

## FOUND IN THE ARCHIVES, no. 7 – April 2015

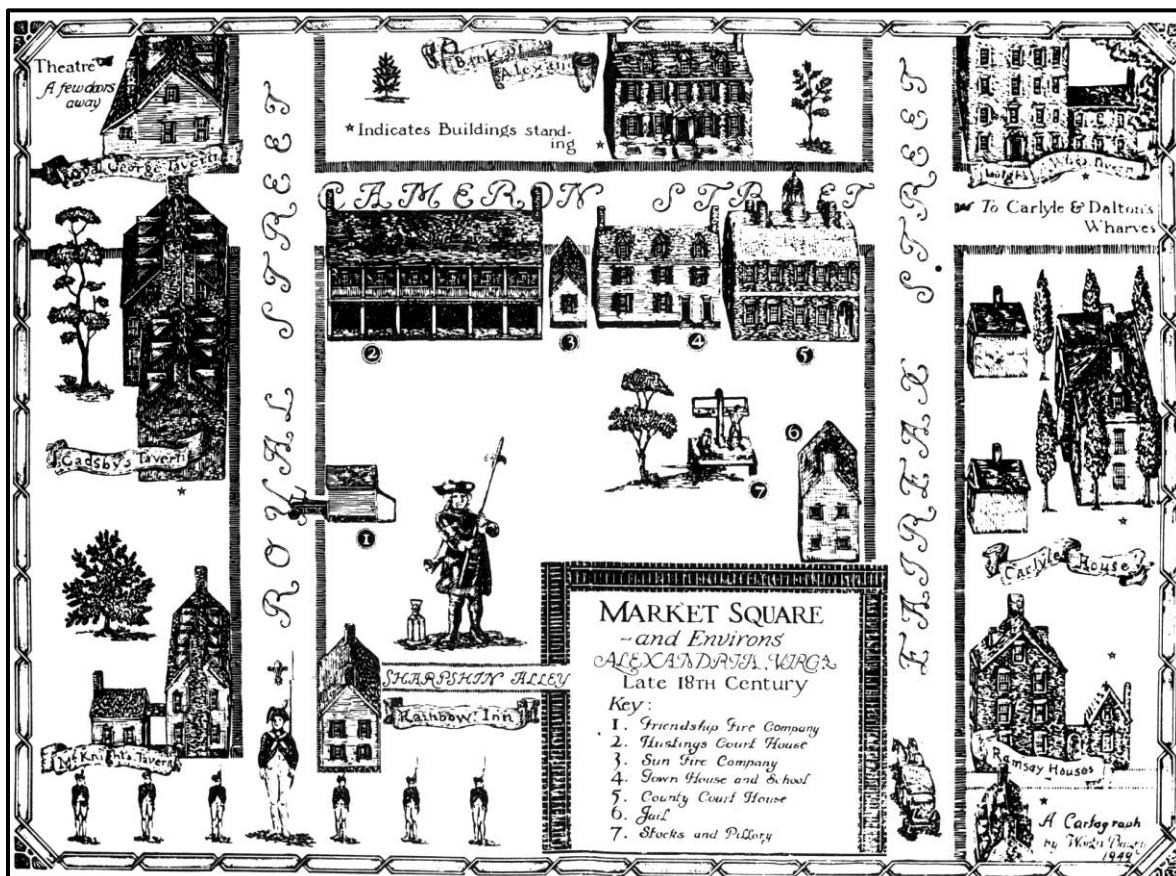
### Fairfax Circuit Court Historic Records Center



Happy Spring! This is the seventh installment of “Found in the Archives,” where the Fairfax Circuit Court Historic Records Center will highlight interesting and unique documents in our custody.

April 2015 marks the **215<sup>th</sup> anniversary** of the county/circuit court being held at its present location in Fairfax! In this issue, we will explore the courthouse’s history, particularly its move to Fairfax, its design, and the first court day in April 1800.

After the county’s founding in 1742, county court was held in two locations prior to Fairfax City. The first site was near present-day Tyson’s Corner. Court was most likely held in a small log-and-stone structure, until 1752, when the decision was made to move to Alexandria. The county court and jail were built on two lots in the Market Square, facing Fairfax Street, between Cameron and King Streets.

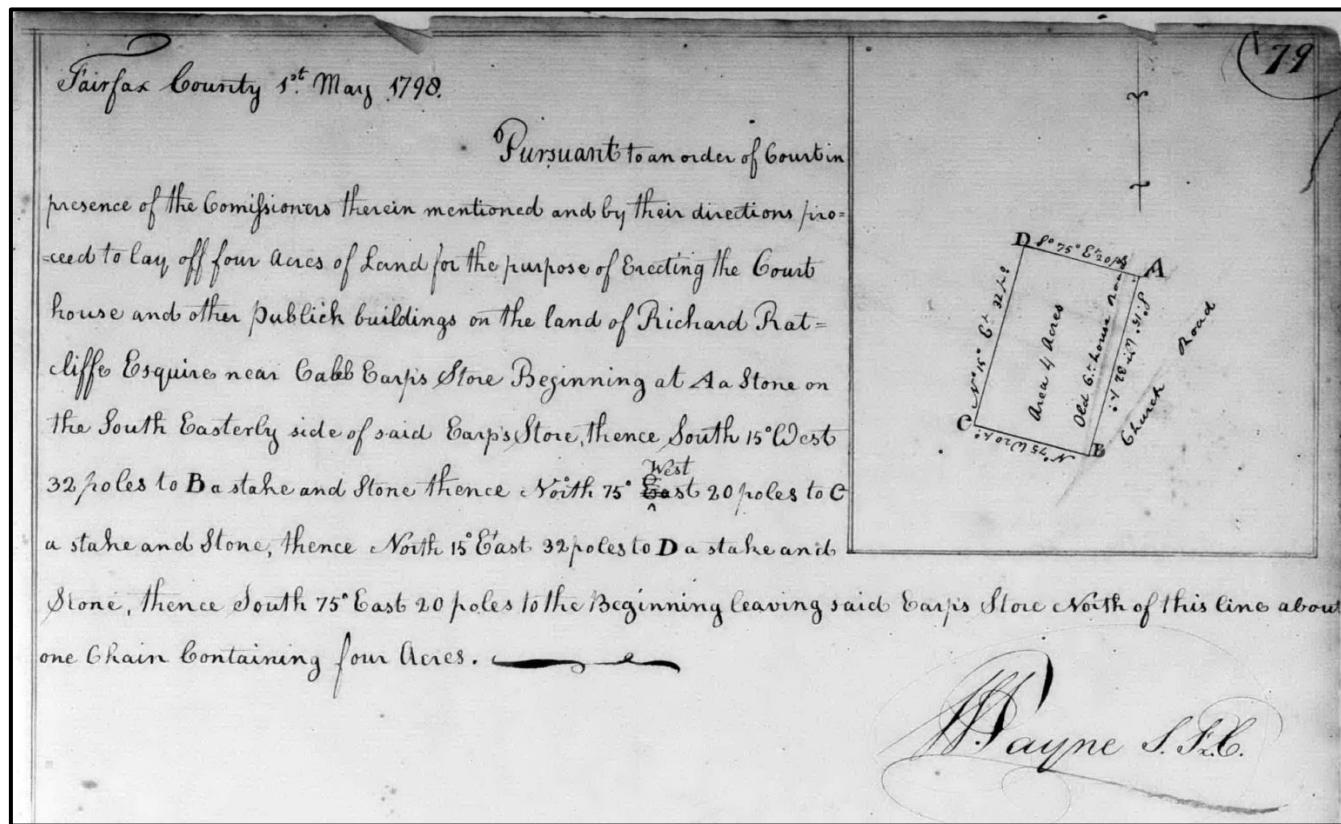


Worth Bailey, “Market Square and Environs, Alexandria, Virg., Late 18<sup>th</sup> century,” 1949. Published in *The Fairfax County Courthouse* by Ross D. Netherton and Ruby Waldeck, July 1977, p. 6. The Alexandria courthouse is location number 5 on this map. You can also see the site of the jail, stocks, and pillory. The Alexandria Market House and City Hall sits on the old courthouse site today.

During the Revolution, the Alexandria courthouse suffered significant damage due to neglect and lack of maintenance, and the building slowly deteriorated over time. Additionally, the fact that court was held in the easternmost part of Fairfax County became a point of contention for its western inhabitants.<sup>1</sup>

In 1798, the Virginia General Assembly ordered that the court be moved to a location more centrally located in the county. Four acres were to be laid off for the purpose of building a courthouse and other public buildings donated from the land of Richard Ratcliffe.<sup>2</sup>

In the HRC's *Record of Surveys, 1742-1856*, the order and plat is recorded as follows:



*Record of Surveys, 1742-1856*, p. 215

With land set aside for the courthouse, orders were entered into court record for the specifics of the courthouse's design. Most of these orders were recorded in May, 1798. Richard Ratcliffe donated the land for the courthouse, but he was also responsible for sinking a well to provide public access to underground springs. Five gentlemen – Charles Little, David Stuart, William Payne, James Wren, and George Minor – were ordered to take bids for constructing the courthouse, jail, jailor's house, clerk's office, stocks, pillory, and whipping posts.<sup>3</sup>

We believe that the courthouse was designed and built by James Wren, a resident of the county and a veteran of the Revolutionary War. The court minute books show very specific dimensions for the courthouse and the clerk's office:

<sup>1</sup> Ross D. Netherton and Ruby Waldeck, *The Fairfax County Courthouse*, Fairfax, VA: July 1977, p. 8-9.

<sup>2</sup> Ibid, p. 9.

<sup>3</sup> Fairfax Minute Book 1797, pp. I, N, and O, May 22, 1798.

Ordered that Charles Little, Davis Stuart  
William Payne, James Wren and George Minor  
be appointed Commissioners for the purpose of  
letting and superintending the erection of the  
necessary public buildings for the use of  
Fairfax County, One on the land of R. H.  
Ratcliffe, and that they or a majority of

them shall cause to be erected one Gaol house  
forty feet by thirty exclusive of the porch  
with a twelve foot Porch  
with sixteen feet pitch, One Gaol forty feet  
by twenty with three rooms on the first floor  
and two on the second, with an addition to  
the back below of a room fifteen feet by  
ten, One Clerk's Office Twenty four feet by eighteen

The courthouse was ordered to  
be "forty feet by thirty exclusive  
of the base, with sixteen feet  
pitch, with a twelve foot portico;  
one Gaol [Jail] forty feet by  
twenty with three rooms on the  
first floor and two on the  
second, with an addition to the  
back below of a room fifteen  
feet by ten; Our Clerk's Office  
twenty four feet by eighteen..."

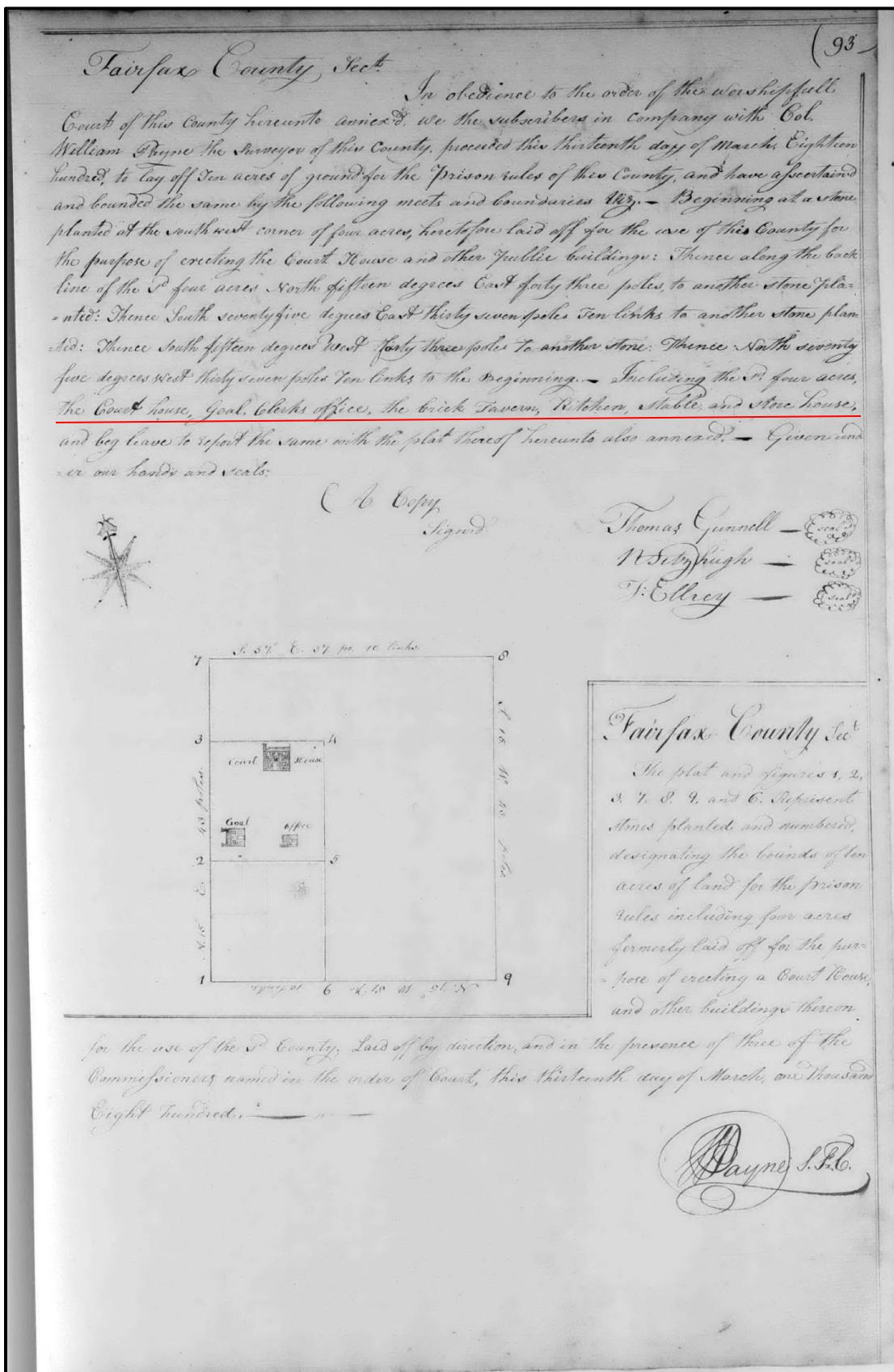
The dimensions of the  
courthouse structure match the  
dimensions of the Historic  
Courthouse located at the  
intersection of Chain Bridge  
Road and Main Street.

"... [Our Clerk's Office] to be  
arched or covered with slate  
tile, and our Jailer's House  
twenty four feet by  
eighteen with stocks,  
pillory, and whipping  
post..."

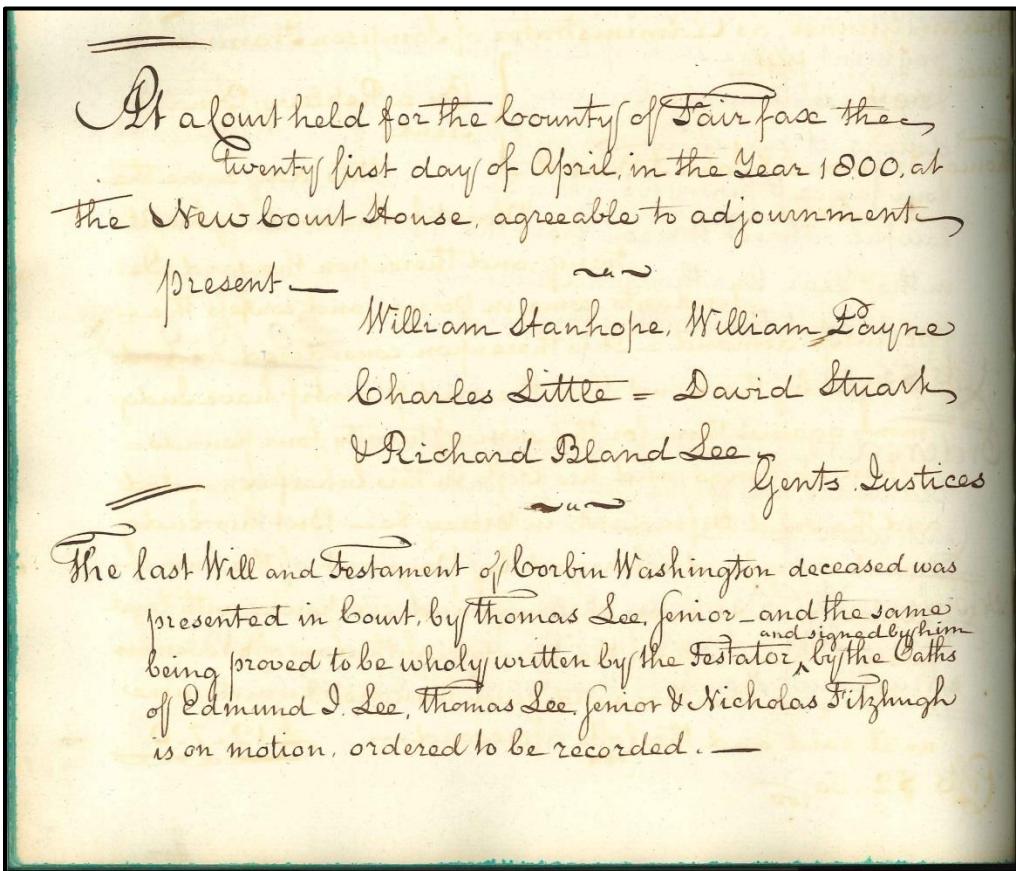
Fairfax Minute Book 1797,  
pp. N, O/A

245 0/8  
17. May 98. — 2nd & 3<sup>rd</sup> day  
to be arched or covered with Slate or Tile, and  
One Jailer's House twenty four feet by eighteen  
with Stocks, Pillory and whipping Post  
And that the said Commissioners be authorized  
to let the building of the same to the lowest  
bidder, and to contract with such undertakers  
or undertakings for the completion of the same  
and it is ordered that they do advertise the  
time and place of letting the said Work for  
three Weeks in the Alexandria paper.

Four acres was soon found to be too small to accommodate the needs of the court. The lot was soon expanded to 10 acres, allowing for additional structures to be built: a stable and storehouse, kitchen, and perhaps most interestingly, a brick tavern.



In April 1800, the first session of court was heard at the “new courthouse.” The minute book entry records the justices present and the first order issued and recorded:



Fairfax Minute Book 1799, p. 488

With this first court day on April 21, 1800, court has been heard continuously in or near the site of the Historic Fairfax Courthouse (with the exception of a few years during the Civil War). The larger, newer courthouse hears present-day cases, but that doesn't mean the Historic Courthouse is not open to the public!

**The Historic Records Center offers tours of the 1800 courthouse, the showroom, and the records room every Friday at 11 am and 3 pm, barring inclement weather and holidays. Tours are free and last approximately 45 minutes. For information about the courthouse tours, please call 703-246-4168.**

For more information about the documents in this issue and other court documents, please visit:  
[http://www.fairfaxcounty.gov/courts/circuit/historical\\_records.htm](http://www.fairfaxcounty.gov/courts/circuit/historical_records.htm)

*The Historic Records Center archivists would like to thank one of their interns, Josie Ballato, for helping to compile a timeline of Fairfax County court events. Josie's research proved invaluable in the writing of this issue of Found in the Archives.*