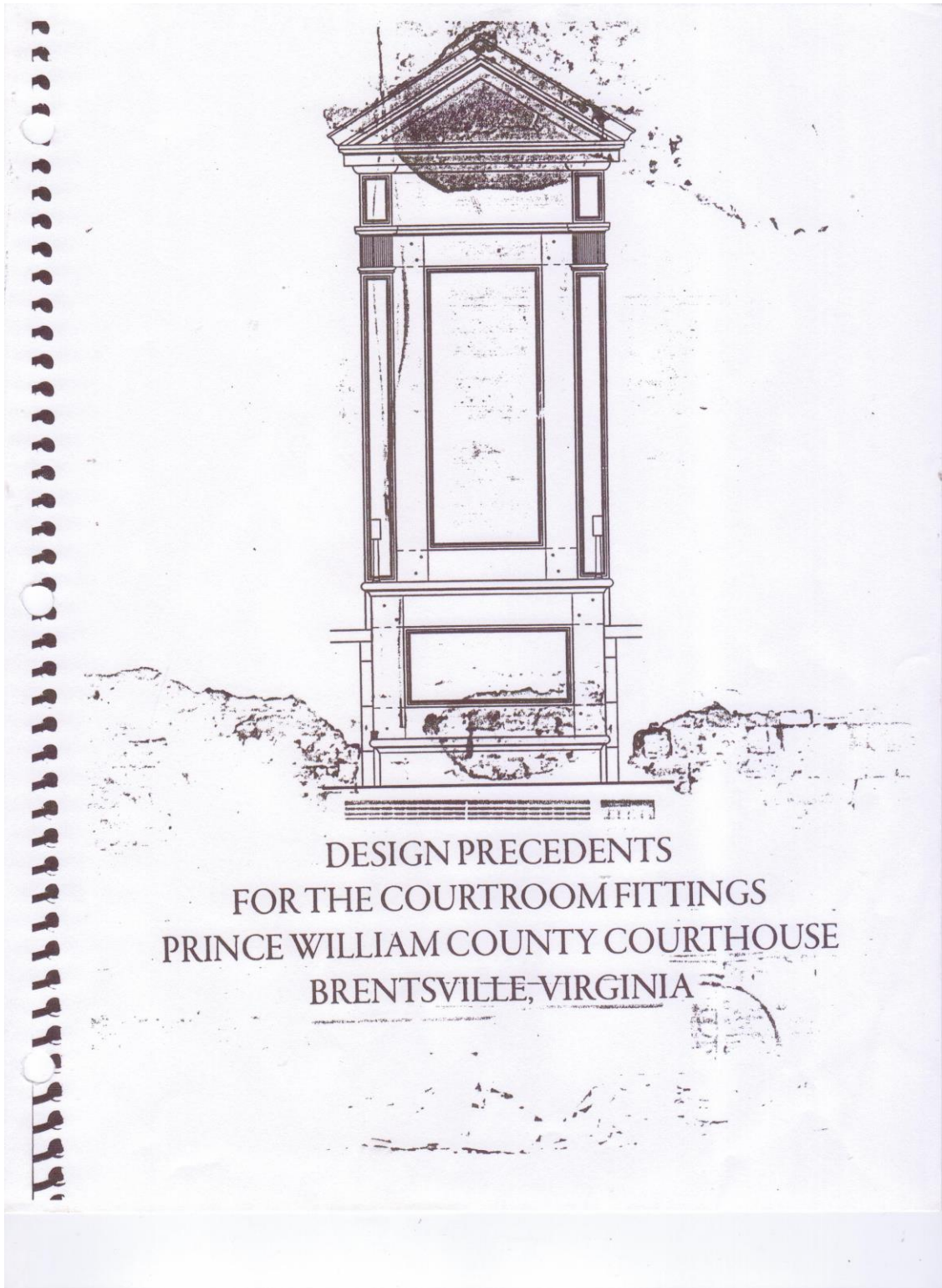
Appendix 4

1837 MaCrae Plan



After the Courthouse was completed in 1822, it was not long that court officers felt that the courtroom required significant modifications. In 1837 this proposed floor plan was submitted to the County. However there is no documentary or architectural evidence that the 1837 modification was ever implemented.

Appendix 5



**DESIGN PRECEDENTS FOR THE COURTROOM FITTINGS
PRINCE WILLIAM COUNTY COURTHOUSE
BRENTSVILLE, VIRGINIA**

Text by Carl Lounsbury

Fieldwork and photography by Carl Lounsbury and Jeff Klee

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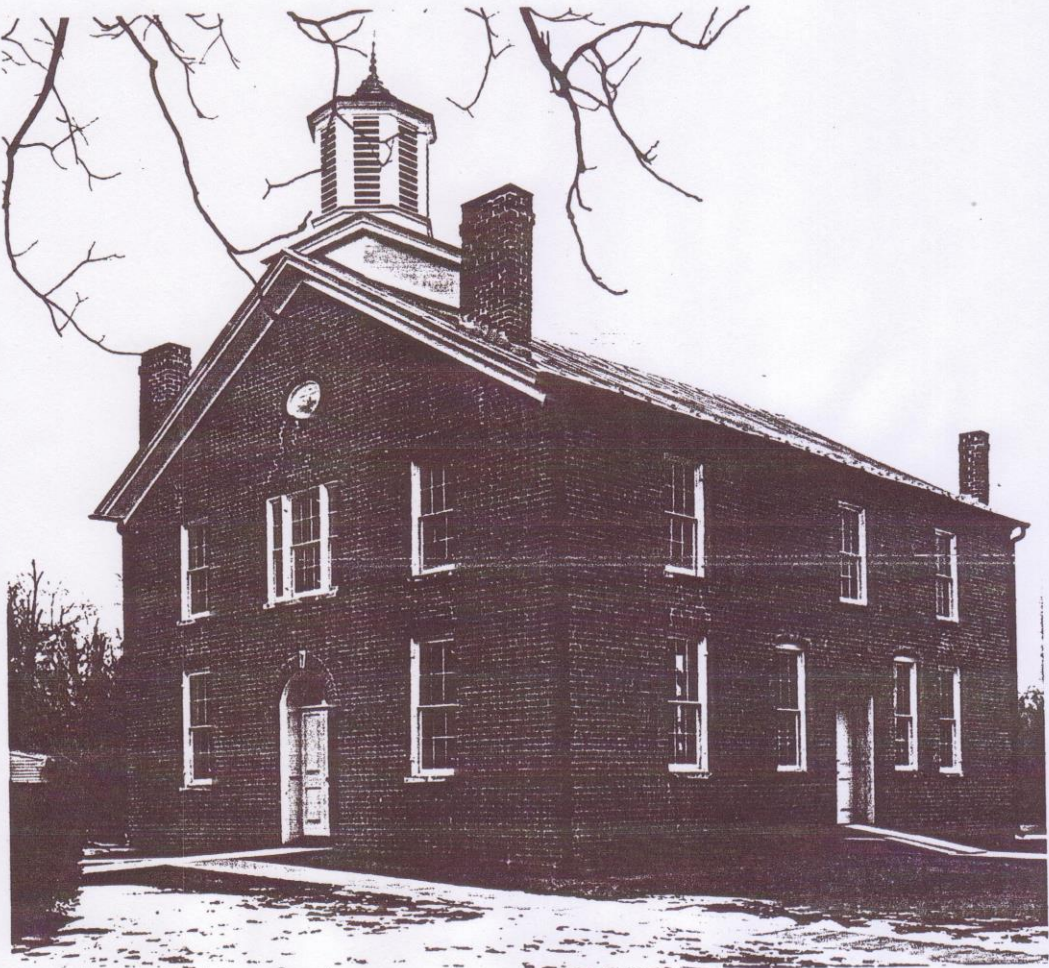


Figure 1. View of courthouse from southwest, 2005.

Introduction

Standing on public ground on the east side of Route 619 in the small community of Brentsville, the former Prince William County courthouse served as the locus of local government from its completion in 1822 until the seat of justice was moved to Manassas in 1894. Measuring 46 by 36 feet, the two-story brick building is similar in plan to dozens of early nineteenth-century courthouses built in Virginia. Antebellum visitors entered the courthouse through an arched double door on the west front gable end,

which was accentuated by a small bell turret. Inside they gazed upon a raised platform on the east wall where the magistrates sat in session upon a long bench that stretched across the entire courtroom. Various court officials sat below the justices of the peace on specially built benches and were separated from the public by a balustrade railing that ran across the middle of the courtroom. Public spectators, who stood at the back of the courtroom on a paved stone floor, would have noticed in the center of each of the long side walls another set of doors. The one on the north led to a small clerk's office while the other one was used to bring prisoners into court from the two-story brick jail that stands a few yards to the south. Just west of

Brentsville Courthouse

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these doorways, staircases rose along the long walls to a second-floor gallery, which overlooked the two-story courtroom and provided access to two jury rooms in the front part of the second story. Within these spaces for more than seventy years, Prince William County citizens heard and settled issues that affected their community and their lives.

Over those seventy years, the courtroom was anything but static. Scarcely a decade after the courthouse had been finished, the magistrates realized that the original arrangement of the courtroom had a number of shortcomings, which they sought to improve through altering the arrangement of the fittings. No doubt, the magistrates probably found their low platform a hindrance as they may have had a hard time seeing and hearing lawyers, witnesses, and others in other parts of the courtroom. The clerk too, may have complained about being jostled in his seat, which was connected to the jury bench just below the magistrates' platform. From the 1830s through the Civil War, the justices tried to overcome the defects of the original courtroom layout. They ordered the rearrangement of the magistrates' bench by raising it two feet higher along the east gable wall, sought to enhance the clerk's seat just below the platform in order to better segregate it from the jury bench, and tried to revise the lawyers' bar. As Pamela Sackett's review of the county court minute books reveals, dissatisfaction with the original design led to a plan in 1837 that called for significant changes to the courtroom fittings.¹

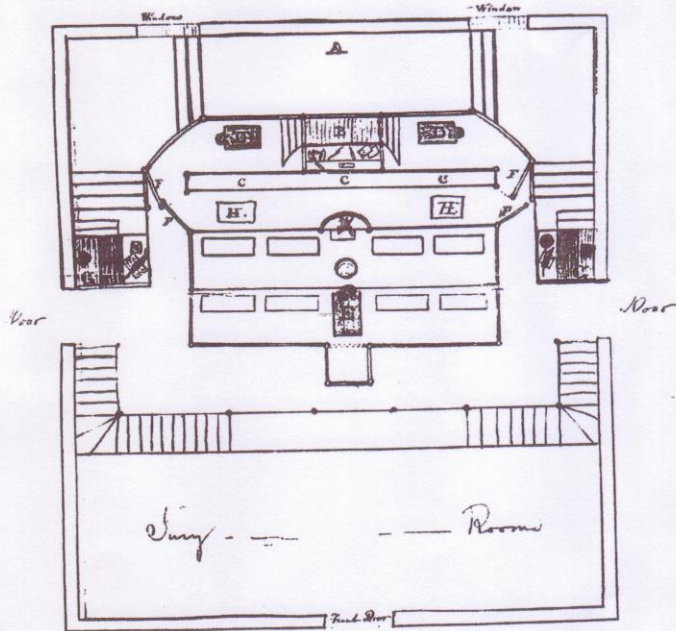
An elaborate drawing of the revised courtroom along with detailed specifications provided the guidelines for improvement (figure 2). However, did court

Figure 2. 1837 drawing of changes proposed for Prince William County courthouse.

2

officials follow through with this plan? Did they make the necessary changes that would have alleviated some of the problems with circulation, sight lines, and heating? As Sackett has noted, the court records would suggest that nothing so sweeping occurred in the late 1830s. Yes, some improvements were made to the courtroom, as court orders and accounts indicate from the 1840s and 1850s, but probably not along the lines that were drawn up in 1837. In 1840 alterations were made to the arrangement of the magistrates' bench. The original chief magistrate's chair may have been removed and replaced by an arm chair (certainly in place by 1846) and the associate magistrates' bench was cut and divided into two sections on either side of the presiding justice's chair. In 1846 the lawyers received better seating as their narrow benches were replaced by a dozen "sitting chairs." The clerk's table received a railing that enclosed the space for the chief recording officer of the court, and the jury bench was partitioned to reduce the confusion that seems to have arisen from the original arrangement.²

The Plan of alterations within the Court Room, from memory



Brentsville Courthouse

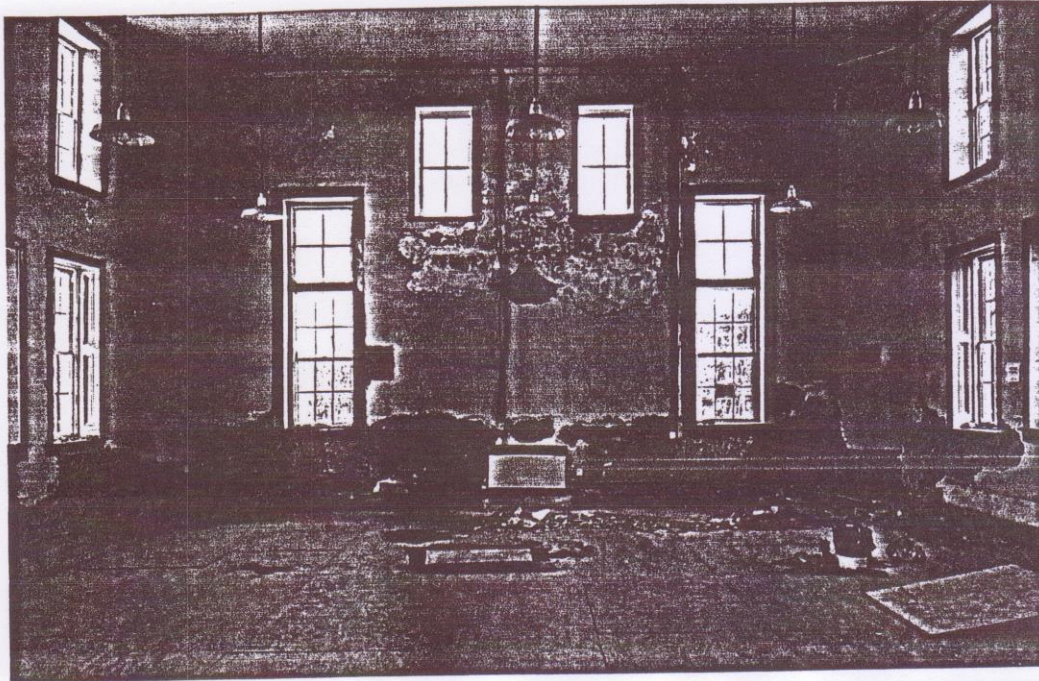


Figure 3. Overview of interior, looking east, before renovations, 2005.

The Civil War disrupted the lives of most Prince William County residents as the two contending sides and their partisans roamed this much contested region. Though no battles were fought in Brentsville, troops passed through and briefly occupied the town and caused damage to the public buildings including the courtroom fittings. Apparently, the clerk's office, located just to the north of the courthouse, was destroyed. By the last years of the war, the orderly function of the county court had all but ceased. Because of war damage, the court moved to a temporary location in a neighboring church so that the courthouse could be repaired and a new clerk's office be erected inside the courthouse.

The adoption of the Underwood Constitution in 1869 replaced the old county court system with its multiple justices of the peace, which necessitated the rearrangement of courtrooms to accommodate a single magistrate's chair and platform rather than a corporate bench. The Prince William County Board

of Supervisors, the successors to the justices of the peace as the administrative arm of local government, was obliged to change the fittings in the courthouse to meet the requirements of this new system. Thus by the time Prince William County government moved to its new quarters in Manassas in the early 1890s, the old courthouse in Brentsville had undergone a number of alterations. Few if any of the original fittings that had been installed according to William Claytor's design in the early 1820s had survived into the 1890s.

Following the removal of county government from Brentsville, the old courthouse was used as a school in the early twentieth century and then later as a community center. These new functions precipitated a number of changes to the physical fabric as a second floor was installed over the former courtroom space, new openings were added to provide light and access to classrooms, and the older staircase to the former jury rooms was reworked.³ Fittings and trim from the courtroom were removed to accommodate the new activities, leaving little but the shell of the building as a reminder of its original function (figure 3).

Physical Evidence for the Fittings

The architectural investigation of the interior of the Prince William County Courthouse in Brentsville focused entirely upon the courtroom fittings. This research built upon the investigations and design work conducted earlier by Doug Gilpin of Dalglish, Gilpin, & Paxton, Architects, of Charlottesville. Members of the Architectural Research Department of the Colonial Williamsburg Foundation supervised the systematic removal of existing interior plaster in selected areas of the courtroom in order to expose what evidence may have survived of original and later courtroom fittings. Over the course of three days in February and March, 2005, twentieth-century plaster was removed from selected spots on the east wall of the courtroom where the original magistrates' platform would have been located (figure 4). Modern plaster was also taken off portions of the north and south walls of the courtroom, east of the side doors where other fittings such as the sheriff's boxes and stairs to the magistrates' platform would have abutted. Many places in these targeted areas had several generations of late plaster on them as a result of remodeling in the early twentieth century and aggressive efforts many decades later to deal with moisture problems. As a result of these later interventions, some evidence of earlier fittings was degraded or obliterated.

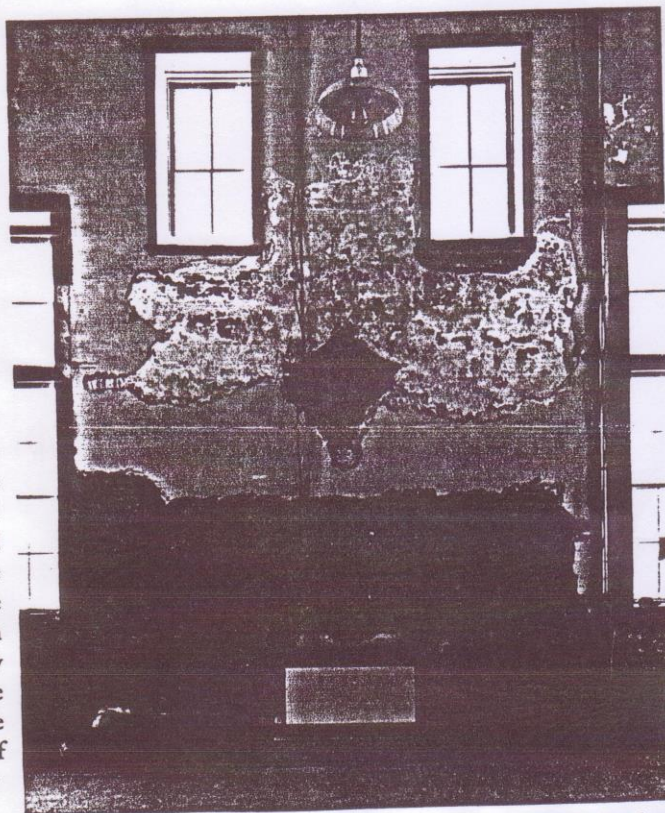
Previous archaeological testing inside the courtroom by members of the Center for Historic Preservation at Mary Washington College revealed that evidence of features that did not abut the perimeter walls of the courtroom was quite elusive. The original sandstone floor had been removed in most places and greatly disturbed elsewhere by the repair of the flooring in the twentieth century. The excavations did locate the stone base of

Figure 4. View of east wall with sections of modern plaster removed, 2005.

4

a column that had stood in center of the lawyers' bar in the antebellum period.⁴ That column appears in the 1837 plan for the refitting of the courtroom and was apparently installed earlier to help support a sagging roof.⁵ With the original flooring gone, there was little hope of discovering evidence for freestanding features such as the stoves, lawyers' bar, clerk's bench, jury bench, prisoner box, and witness stands. The 1837 plan contained two witness stands—new to Virginia courtrooms in the antebellum period—in front of the double-tiered lawyers' bar. It also showed a prisoner box at the back of the lawyers' bar. Without physical evidence for these features, however, it is uncertain whether they were constructed. Except for being noted in the 1837 plan, there is no further mention in the documentary record to suggest that they were ever installed.

Remarkably, the east wall retained clear evidence for the original chief magistrates' chair and a number



Brentsville Courthouse

of details about the height and construction of the magistrates' platform. Stripping the plaster below the window sill on the two side walls provided additional clues to the position of the stairs to that platform and possibly the location of one of the sheriff's boxes near the side doors. From these ghost marks and scars, a number of key elements in the courtroom plan can be recreated with some assurance. In addition, the survey of the bare brick walls suggests that the intended alterations of 1837 did not take place according to the plan and specifications.

Perhaps the most extraordinary feature to be revealed in the systematic plaster removal was the profile of the pediment of the chief magistrate's chair (figure 5). Situated in the middle of the east wall, approximately 16 feet 7 inches from the face of the north and south walls and standing 11 feet 2 ½ inches above the modern concrete subfloor of the courtroom, the apex of the original chief magistrate's chair is clearly visible. Original plasterwork envelops both sides of the pedimented profile, which defines the slope of the sides as well as the three-foot width of the tall paneled chair back below the pediment. In addition, a small residue of reddish-brown paint had spilled onto the plaster when the chair was first painted, providing evidence for the color of the original woodwork (figure 6).⁶

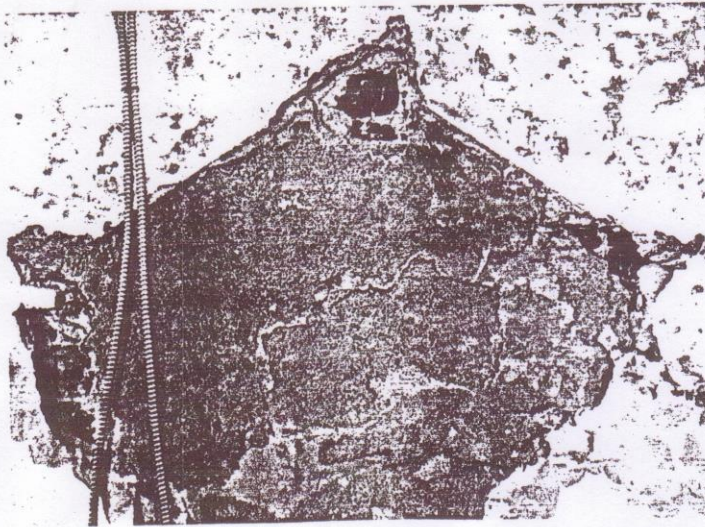


Figure 5. Plaster evidence for chief magistrate's chair in east wall, showing outline of pediment at top of the chair, 2005.

Brentsville Courthouse

The second definitive discovery was the height of the magistrates' platform. A series of regularly spaced joist pockets were found along the east wall (figure 7). The tops of the openings stood approximately 3 feet above the modern concrete subflooring. These pockets originally held the floor joists for the magistrates' platform, which extended across the full width of the room from the north wall to the south wall. The pockets measure approximately 4 inches in height, between 4 ½ and 6 inches in width, and extend into the wall approximately 3 inches. They were cut into the brickwork as the height of the holes span across parts of two courses. The pockets are located on approximate three-foot centers. The first joist pocket is located 6 inches from the brick face of the north wall and others continue in regular spacing except where they are interrupted by patching of new brickwork in the east wall, the result of twentieth-century doorways that had been punched in just below the original windows and then closed.

Perhaps the result of a later alteration in the post Civil War period, a second set of pockets appeared just above the original set. The tops of these are located approximately 3 feet 7 inches above the concrete floor (figure 8). The later pockets are slightly smaller than the originals and only one course in height. Unlike the lower ones, this second row is irregularly spaced. Some intervals are as much as three feet, but most are less than a foot. There is no clear explanation for this variation in the spacing. Many whole bricks as well as fragments located between these pockets were loosely set, suggesting that the entire course was cut back and then reset. All in all, this second, higher row of pockets has the appearance of the reworking of existing brickwork, unlike the lower set of joist pockets. The Prince William magistrates were clearly unhappy with the original arrangement of their platform and tried on several occasions to alter its elevation and configuration. The 1837 renovations, for example, called for raising the

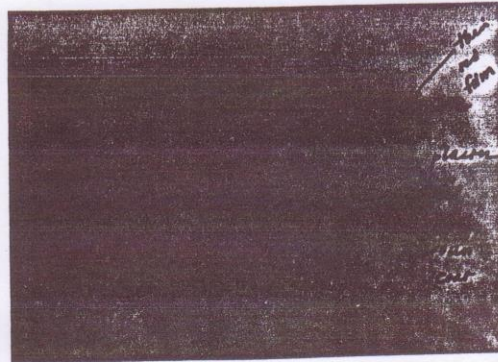


Figure 6A (left). Paint from slope of cornice of chief magistrate's chair—uncast sample at 50X magnification. Figure 6B (above). Paint from slope of cornice of chief magistrate's chair—cast sample in cross-section, in visible light at 125X magnification.

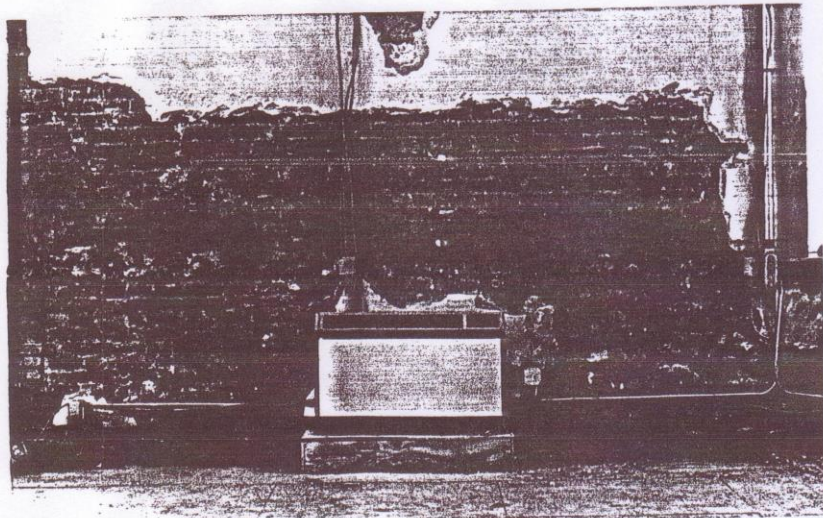
platform two feet above its current height. However, there is no indication in the brickwork of the east wall that they ever followed through with those plans. The half foot height difference between the lower row of pockets and the later upper ones may have been all that was achieved at some later time.

The height of the original platform conforms to standard practices that had evolved in Virginia in the eighteenth and early nineteenth centuries. Most courtrooms had magistrates' benches that stood between two and four feet above the courtroom

floor. The spacing of the joists on three foot centers is slightly wider than that used in the 1767 Chowan County, North Carolina, courthouse and the c. 1757 Charles City County courthouse where these framing members rested in the brickwork every two feet on center.⁷

Magistrates' platforms in early Virginia courthouses extended the full width of the courtroom. However, most colonial and antebellum ones were segmental in shape with the front part of the platform curved to form some part of a circle. The Prince William

Figure 7. View of exposed joist pockets. The second row of pockets in the brickwork is clearly visible about 1/3 of the way up the wall in the photograph. The original pockets, which have been carefully patched, are about one course of brick below these.



Brentsville Courthouse

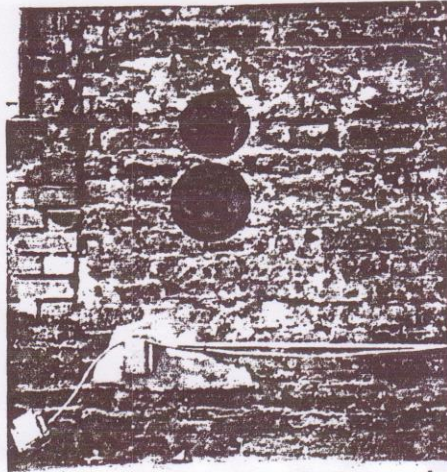


Figure 8. Detail of east wall, in location of magistrates' platform, showing joist pockets. The lower patch relates to the original platform; the upper hole to the later one.

wall but were straight (figure 9). Because early plaster had been replaced in the twentieth century along most of the north wall in the area below the window sill in an effort to repair moisture damage, evidence for the matching magistrates' staircase on the north wall has been obliterated. There is, however, a faint twelve-inch line of brown plaster running at an angle approximately two feet below the west jamb of the east window on the north wall that may be a ghost indicating the position of a north stair to the magistrates' platform. However, it does not perfectly align with the south ghost marks and so may represent a later period staircase.

County courthouse did not follow this precedent. Instead, the front of the four-foot wide platform extended straight across the 33-foot wide courtroom, making it unusually long. A staircase of four steps rose along each of the two side walls to the platform. An angled scar in the plaster along the south wall indicates the position and slope of the baseboard of the southern staircase and demonstrates that the corners of the magistrates' platform did not curve out from the east

On the north wall in the northeast corner of the building, previously hidden underneath the lower end of a twentieth-century stove flue, is a faint horizontal plaster line approximately 5 feet 2 inches above the modern concrete flooring. This line most likely represents the edge of the associate magistrates' bench seat where it terminated against the north wall. It extends out approximately one foot from the east wall and probably defines the depth of the associate

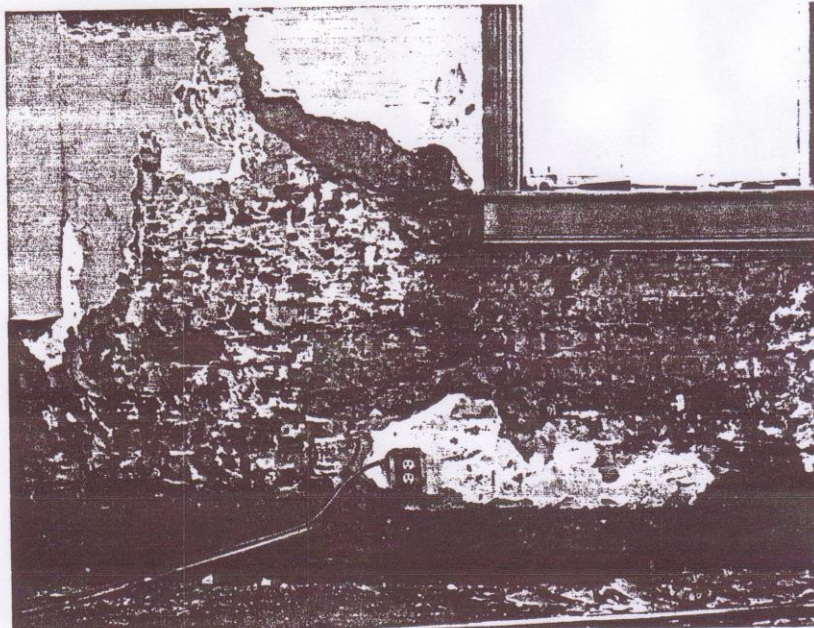


Figure 9. Detail of plaster residue in south wall showing profile of stair to magistrates' platform, 2005. The diagonal line that runs from the upper left of the image to the lower right shows the edge of a piece of molding that followed the rise of a short flight of steps.

Brentsville Courthouse

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magistrates' bench. The area above this line has traces of early plaster adhering to the brickwork, a clear indication that the area above the bench was plastered rather than paneled as was commonly done in many colonial courtrooms.

The removal of plaster on the north and south walls of the courtroom east of the central doorways allowed us to see if any evidence had survived for the sheriff's boxes. These boxes are depicted on the 1837 against the north and south walls just to the east of the central doors. Raised a few feet above the floor like the magistrates' platform, these boxes provided seating for the sheriff and one of his assistants during court session. From the box, the deputy sheriff, constable, or court crier kept a watchful eye on the assembled crowd during court sessions, maintained the peace, and sometimes called out the names of cases as they appeared on the docket. The deputy also prevented unauthorized persons from intruding upon the space reserved for the lawyers, witnesses, jurymen, the clerk, and justices in the front of the courtroom. The Prince William County court records indicate that at least one sheriff's box existed. In 1841 the court ordered that the deputy sheriff remain in the sheriff's box while the court was in session.⁸

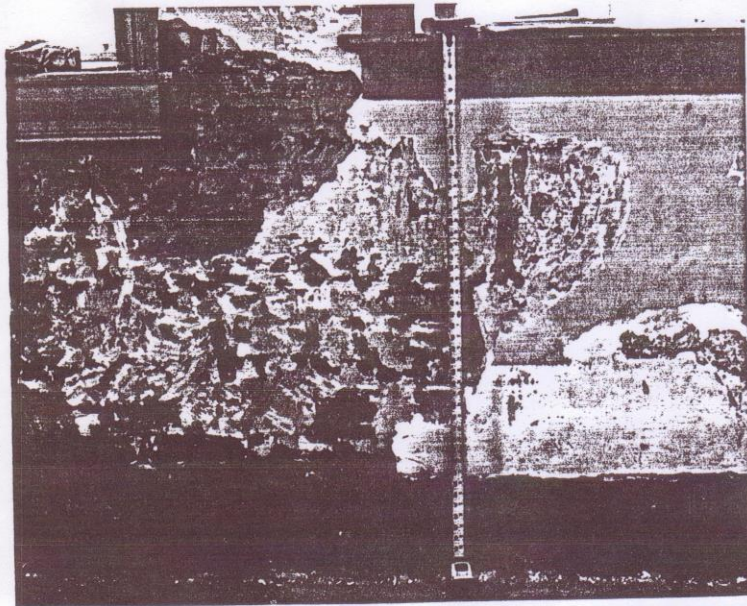
Slight evidence appeared for the location of the stair and perhaps the height of the flooring of the sheriff's box on the south wall. Eleven feet west of the east wall, a large patch of yellowish original plaster near the floor survives (figure 10). The eastern edge climbs in a very rough zigzag pattern toward the west for about fifteen inches, suggesting the rough outline of two risers and treads. Then at 12 feet 4 3/4 inches from the east wall and 2 feet 3 inches

Figure 10. Scar in plaster showing steps to sheriff's box, 2005. The line runs from the lower left of the image to below the window sill, stopping just to the right of the tape measure.

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from the concrete floor there is a very distinct vertical plaster line, which rises about 8 inches. It measures 1 1/4 inches in width and seems to be the ghost mark of a riser to the sheriff's box. Presumably, this is the last riser before the floor of the sheriff's box, which would be approximately three feet off the present concrete floor. Alternatively, instead of a riser, this ghost mark might be the lower part of the superstructure of the sheriff's box, perhaps a stile embedded into the wall. This ghost mark is located approximately 5 feet 2 1/2 inches from the south door opening. Original plaster around the doorway to the east of this scar had been replaced in the twentieth century so there is no further evidence of this feature. However, what little evidence that does survive seems to suggest the location, height, and depth of the sheriff's box. Unfortunately, the replacement of original plaster along most of the lower section of the north wall east of the central door destroyed any evidence for a sheriff's box on that side of the courtroom.

In conclusion, investigation of the courtroom walls provided detailed information about the height and length of the magistrates' platform, the appearance, height, and color of the chief magistrate's chair, the position of the staircases to the platform, and the finish treatment behind the magistrate's bench. Slight



Brensville Courthouse

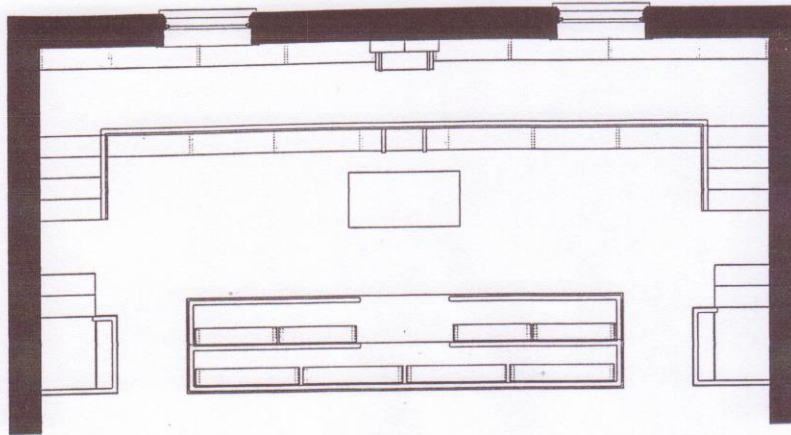


Figure 11. Plan for reconstruction of courtroom fittings, showing magistrates' platform, sheriff's boxes, and lawyers' box.

evidence appeared for the location of a sheriff's box on the south wall near the south doorway. Finally, stripping the east wall provided a better understanding of the sequence of alterations made to the apertures on the east wall. The bare walls revealed the original width and height of the two lower windows. These were altered in the late nineteenth and early twentieth centuries when doorways were created. These doorways, in turn, were later blocked and long narrow windows installed in their place.

Design Precedents for the Fittings

The Prince William County courtroom fittings are designed to reflect the original arrangement from the early 1820s (figure 11). As the documentary evidence suggests, there was continual dissatisfaction with the configuration of the magistrates' bench, clerk's table, and jury bench from the 1830s onward. The 1837 design was intended to rectify many of these perceived disadvantages, but documentary and field evidence reveals that the sweeping changes that were called for were never enacted in their entirety or according to the detailed plan. Certainly, there is no physical evidence on the east wall, for example, to indicate that the platform was raised an additional two feet above the original three-foot height. What changes that were made to the courtroom fittings from the 1830s through the

Civil War were done in a piecemeal fashion, most of which cannot be traced in the few scars that mark the east wall of the courtroom.

Thus the following designs are based on what can be ascertained through the physical evidence from the walls and documentary records as well as precedents from other early nineteenth century Virginia courtrooms. The 1837 drawing has been used as a guide in the arrangement and location of other elements in the courtroom, such as the lawyers' bar and sheriff's boxes where supporting evidence from the other sources is weak or absent.

Magistrates' Platform and Chief Magistrate's Chair

The design of the magistrates' platform is based on the physical evidence discovered in the investigation of the Brentsville courtroom as well as the standard pattern of courtroom fittings that could be found across the commonwealth in the early nineteenth century (figure 12). The height, length, and width of the magistrates' platform are known from the investigation of the fabric of the building as well as the evidence for the stairs that rose along the two side walls. The Brentsville courtroom is slightly unusual in that the magistrates' platform stretched straight across the full width of the east wall. The location of the stairs defines the width of the platform and as well as

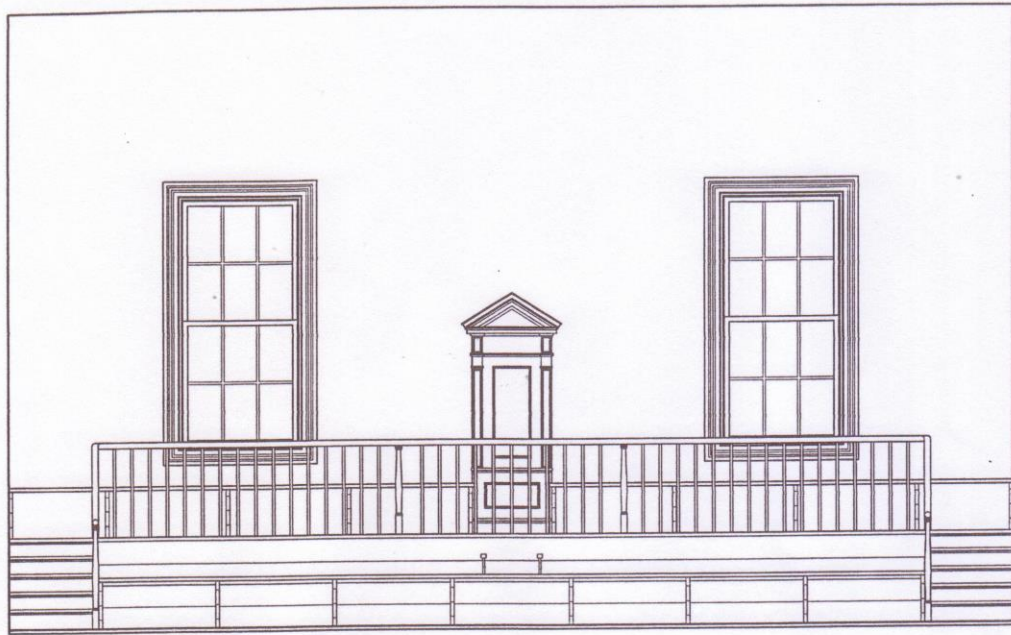


Figure 12. Elevation of reconstructed magistrates' platform.

its linear configuration. Had the ends of the platform curved, the stair placement would have been much farther westward in the courtroom.

Contemporary courtroom plans had platforms that were curved such as the ones in Goochland County (1826) or faceted such as Thomas Jefferson's design for Charlotte County (1821). The curved benches in these courtrooms allowed magistrates to see and talk to one another with greater facility than being accommodated on a long, straight bench where visual and aural contact were more difficult. The fact that members of the Prince William bench sat arrayed in a line along the east wall of the courtroom probably made it more difficult for them to exchange conversation among themselves.

The detailing of the balustrade of the magistrates' platform is based on contextual evidence from contemporary examples. Architect Doug Gilpin had already designed turned newel posts that are to be used for the staircase to the jury rooms. He selected his design from newels found in the White House, an

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early nineteenth-century dwelling located across the street from the courthouse. Though slightly unusual in design, they have the merit of being a local treatment from the right period. The oval shaped handrail for the magistrates' stairs and balustrade at the front of the platform is based on the most common shape found in the region in the first quarter of the nineteenth century. The same holds true for the square balusters. The associate magistrates sat upon a simple wooden bench supported by bench legs at regular intervals. The ogee-shaped bench legs supporting the associate magistrates' platform derive from common precedent for such features found throughout Virginia and indeed most of America and England in the late eighteenth and early nineteenth centuries. They can be found in churches, courtrooms, and other locations where built in benches required such supports.

In the center of the magistrates' platform stood a tall chair, probably located a step above the associate magistrates' bench (figure 13). This was reserved for the chief magistrate or the most senior member of the commission of the peace. Ghost marks the outlined the pediment of the chair defined the original seat as one that had a pedigree of more than a century.

Brentsville Courthouse

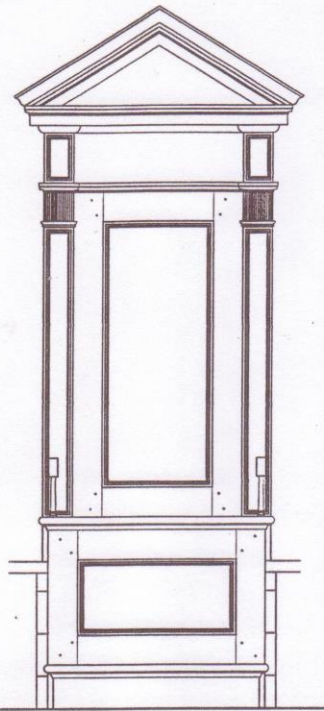


Figure 13. Detail of reconstructed chief magistrate's chair.

English and Virginia courtrooms in the eighteenth century had tall canopied or pedimented chairs in the center of the magistrates' rostrum reserved for the chief magistrate. Most stood between 7 and 10 feet in height from the floor of the platform to the apex of the pediment. The Prince William one was approximately eight feet in height, which fits with the general pattern. These chairs had paneled backs and furniture-like arms. The design of these features for the Prince William chair is based on contemporary woodwork found nearby. The mantels at Moor Green, a c. 1816 brick house located near Brentsville served as precedents for the detailing of the panel, pilaster, and cornice detail of the magistrate's chair (figure 14).

It was something of a surprise to see evidence for this tall chair. Around the time of the construction of the Brentsville courthouse, these tall chairs were beginning to go out of fashion. Jefferson's design for the near contemporaneous Charlotte County courthouse depicts a gap between the associate magistrates' bench in the center of the platform. This indicates where such a built-in chair would have been located. Instead, it is just as likely that the Charlotte plan would have called for a freestanding arm chair, which would have been

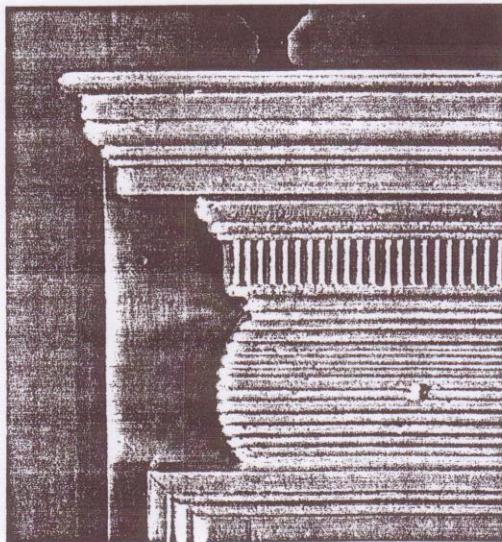
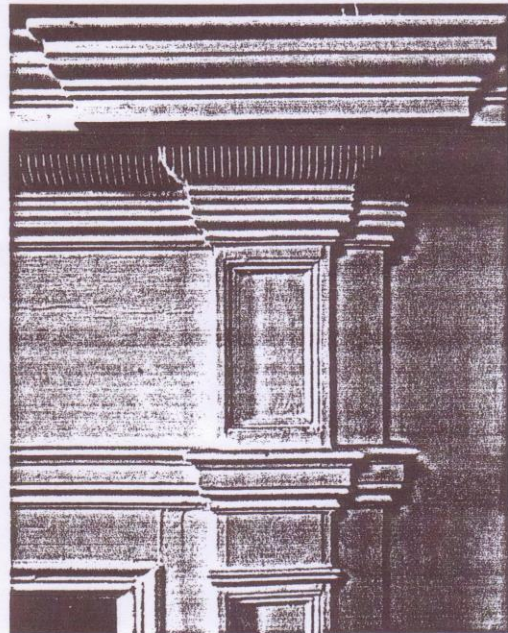


Figure 14A, 14B. Mantel details from Moor Green, Prince William County, c. 1816.



Brentsville Courthouse

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much more comfortable though less imposing than the tall-backed chair that was installed in Brentsville.

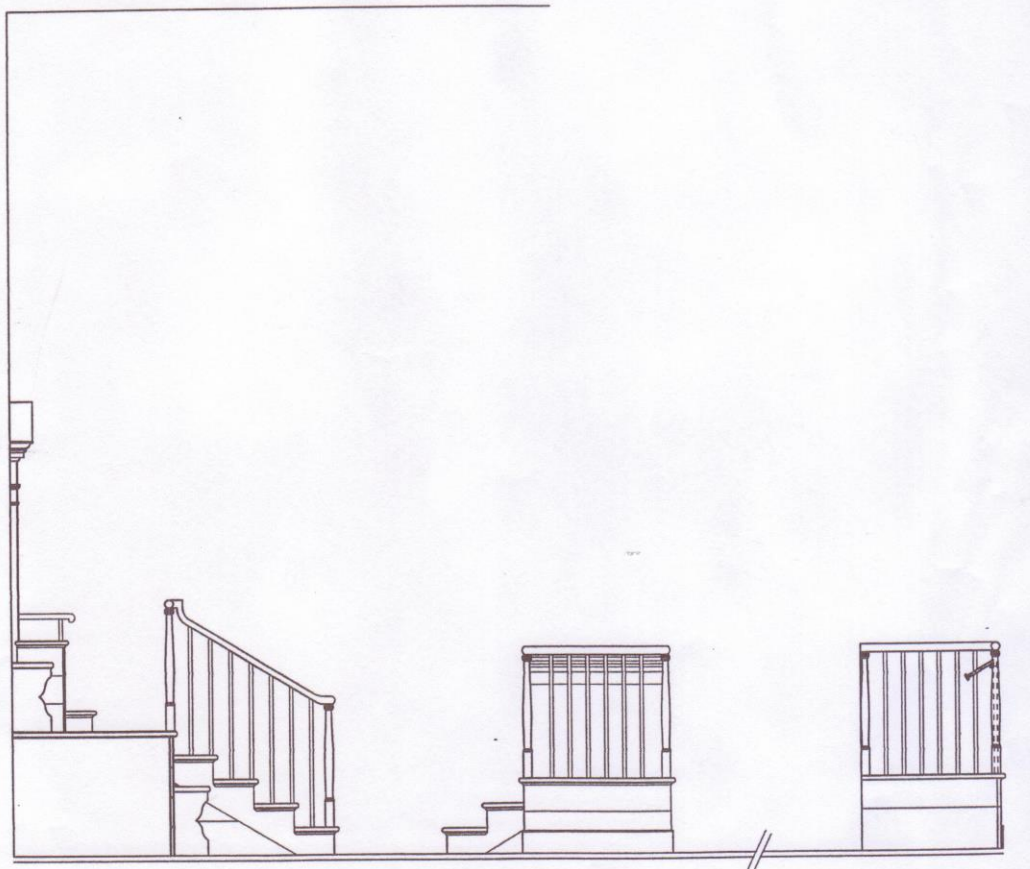
The trend in Virginia was in favor of moveable chairs in the second quarter of the nineteenth century. In 1846, Prince William officials reconfigured the associates' bench, dismantled the built-in chair, and replaced it with a moveable chair. In 1849, the plans for the Amelia County courthouse called for a space of sixteen feet to be left in the center of the bench in order that armchairs could be arranged for the four or five regular justices.⁹ Goochland remodeled its courtroom in 1857 by removing a sizeable section of the center of the apsidal bench in order to install four armchairs.¹⁰ The Underwood Constitution did away with the old multiple justice of the peace system, making the fixed-bench-and-chair scheme of the previous generation

redundant. However, it appears that it had been going out of fashion in the previous quarter century.

Clerk's seat and Jury bench

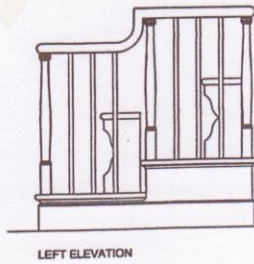
Since the early eighteenth century, the space just below the raised magistrates' bench was the traditional location for the clerk of the court. From a chair or from a bench seat, the clerk sat before a wooden table on which he took minutes of the court's proceedings and kept documents necessary for the court docket. It was generally necessary for the clerk to be near enough to the chief magistrate to be able hear orders and requests from the bench as well as to deliver documents for judicial review during a case. Sometimes, the clerk sat

Figure 15. Section of reconstructed magistrates' platform with elevations of reconstructed sheriff's box.



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Brentsville Courthouse



LEFT ELEVATION

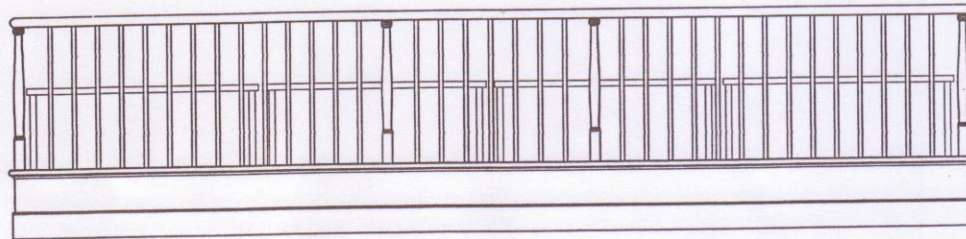


Figure 16. Side and rear elevations of reconstructed lawyers' bar.

on a low platform of his own with the front of the table railed in much in the same manner as the magistrates' platform. Until the advent of witness stands and prisoner's docks in the nineteenth century, the area in front of the clerk's table is where witnesses, prisoners, and others called to testify before the magistrates would stand to tell their part of the case.

Also located just below the magistrates' platform was a bench reserved for jurymen to sit during jury trials. Generally in colonial and early nineteenth century Virginia courtrooms, the jury bench followed the general outline of the magistrates' bench. If the one was curved, the other one was as well. However, in some courts, the clerk sometimes sat on the same bench with the jury, which divided the jurymen into two sections. Such was the case in the 1805 plan for the alterations to the Chesterfield County courthouse. In the drawing that accompanied the specifications, the clerk's seat is distinguished from the rest of the curved bench reserved for the jury by a pair of built-in arms or a railing. A similar arrangement appears in George Cooke's 1830s painting of Patrick Henry

Brentsville Courthouse

arguing the Parsons Cause in 1763 in the Hanover County courthouse. There jurymen crowded around the clerk.¹¹

This jostling of the clerk by jurymen was a source of some displeasure in the Brentsville courthouse as it was originally laid out. In the unexecuted 1837 redesign of the courtroom fittings, the clerk's table is placed on a raised platform above and behind the single long jury bench arranged in front of it. Because the plan was not carried to fruition, some nine years later, the court ordered that a railing be set up around the clerk's table, presumably to alleviate any crowding that may have disrupted the proceedings.¹²

The design of the jury bench and clerk's seat is based on precedents found in Virginia courtrooms of the period. Here, the bench is situated against the lower part of the magistrates' platform and stretches across the courtroom between the platform stairs. Ogee-shaped bench legs similar to those on the associate magistrates' bench are used to support the long jury bench. In the center, the clerk's seat is demarcated by two arms, similar in design as the ones on the chief magistrate's chair, which are fastened into the seat and the face of the platform. A simple freestanding table,

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roughly five by two feet, should be used for the clerk's table.

Sheriff's boxes

Located next to the two side entrances on the north and south walls are sheriff's boxes. Most nineteenth-century courtrooms had a pair of raised boxes located near the bar that separated the public from court officials. This allowed the sheriff and his deputy to monitor access to the bar and maintain an orderly decorum within the courtroom.

The design of the sheriff's boxes follows precedents from other Virginia courtrooms and the slight evidence found within the Prince William courthouse (figure 15). Raised a few feet off the courtroom floor, they are railed in with a chair for the sheriff and his deputy as well as a shelf to support papers of these executive officers of the court. The location of the benches is based on the fragmentary evidence found on the south wall as well as the 1837 courtroom design drawing. The detailing of the steps, balusters, and railing follows design used for the magistrates' platform.

Lawyers' bar

By the early nineteenth century, lawyers were beginning to reach parity with the magistrates in terms of the comfort of their courtroom fittings. In the eighteenth century, there had often been antagonisms between the bench and bar over the source of courtroom authority—bookish precedents, which were the heart of a lawyer's education or commonsensical and practical experience of judicial review. In the colonial era, there was sometimes a social gulf between those who took their seats on the bench and those at the bar. Great planters and wealthy merchants who comprised the magistracy of most counties looked down on upstart lawyers of small estate who relied on their cunning tongues and knowledge of case law. The disparity in social backgrounds between the two groups had diminished significantly by the time of the construction of the courthouse in Brentsville.

As a result, seating for lawyers was not as meanly apportioned as it had been in the colonial era. In the early nineteenth century, lawyers still sat on long benches railed in facing the magistrates' platform.

However, the space allotted to them had increased. Lawyers had wider seats and more benches than in earlier courtrooms. Often they were accommodated in tiered seating, as the Cooke painting of Henry and many specifications and drawings from the early nineteenth century illustrate.

Based on these historical precedents and the 1837 drawing of the Brentsville courtroom, the design of the lawyers' bar contains two rows of benches, the center row divided to provide access to the upper tier of seats. This space is enclosed by a balustrade that follows the design details of the magistrates' platform and sheriff's boxes in terms of newel post, handrail, benches, and supports. This design does not incorporate the witness stand in front of the lawyers' benches nor the prisoner's box in the back of bar. Except for their appearance on the 1837 plan, there is no further documentary reference to these features that were relatively new to Virginia courtrooms in the early nineteenth century.

Footnotes

¹ Pamela Myer Sackett, "Brentsville Public Buildings & The Public Lot: A Record of Repairs and Alterations at the Prince William County Seat from 1820-1975," Brentsville Historic Centre Trust, 2004.

² *Ibid.*, p. 19-20.

³ Sometime after 1916, a set of windows were added on both sides of the side doors on the north and south walls.

⁴ See Emily Lindveit, David Weese, and Michael Klein, "Archaeological Excavations at the Brentsville Courthouse Buildings, Prince William County, Va.," Center for Historic Preservation, Mary Washington College, 2004, p. 84.

⁵ Sackett, "Brentsville Public Buildings & The Public Lot," p. 15.

⁶ Susan L. Buck, "Cross Section Microscopy of Plaster Samples, Prince William County Courthouse, Brentsville, Virginia," April 11, 2005.

⁷ Carl R. Lounsbury, *The Courthouses of Early Virginia: An Architectural History* (Charlottesville: The University of Virginia Press, 2005), pp. 141-143.

⁸ Sackett, "Brentsville Public Buildings & The Public Lot," pp. 19-20.

⁹ Amelia County, Va. Loose Papers Relating to the Construction of the Amelia Court House, June 16, 1849.

¹⁰ Goochland County, Va. Court Order Book 1852-1862, p. 268, February 16, 1857.

¹¹ Lounsbury, *The Courthouse of Early Virginia*, pp. 152, 163

¹² Sackett, "Brentsville Public Buildings & The Public Lot," p. 20.

Appendix 6

Prince William County Secession Resolution

PUBLIC MEETING IN PRINCE WILLIAM COUNTY Mr. EPPA HUNTON, of Prince William—

I desire to call attention to the proceedings of a meeting held in the County of Prince William on the 1st of April. That constituency, sir, like myself, for a long time have thought that the only solution of our present difficulties was to be found in immediate secession, and had they not entertained those sentiments they never would have been represented on this floor by me. Being able to represent their sentiments in strict accordance with my own views, I feel justly proud of the noble and generous constituency which I have the honor to represent, and I take great pleasure in laying before this Convention their sentiments upon the subject now agitating the country.

The proceedings of the meeting were then read as follows :

At a Southern Rights meeting of the people of the county of Prince William, held at the Court House on the 1st day of April, 1861, on motion, Capt. William W. Thornton was called to the Chair, and A. Nicol, Esq., appointed Secretary.

The object of the meeting was explained by B. E. Harrison, Esq., in a short and neat address, on whose motion it was—

Resolved, That the several election precincts in the county, be requested to appoint ten delegates each, to meet in county Convention at the Court House, on the first Monday in May next, to nominate a candidate to represent the county in the next Legislature of Virginia.

The meeting was then forcibly and ably addressed by General Hunton, delegate to the State Convention, and by Judge C. E. Sinclair, of Memphis, Tennessee, and was followed by Col. Basil Brawner, upon whose motion the following preamble and resolutions were unanimously adopted :

Whereas, All honorable means for the preservation of the Union, consistent with the honor and equality of all the States, have been exhausted without avail; Therefore-

1. Resolved, That we, the people of Prince William county, in public meeting assembled, are in favor of the State of Virginia seceding from the Union as soon as possible.

And, Whereas, Seven States have already withdrawn from the Union, and organized themselves into a separate and distinct Confederacy, whose interests and social institutions are identical with our own, and whose Constitution we approve of-

2. Resolved, That in our opinion the welfare and prosperity of Virginia requires her to become a member of the Southern Confederacy at the earliest practical moment.

3. Resolved, That if the Convention now assembled shall pass an ordinance of secession, and thereby increased taxation becomes necessary, we are willing that all property shall be taxed ad valorem.

4. Resolved, That we cordially approve of the position taken by Gen. Hunton, our representative in the State Convention, and tender him our thanks for the faithful manner in which he has represented us ; and that a copy of the foregoing resolutions be forwarded to him with the request that he lay the same before the Convention.

The third resolution was debated by Judge S. Lynn and John T. Williams, Esq.

On motion of Mr. Fitzhugh,

Resolved, That the Alexandria and Richmond papers be requested to publish the proceedings of this meeting.

On motion, the meeting then adjourned.

WM. W. THORNTON, Chairman

A. NICOL, Secretary

Appendix 8

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