

FOUND IN THE ARCHIVES, no. 16 – January 2016

Fairfax Circuit Court Historic Records Center



Happy New Year! The Fairfax Circuit Court Historic Records Center is excited to continue bringing our monthly newsletter, *Found in the Archives*, to you.

This month will be the first of a two-part newsletter, the second part of which you can expect in February. In this edition, we will examine the court's role in overseeing ordinaries and taverns in Fairfax County.

Ordinaries and taverns were an important part of everyday life in colonial Virginia, as well as during the late 18th and 19th centuries. What is the difference between an ordinary and a tavern? During the colonial period, an ordinary was a place that usually only served food and drink (including alcohol), while taverns offered food, drink, lodging and even stables for horses.¹ Ordinaries and taverns were located along major Fairfax County routes and intersections, such as Ox Road (Route 123), Mountain Road (now Braddock Road), and modern-day Telegraph Road, Route 7, and Route 29 – these roads have hardly changed since the county's founding in 1742, and have always been heavily traveled thoroughfares.

During the 18th and 19th centuries, the county court was responsible for issuing ordinary and tavern licenses to those individuals wishing to operate such an establishment. Court officials had to

“consider the convenience of the place proposed, and the ability of the petitioner to keep good and sufficient houses, lodging and entertainment for travellers, their servants and horses; but the court shall not... license any such person to sell liquors to the prejudice of the neighbouring inhabitants...”²

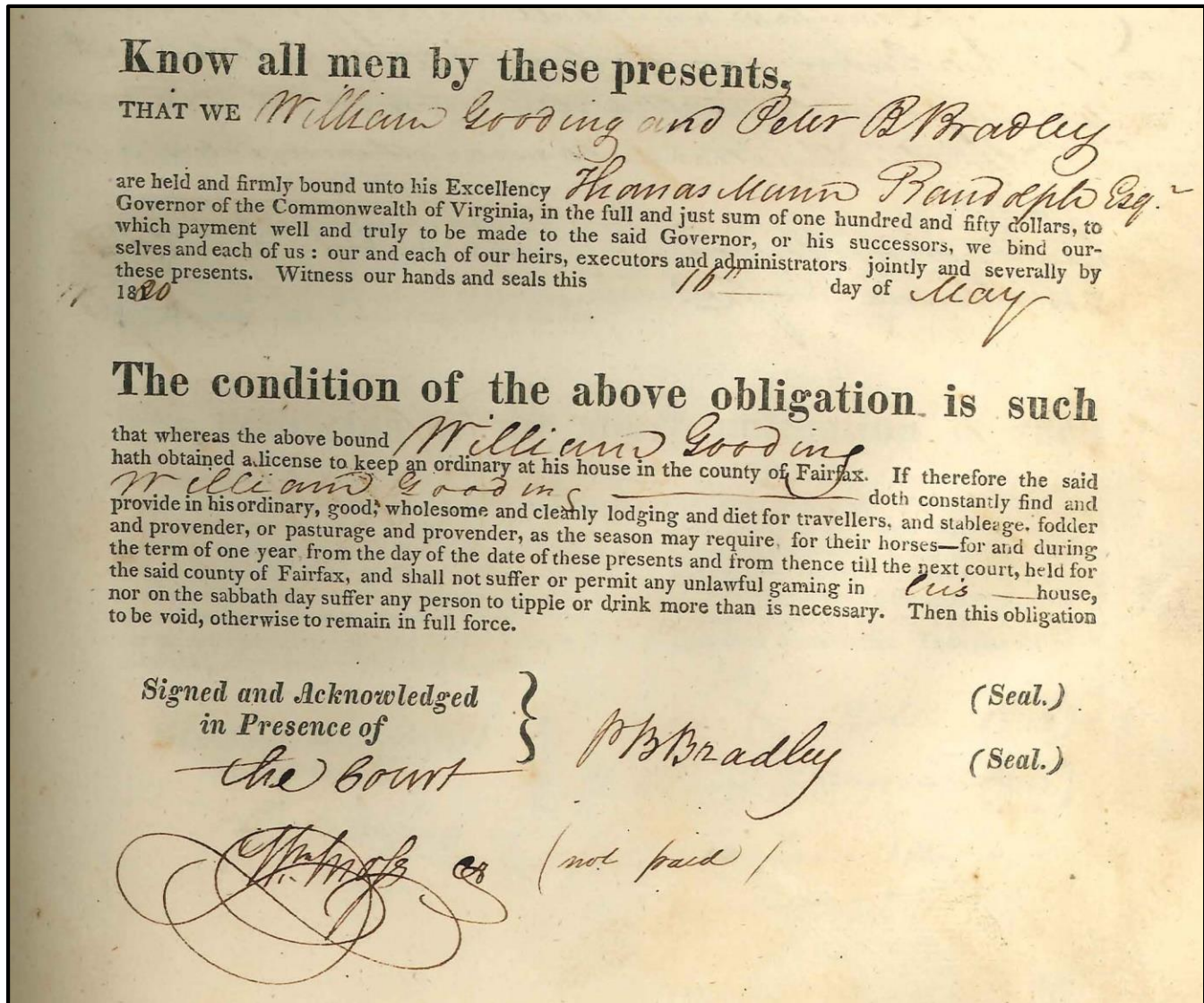
If the above conditions were met, the petitioner would be issued a license for one year, which could be renewed annually.

Before the actual license was issued, the petitioner first had to enter into a bond with security that indicated that he would operate his ordinary in good faith. While the HRC has few examples of licenses issued to ordinary keepers, we do have an ordinary bond book (1816-1842) which demonstrates some of the stipulations placed on the ordinary keeper and the rules he had to follow.

¹ Starting in late 18th and early 19th century, it appears that the term “tavern” came to be used more frequently than “ordinary,” and the court starts to use the term interchangeably.

² *Code of Virginia*, Chapter CVII, page 284, 1814.

Below is an example of an ordinary bond taken out in 1820 by William Gooding, who became the proprietor of Gooding's Tavern. Peter Bradley signed the bond as his security.



Fairfax County Ordinary Bond Book, 1816-1842, page 199

Notice that in addition to providing lodging, food, and drink, ordinary keepers were not to “suffer or permit any unlawful gaming in his house, nor on the Sabbath day suffer any person to tipple or drink more than is necessary.” Court records held at the HRC show that many proprietors were brought to court for allowing gambling and selling liquor on the Sabbath – these violations were punishable by fine, and some keepers had their ordinary licenses revoked.

William Gooding renewed his ordinary license annually over several decades, indicating that his establishment was successful and well-known to travelers and residents of the county.

The county court was also responsible for setting the rates for “liquors, diet, lodging provender, stableage, fodder and pasturage, and may increase or lessen the rates as often as they shall see cause.”

The ordinary or tavern keeper had to display the rates for all visitors. Below is a court order showing the rates set by the court in 1807:

March Court 1807 - 3^d Day -

Rates of Liquors &c. For Tavern keepers -

For one warm dinner with cider beer or Spirit & water	\$	50
" One quart of good Spirit or French Brandy or in that proportion	£	1 - -
" One quart of Continental rum or in that proportion	"	33 $\frac{1}{2}$
" One quart of Peach Brandy or in that proportion	"	50
" One quart of Apple Brandy or in that proportion	"	33 $\frac{1}{2}$
" One quart of Whiskey or in that proportion	"	33 $\frac{1}{2}$
" One quart of good Madeira Wine or in that proportion	"	25
" One quart of Port Lisbon or other wine or in that proportion	"	83
" One Bottle of Claret	1 - -	
" One Bottle of english Porter	"	42
" One Bottle of American Porter	"	25
" One quart of Toddy made with good Spirits	"	25
" One quart of Punch made with French brandy or good Spirits	£	50
" One hot Breakfast or Supper with Tea or Coffee	"	33 $\frac{1}{2}$
" One gallon of Bran 17 cents or Oats 12 $\frac{1}{2}$ cents		
" One nights Lodging in clean Sheets	"	17
" One night, or twenty four hours Stableage for a Horse with hay or Corn blades	£	42
" One quart of Cider	"	8
" One night or twenty four hours Pasturage for a Horse	"	12 $\frac{1}{2}$

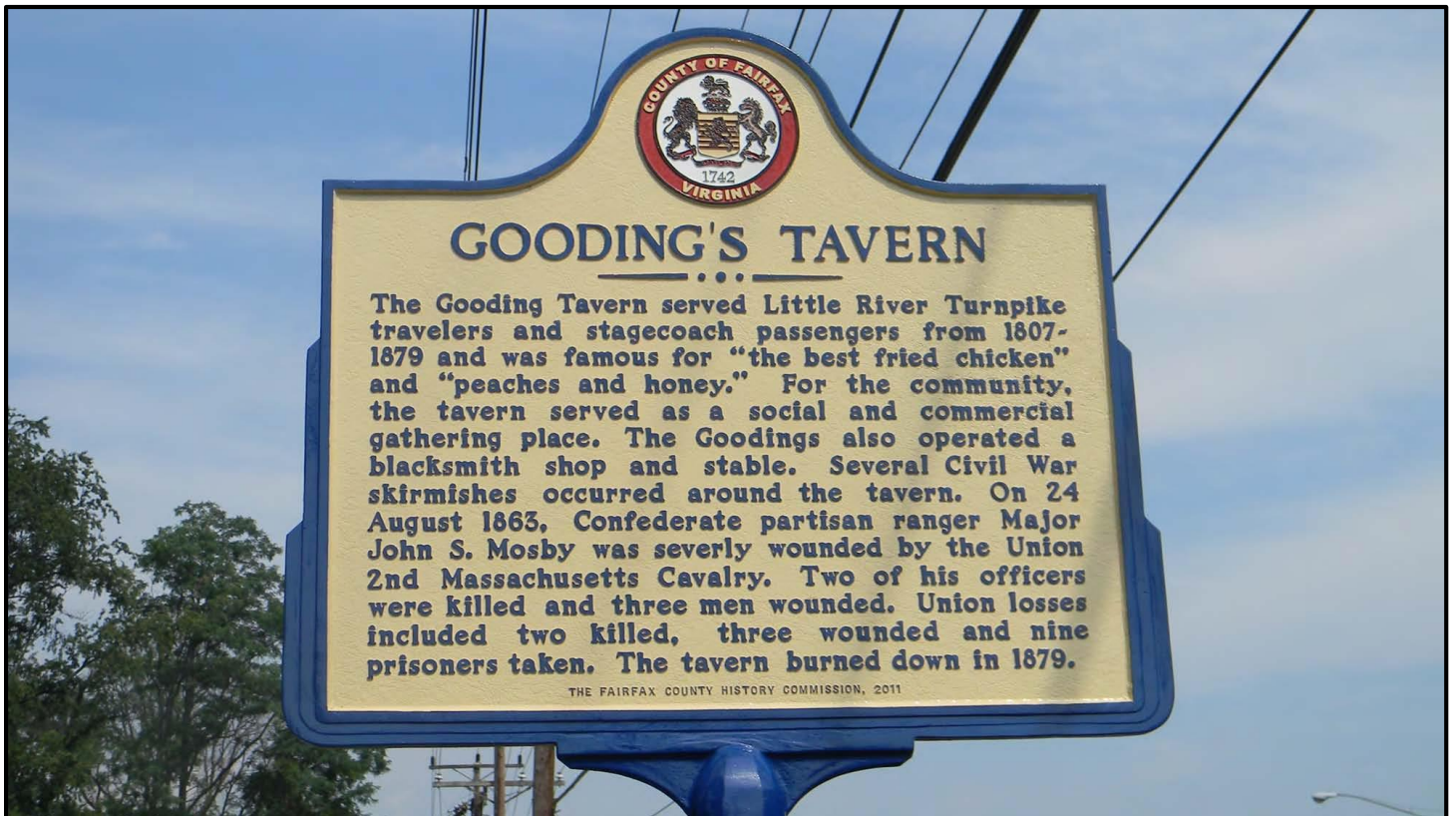
Ordered, that the Several Ordinary keepers in this County do set up in their respective Taverns, a copy of the above Rates, and sell agreeable thereto, or be Subject to the fine imposed by Law -

Fairfax Minute Book 1807, p. 41

Some interesting drinks offered include cider beer, French brandy, peach or apple brandy, English or American porter, toddies, and "punch made with French brandy or good spirits." Breakfast or supper could be purchased, as well "one night's lodging with clean sheets." Stableage and pasturage for

horses was also offered. Ordinary keepers who violated the court's order to publicly display ordinary/tavern rates were brought to court and fined.

Many of the county's ordinaries and taverns were in operation for several decades, and some remain standing as historic sites and private homes. Gooding's Tavern served travelers and residents of Fairfax County for nearly 70 years. It was located on Little River Turnpike in Annandale. A historic marker erected by the Fairfax County History Commission marks the site, located across from the Annandale campus of NOVA Community College.



Historical Marker Database, photo courtesy of Richard E. Millen, 2011

Ordinaries and taverns played a very important role in public and political life. In next month's edition of *Found in the Archives*, we will explore how ordinaries and taverns functioned not only as a places for social gatherings, but also how these locations were used for political and court purposes.

We will also discuss a "mystery" document related to Fairfax County ordinaries and taverns – perhaps you can help us identify what it is! Stay tuned for next month's *Found in the Archives*!

For more information about the documents you have read about in this newsletter, please contact the Fairfax Historic Records Center at historicalrecords@fairfaxcounty.gov or call 703-246-4168.