

The Archeology of a Loudoun Ordinary



Library of Virginia Photograph

Introduction

Archeologists from Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc. recently completed a Phase III archeological data recovery at site 44LD0729 on the Kincora development property in eastern Loudoun County for NA Dulles Real Estate Investor LLC of E. Setauket, New York. This project proved somewhat extraordinary as the site was an 18th century ordinary.

The ordinary at site 44LD0729 was likely very rustic and may have resembled this building, the circa 1771 Wiley's Tavern in Halifax County, Virginia.

During the 1700s, taverns, inns, and public houses were known as 'ordinaries'¹. Although not uncommon on the 18th century landscape, very few ordinaries from this time period have been

excavated in Virginia. Site 44LD0729 is the only 18th century ordinary site in Loudoun County that has been subjected to this intensive level of analysis; however, some ordinary sites may have been misidentified, as the artifacts recovered from a typical Virginia rural ordinary of this period are generally very similar to artifacts found at a typical domicile.

Ordinaries were important elements in the social and economic landscape of early America when the rate of overland travel was limited to about thirty miles per day on horseback. These establishments provided a convenient location for travelers to find meals and overnight accommodations.

Locals gathered at the ordinary to conduct business, socialize, gamble, dine, and drink. In the 18th century, drinking was likely the most popular of tavern recreations and alcohol was consumed often and in large quantities. The most popular drink of the time was rum, also known as *rumbullion* or *kill-devil*.² European wines and punch made with the rinds and juice of expensive lemons, limes, or oranges, arrack or rum and loaf sugar were served at finer taverns.³ Other beverages served at 18th century ordinaries included cider, English beer, and brandy, usually imported, but sometimes made locally from peaches, apples, or cherries.

¹ Hunter Dickinson Farish (ed.), *Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion* (Charlottesville: University Press of Virginia, 1968), 177.

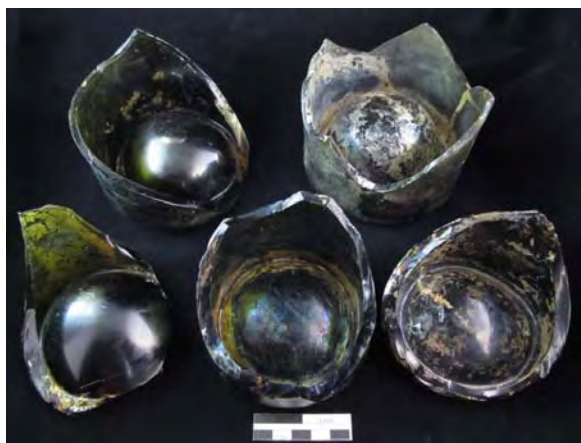
² Kym S. Rice, *Early American Taverns: for the entertainment of friends and strangers* (Chicago: Regnery Gateway, 1983), 85-96.

³ Rice, *Early American Taverns*, 95-96.

The variety of food served in rural taverns was typically limited to “whatever the tavern keeper had on hand for his or her own family and was willing to share.”⁴ Seasonality determined the availability of fresh meat, oysters, fruits, and vegetables. Preserved meats, such as dried venison or *gammons* (bacon or smoked ham), were likely available year round. In his 1787 travel diary, Samuel Vaughan listed the types of food available to travelers: “Ham, bacon & fowl pigeon of one sort or another...often fresh meat or fish, dried Venison, Indian or Wheaten bread, butter eggs milk, often cheese...”⁵ At one ordinary in Virginia, William Logan dined on “Fryed Oysters & Cold Roast Beef, & afterwards on Coffee, a thing common in this Country...”⁶

Nicholas Cresswell, a young Englishman stranded in Revolutionary War era America and a frequent visitor to public houses in Leesburg and Alexandria in 1774, wrote “Have had either bacon or chickens every meal since I came into this country. If I continue in this way, shall be grown over with Bristles or feathers.”⁷

The assemblage of faunal material from site 44LD0729 was considered too sparse to provide substantive conclusions relevant to foodways or animal husbandry at the site. Analysis of biomass, perhaps the most appropriate analytical tool for estimating the importance of the fauna represented



Thunderbird Archeology Photograph

The artifacts recovered from the cellar of the ordinary at site 44LD0729 included the bases from free blown wine and beer bottles dating to the 18th century. Wine bottles were probably repurposed as rum bottles at most rural Virginia taverns or ordinaries.



Thunderbird Archeology Photograph

in foodways at the site, indicates a typical regional subsistence pattern of domestic husbandry with cattle followed by domestic pig as major components of diet supplemented with a few wild species. This is consistent with 18th century travel diaries that described meals served at rural Virginia ordinaries during this period as being whatever the ordinary keeper had on hand or the same foods that his or her family would be consuming.

Excavations at the Kincora site also resulted in the recovery of numerous kaolin or ball clay pipe stems and several pipe bowls.

⁴ Rice, *Early American Taverns*, 96.

⁵ Rice, *Early American Taverns*, 88.

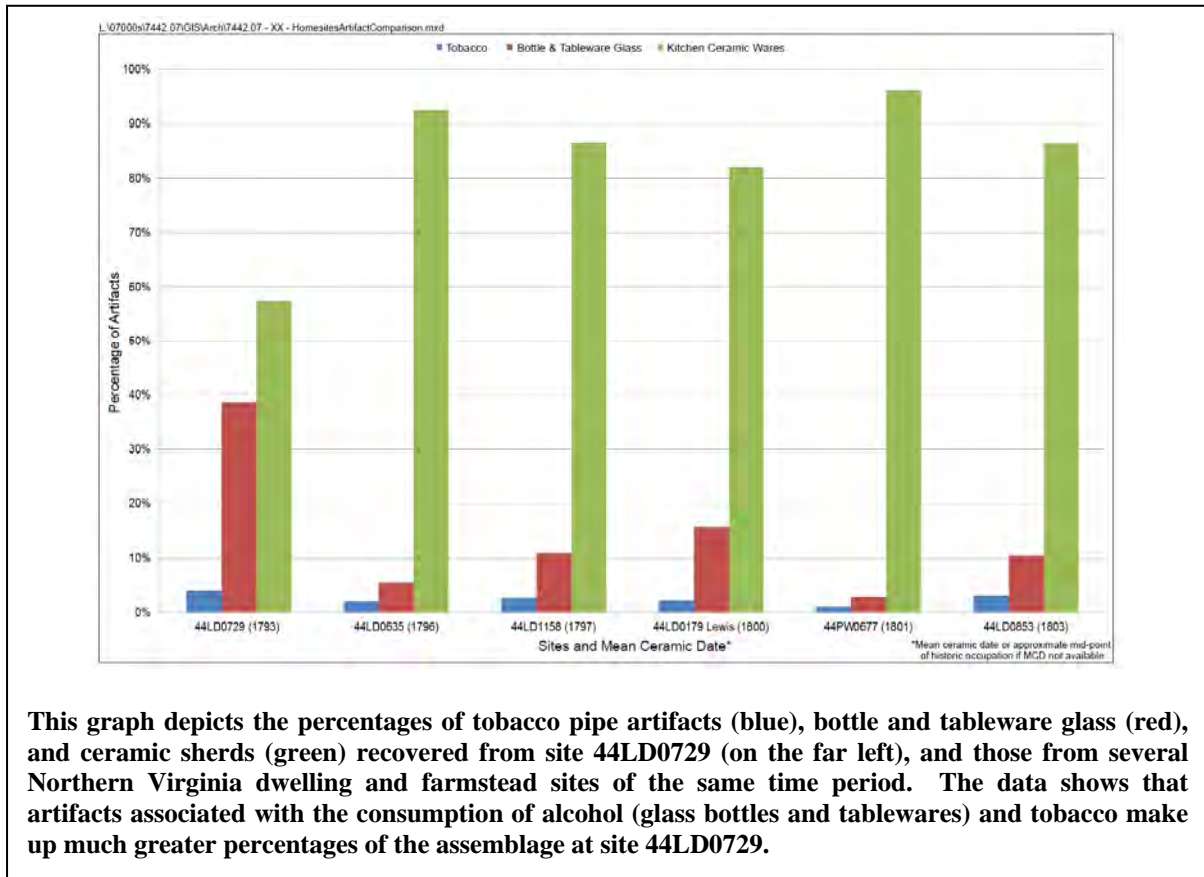
⁶ Logan, “William Logan's Journal,” 1-16.

⁷ Nicholas Cresswell, *The Journal of Nicholas Cresswell 1774-1777* (Carlisle: Applewood Books, 2007), 20.

Material Culture

Glass bottles are a key to interpretation. Glass was rare and expensive in colonial America and only small quantities of bottle glass are usually recovered from archeological excavations of period dwelling and farmstead sites in the region. The data recovery excavations at site 44LD0729, in comparison, yielded large quantities of bottle glass and a greater number of tobacco pipes than expected, indicating that this site was a tavern or ordinary where people gathered to smoke tobacco and consume alcohol.

The low quantities of ceramic tablewares recovered may reflect site function, a short occupation span, and a greater use of coarse tablewares or the date of occupation. The relatively early date for the site may also be a factor. “Few colonials used china-either pottery or porcelain-before 1780,” John Fanning Watson wrote in 1857, recalling a conversation with an elderly lady who recounted that before the Revolution “pewter plates and dishes were in general use . . . [and] China on the dinner tables was a great rarity”⁸. It is also possible that ordinary keepers may have used pewter serving wares or wooden trenchers.



⁸ Sheridan, Terrence E. 2009 “The Use of Pewter Spoons in America from 1650 to 1850” in *Past Masters News*, 12, (13). *Past Masters in Early American Domestic Arts*.



The data recovery excavations at site 44LD0729 included the investigation of multiple historic cultural features at the site, including a formal cellar, a root cellar, a drainage drench and several postholes. The locations of three buildings - the ordinary, a detached kitchen, and stables were identified based on the features and the artifacts recovered.

Property History

According to archival research, the land surrounding site 44LD0729 was purchased in 1770 by Leesburg tavern keeper Alexander McIntyre. He likely saw this as an excellent location for a tavern, as it was situated alongside the busy Ridge Road (the 18th century antecedent to modern Route 7) near the wooden bridge over Broad Run. McIntyre continued to operate his ordinary in Leesburg until his death in 1789 and probably partnered with another tavern keeper to manage the ordinary at site 44LD0729. Although McIntyre's partners could not be conclusively identified, two county ordinary keepers seemed most likely: Robert Fryer, a Virginia militia officer during the American Revolution, and William Hummer, the son of a local tenant farmer that found success as a merchant in the early 19th century. A full property ownership history follows.

Site 44LD0729 appears to have been situated near the boundaries of Robert Carter's 7,520 acre patent near Broad Run (Northern Neck Land Grants B:162) and a tract of land originally granted from the Northern Neck proprietors to Hugh Thomlinson of Stafford County, Virginia on July 27, 1724. According to Thomlinson's grant:

The Said proprietors for and in Consideration of the Composition to Us paid and the Annual Rent...do Grant Make over and Confirm unto the Said Hugh Thomlinson five hundred and Nine Acres of Land Situated Lying and being on the South , East or Lower Side of the Broad Run of Potomack River...Viz, Beginning at a great white Oak Standing the Said Run Side and on the Lower Side of the Second Small branch falling Into the Said Run Above the Rocky Run and Extending thence South Seventy three Degrees, East two hundred and ten poles to a white Oak thence crossing the Said Rocky Run, North twelve degrees, East four hundred & four po. to two hickorys Standing on a Level, Thence North West, one hundred and Sixty po. to a Red Oak Standing on the top of a hill Near the Low Grounds of the Said Broad Run, Thence South Sixty two degrees, West twenty po. to a Red Oak Standing on the Said Run Side, thence up the Said Run According to the Severall Courses and Meanders thereof South Nineteen degrees and a half, West four hundred Sixty five po. to the Beginning...⁹.

Evidently, Thomlinson failed to pay quitrents upon the land as a note in the margin reads "This Deed was returned to me by Mr. Jas. Cartevant, cancelled and the lands granted to John Lynton in Deed Book No. B, Fo. 95". The grant to Lynton, dated October 17, 1727 confirms that it was previously held by Hugh Thomlinson and restates the acreage and metes and bounds of the tract.

⁹ Northern Neck Land Grants A:52

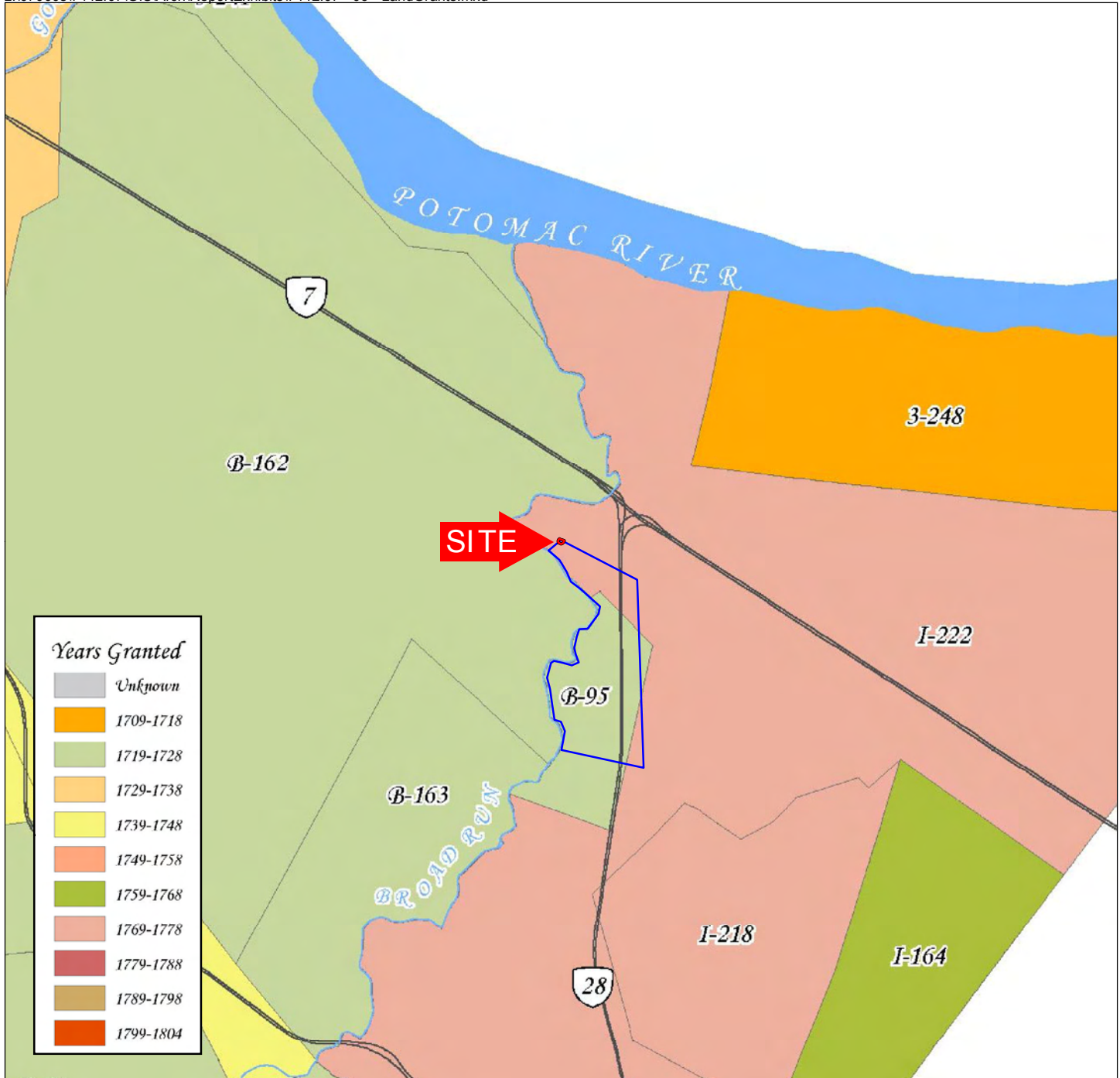
The Map of Original Land Grants, Loudoun County, Virginia shows the 509 acre Lynton grant along Broad Run, identified by book and page number as B-95 (Exhibit 1). Research conducted for this study has indicated that the location of the grant, as shown, is erroneous; the more likely original location of the grant is indicated on the exhibit. This hypothesis is based on two factors. The backline or eastern boundary of the Lynton grant as drawn on the Loudoun County map runs approximately 20 degrees east of north, whereas the metes and bounds describe this line running 12 degrees east of north. Further, historic observations of magnetic declination recorded in Philadelphia, Pennsylvania and off Cape Henry, Virginia between 1710 and 1750 suggest that the local magnetic variation at the time was between 5 and 8 degrees west.

Although relatively accurate compasses may have been available to American surveyors in the last quarter of the 17th century and certain natural philosophers had addressed the issue of declination, or magnetic variance from true north, by the beginning of the 18th century¹⁰; it likely that few Virginia surveyors in 1724 were capable of determining magnetic variation. By the mid-18th century; however, the issue was a matter of increasing concern, in part due to the publication of Robert Gibson's 1739 *Treatise on Practical Surveying* that providing instructions for determining magnetic variation. The Virginia General Assembly finally addressed the problem of magnetic declination in 1772 with an act requiring that surveyors must define boundary lines in relation to true north and indicate the extent and direction of variation on plats¹¹. In the Act, it was noted that "many inconveniences" had "arisen from the inattention of surveyors to the variation of the magnetic needle" and "many mistakes and much confusion...may arise in comparing future surveys with the present".

Considering that the magnetic declination was not accounted for during the circa 1724 survey of the Lynton grant and the degree of magnetic variance in Virginia at that time; the backline of the tract likely ran about 5 degrees east of north rather than 20 degrees east of north as indicated on the Land Grants map. Redrawing the backline and the northern and southern bounds based on this data, it was found that the tract no longer met Broad Run at the indicated points; this may be explained through the second factor considered in this hypothesis. The Land Grants map appears to construe that "the Rocky Run" named in the grant corresponds to Cabin Branch. No historic evidence for Cabin Branch having been previously named "the Rocky Run" was found; however, it may have been referred to as "the Deep Run" at some time in the 18th and early 19th century. Relocating the first station in the original metes and bounds to "the mouth of the second small branch" above the first substantial and lengthy (now unnamed) stream to the north of Cabin Branch allows the tract, generally as described in metes and bounds, to meet Broad Run at the appropriate points and contain approximately 509 acres. This operation moves the parcel some distance north and west and finds site 44LD0729 along its northwestern boundary as shown by the overlay on Exhibit 1.

¹⁰ Warner, Deborah Jean
2005 "True North—And Why It Mattered in Eighteenth-Century America" in *Proceedings of the American Philosophical Society*, 149 (3):372-385.

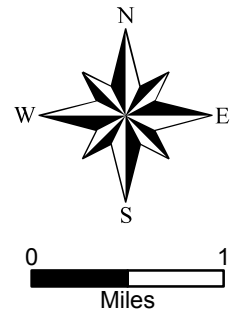
¹¹ Hening, William Waller
1821 *The Statutes at Large; Being a Collection of All the Laws of Virginia, From the First Session of the Legislature, In the Year 1619. Volume VIII.* George Cochran, Richmond, Virginia.



Years Granted	
Grey	Unknown
Orange	1709-1718
Light Green	1719-1728
Light Orange	1729-1738
Yellow	1739-1748
Light Red	1749-1758
Green	1759-1768
Light Pink	1769-1778
Dark Red	1779-1788
Brown	1789-1798
Dark Orange	1799-1804

- Approximate Location of Site
- Revised Location of 509 Acre 1727 Lynton Grant

Original Land Grants of Loudoun County, VA
Kincora Phase III - 44LD0729
WSSI #7442.07
Scale: 1" = 1 mile



Map Source: Loudoun County, VA, Office of Mapping and Geographic Information (OMAGI)

Frye and Jefferson's 1755 Map of Virginia and Maryland shows site 44LD0729 located along the Ridge Road or Vestal's Gap Road near the wooden bridge over Broad Run (Exhibit 2). Vestal's Gap Road is one of the oldest roadways in the county and people living in the west traveled along this roadway to Alexandria.

The building of a bridge over Broad Run was ordered by the Fairfax County Court on May 1752 when "On the Petition of Sundry the Inhabitants of this County it is adjudged reasonable for their benefit and Advantage to build a bridge over broad Run"¹². John Carlyle, William Ramsay and Charles Broadwater agreed "with workmen to build the said Bridge...". The bridge has been discussed in local history as:

...a typical early Virginia bridge was erected composed of sleepers and rafters. The sleepers were three or four logs linking each bank, and supporting the rafters, boards that were laid at right angles to the sleepers - usually without nails. If the bridge was flooded and needed its rafters adjusted or replaced, it was up to the next traveler who wished to cross to repair the bridge. George Washington was probably one of the impromptu repairman since it is known that he used the bridge in 1753 and 1754¹³.

As early as 1771, minutes from Loudoun government meetings indicate that about \$500 had to be allocated to reconstruction of the bridge "at the usual place". The bridge was subsequently rebuilt or repaired several times, in 1784, 1792, and 1801¹⁴.

In 1762, William Hancock opened an ordinary in the vicinity of the study area "on the Potomac Path at Broad Run"¹⁵. William Hancock appears to have been closely related to the Linton family; his sister Susannah Hancock married Moses Linton Sr. circa 1747; William Hancock married Ann Linton, evidently a daughter of John Lynton and sister of Moses Linton Sr. around the same time¹⁶.

¹² Fairfax County Book 1749-1754:196

¹³ broadrunfarms.org

2006 Broad Run Farms History. Electronic document.

http://www.broadrunfarms.org/index.php?option=com_content&task=view&id=12&Itemid=1

¹⁴ Loudoun County, Virginia Road Cases B1784-001, B1792-001, and B1801-002

¹⁵ Phillips, John T. (II)

1996 *Historian's Guide to Loudoun County, Virginia (Colonial Laws of Virginia and County Court Orders 1757-1766, Volume 1)*. Goose Creek Productions.

¹⁶ Brown, Phyllis

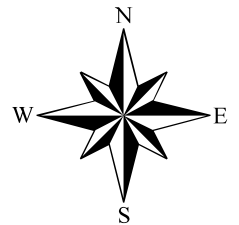
2011 Scarlett and William Hancock – Brothers? Electronic document.

<http://kentuckykindred.wordpress.com/2011/05/24/scarlett-and-william-hancock-brothers>.



● Approximate Location of Project Area

1755 Map of Virginia and Maryland
Kincora Phase III - 44LD0729
WSSI #7442.07
Not to Scale



Map Source: Library of Congress Geography and Map Division
 "A map of the most inhabited part of Virginia containing the whole province of Maryland with part of Pensilvania, New Jersey and North Carolina. Drawn by Joshua Fry & Peter Jefferson in 1751." 1755. Original Scale: 1:650,000
 Digital ID: g3880 ct000370

Although the location of Hancock's ordinary remains unknown, it is possible that it was located on the Lynton's lands at site 44LD0729, due to his close association with the Lynton family; however, this remains entirely speculative. Hancock's ordinary appears to have been short lived as he held an ordinary license only in 1761. It is more likely that the ordinary may have been on other lands nearby. William Hancock leased two 150 acre tracts on Broad Run, to the south of the Lynton Grant, from Henry Ashton in 1754. Although the deed recording that indenture is lost, it is documented in later deeds¹⁷. Hancock assigned the lease to "carpenter Daniel Neale" in 1761 and it is possible that Neale operated the establishment under Hancock's license. Philips' noted that Robert Sanford took over the ordinary from William Hancock and may have operated it until 1764; Neale assigned the lease to "ordinary keeper Robert Sanford" in 1762¹⁸.

The Lynton (Linton) family retained possession of the lands that appear to have included site 44LD0729 for over 40 years and, barring the possibility that Hancock and Sanford may have briefly operated an ordinary there; no evidence shows that the tract was occupied or otherwise made use of. Although this portion of the chain of title remains somewhat unresolved, a deed dated October 24, 1766 documents the conveyance of the Lynton Grant from "John Lynton [and Betty, his wife] of the County of Fairfax, Colony and Dominion of Virginia" to James Ingles of the county of Chester and province of Pennsylvania"¹⁹. The lands had passed from John Lynton to his grandson John Linton and were described as:

... situate Lying and being in the County of Loudoun binding on the South side of Broad run of Potowmack being a Tract Granted to John Lynton Grandfather to John Linton...from the proprietors Office in the Northern Neck of Virginia bearing Date the 17th day of October, 1727 Bounded as followeth Beginning at a large white Oak standing the lower side the said Broad run and the lower side the second small run falling into said Broad run above the Rocky Run Extending thence S^o 73^o E^t two hundred and Ten poles to a white Oak then crossing said Rocky Run N^o 12^o E^t four hundred and four poles to two hickories in a Level thence [illegible] one hundred and Sixty poles to a red Oak on Top of a hill near the Low grounds of the said Run thence S^o 62^o W^t twenty poles to a red Oak on Broad run side then up the said run and binding therewith the several Courses and Meanders thereof reduced to a straight line S^o 19^o30^m W^t four hundred Sixty five poles to the first Station Containing Five hundred and Nine Acres of Land....

Ingles reasons for acquiring land in Loudoun County are somewhat uncertain. He may have had ties to the community of Pennsylvania Quakers in the western portion of the county and his interest in the land may have been speculative. On September 14, 1770, the court in Loudoun County ordered a survey to settle a boundary dispute between Ingles and Carter; however, no survey plat or other relevant records were found²⁰. The date of this order is curious, for by this time Ingles had already subdivided and sold off the Lynton tract and he seems to have owned no other land in the county.

¹⁷ Loudoun County, Virginia Deed Book C: 413; G:146

¹⁸ Loudoun County, Virginia Deed Book C:413

¹⁹ Loudoun County, Virginia Deed Book E:1

²⁰ Loudoun County, Virginia Orders E:46



The northernmost portion of the property, that likely contained site 44LD0729, was conveyed from Ingles to Alexander McIntyre by a deed dated May 1, 1770²¹. The tract was described as:

Beginning at an Ash standing the lower side of the said Broad run being a corner of the parcel of Land Sold by the said James Ingles to George Killgore thence with the said Killgores line South fifty seven and a half degrees East One hundred and sixty poles to the line of the Honorable Robert Carter, thence with the said line North seven degrees East one hundred and eighteen poles to two Hickorie, thence North forty eight degrees West one hundred and sixty poles to a red oak saplin thence south Sixty two degrees West twenty poles to a small Hickory and Locust on the branch of the said Run thence up the several courses and meanders of the said Run to the Beginning containing ninety nine and an half Acres more or less.

Although referenced in the deed to McIntyre, the 150 acre portion of the Lynton grant to the south was actually conveyed from Ingles to George Killgore by a deed dated June 2, 1770²². It is also noteworthy that McIntyre paid nearly twice the amount per acre compared to Kilgore, indicating the possibility that a building or other improvements were already on the property.

Relatively little is known of Alexander McIntyre. He first appears in Loudoun County records as Alexander McIntire [sic] on list of tithables for 1765, when he is listed under ordinary keeper Robert Hamilton. He does not appear in tithables lists for 1766; however, a portion of the lists for this year are lost. Loudoun County criminal records document an assault case in 1766 that involved a complaint by Jane McIntyre, wife of Alexander McIntyre, against John Heryford²³. No other details of the case could be found. Interestingly, both McIntyre and Heryford appear to have been associated with the trade of tavern keeping.

Alexander McIntyre is mentioned in several deeds recorded in Loudoun County prior to 1770. A deed dated April 1767 documented the conveyance of “a negro child Harry” as a gift to Alexander McIntyre, the son of Alexander McIntyre, from his grandfather, Christopher Perfect of Cameron Parish²⁴. About a year later, by a deed recorded on May 11, 1768, “Christopher Perfect and Catherine, his wife” conveyed the ½ acre lot #37 on Cornhill Street in the Town of Leesburg to Alexander McIntyre²⁵. This property is apparently now located at 24 North King Street, Leesburg. On November 15, 1768, Alexander McIntyre petitioned the county court and was granted leave “to Set a gate on the court house Lot, adjacent to his dwelling place”²⁶. This lot appears to be the location where McIntyre opened his tavern that same year and he was granted a license to operate an

²¹ Loudoun County, Virginia Deed Book G:320

²² Loudoun County, Virginia Deed Book G:349

²³ Loudoun County, Virginia Criminal Cases Loose Papers 1766-004

²⁴ Loudoun County, Virginia Deed Book E:334

²⁵ Loudoun County, Virginia Deed Book F:328

²⁶ Loudoun County, Virginia Order Book D:146



ordinary in 1768; this license was renewed in 1769²⁷. Aside from his property in Leesburg and the lands that he purchased from Ingles in 1770, McIntyre owned only one other tract in the county, a 107 acre plantation “by the Old Main Road” to the east of Leesburg that he acquired from Aeneas Campbell in 1772²⁸.

Alexander McIntyre appears alone in tithables from 1767 and 1768; in 1769, two additional tithables, Thos. Mullen and Soloman Newman, are listed under his name. Most likely, Newman and Mullen were indentured servants living and working in his Leesburg tavern. In 1770, John Ball and Thomas Mulling are listed under Alexander McIntyre.

Hypothetically, McIntyre acquired the 99 ½ acre tract from James Ingles in 1770 with the intention of operating a rural ordinary. The location likely seemed ideal, being located along the Ridge Road near the Broad Run Bridge. It is almost a certainty that McIntyre provisioned his Leesburg Tavern from stores in Alexandria and he or his agents would have regularly passed the site location. As previously stated, there is some reason to believe that a suitable building had already been built on the property prior to the conveyance. It is also clear that McIntyre himself continued to license his tavern in Leesburg in most years between 1768 and 1784. Presumably, he partnered with one or more other individuals to operate the ordinary at site 44LD0729.

Tithables lists indicate that Alexander McIntyre remained in Leesburg during these years. In 1771, John Bell and James Pum, a barber, resided with McIntyre; in 1772 and 1773, McIntyre is shown above John Beall [John Bell in 1773] and Rubin Bigs [Rubin Biggs in 1773]. The year 1774 appears to be the first year that McIntyre may have been a slaveholder; he is listed above Hugh Carmel, Rubin Briggs and “negro Len.”

Various records detail McIntyre’s indentured servants. In August 1772, his servants James Morgan and Reuben Biggs were ordered to serve additional time for being runaways²⁹ and a similar order was issued for his servant Elizabeth Smith³⁰. In October of that year, McIntyre had place an advertisement in the Virginia Gazette:

RUN away from the subscriber in Leesburg, the 4th instant, a servant woman named ELIZABETH SMITH, 25 years old, about 5 feet 4 or 5 inches high, her hair very black, has several scars on her under lip, chin, and arms, and much pitted with the smallpox; had on, and took with her, a short black calico gown, a white linen ditto, white apron, and white humhum sack and petticoat, red cardinal, flowered blue sattin capuchin, calico petticoat, black sattin laced bonnet, one pair of cotton and two pair of hose, old black calimanco shoes with plain silver buckles, one ruffled and two plain shifts. It is probable she may have taken many other things that are not missed.

²⁷ Loudoun County, Virginia Ordinary Licenses Granted in 1768-1769

²⁸ Loudoun County, Virginia Deed Book I:85

²⁹ Loudoun County, Virginia Order Book E:408

³⁰ Loudoun County, Virginia Order Book E:467



She was formerly indented to Capt. Gray, from Boston, and may now perhaps have an old indenture. Whoever takes up the said servant, and brings her to me, shall have FIVE POUNDS, besides what the law allows. ALEXANDER M'INTYRE [sic]³¹.

In the tithables list for 1775, only Rubin Briggs is listed under McIntyre's name. The lists for 1777 show John Butcher and "negro Paseo" residing with McIntyre and, in 1779, he is listed above "Negroes Jese, Butler, [and] Paseo." In 1780, McIntyre is shown with "negro Kate." In 1782, he is shown with "negros Harry, Kitt, Mary, Pen, Jean & Moses." Court documents record that, in June of 1778, his servant Bridget Connor was ordered to serve additional time for running away³², for having "a base born child", and for debt.

Although the actual identity of the ordinary keeper or keepers that leased the property at site 44LD0729 or otherwise partnered with Alexander McIntyre remains uncertain, the most likely candidate is Robert Fryer. Fryer was first granted a license to operate an ordinary in 1769³³. He was, according to tithables lists, resident in Cameron Parish in 1768; he is listed alone in this year. Fryer appears to have been a person of some standing in the community at this time, as he was amongst several trustees, including William Fox and ordinary keepers James Coleman and John Moss, granted a one half acre tract near Sugarland Run for a community meeting house and school in April 1768³⁴.

Although Fryer was only granted ordinary licenses in two years, 1769 and 1770; few rural ordinaries were licensed between 1771 and 1790. Fryer clearly remained in the parish in 1771 and 1772; Robert Fryer is listed in tithables with one additional responsibility; Patrick Collen. Collen may have been a hired hand or perhaps, an indentured servant. Fryer is absent from the 1773 lists but appears in 1774 and 1775, responsible for Robert Bowlen [Bolin], also likely a hired hand or indentured servant. Fryer is absent from the 1776 lists but appears again in 1777 with "Robt Boling" and in 1778 with "Danl Bradley." In 1779, Fryer was charged with compiling one of the lists and appears on his list alone.

In 1779 Robert Fryer was commissioned a captain in the Virginia militia and served as an escort for Burgoyne's troops³⁵. The pension record of Hezekiah Bayles indicates that Fryer was serving as a militia lieutenant under Capt. James Coleman in 1776. By 1777, Fryer had departed Coleman's company, Coleman had been promoted to Colonel and Captain Richard Spurr and Lieutenant George Kilgore were in his command³⁶. Sworn statements made by Henry Wigginton include mention of Fryer's service during the war:

³¹ *Virginia Gazette*
1772 Alexander M'intyre Advertisement. October 22. Williamsburg, Virginia.

³² Loudoun County, Virginia Orders G:109, 118, 134

³³ Loudoun County, Virginia Order Book D:265-299

³⁴ Loudoun County, Virginia Deed Book F:280

³⁵ Creel, Bevin
2007 *Selected Virginia Revolutionary War Records, Volume 1*. Lulu.com

³⁶ Revolutionary War Pension Record Number S. 16624

...in the spring of the year 1776 I was drafted to serve a tour of four months as a private soldier in the Militia. That I was drafted in Loudoun County State of Virginia and served out my tour [illegible] Captain Robert Freyer's [sic] Company of Virginia militia. That Capt. Freyer's [sic] Company belonged to the Battalion commanded by Major Cox. The Regiment was commanded by Col. Levin Powell. Was marched from Loudoun to Alexandria in Fairfax County, Virginia where we stayed the greater part of the time which we served. When at Alexandria we were principally employed in building breastworks of gray sod [illegible] to protect the town from the Cannon of the Enemy³⁷.

Fryer may have left the militia by 1781; he served as a Justice of Loudoun County in the years 1781 and 1782³⁸. Also, in 1782, Robert Fryer appears in Loudoun County, Virginia personal property tax lists with responsibility for tax on "negro Sarah, six cattle and twelve horses."

Whether due to his advancing age, failing health or other unknown reasons, Alexander McIntyre disposed of the property he had acquired in 1770 (including site 44LD0729) with its conveyance to George Kilgore in 1784³⁹. Available land tax records tax records for Alexander McIntyre and George Kilgore document McIntyre's ownership of the property in 1782, when he was taxed 69.13.0 on the 99 ½ acres and Kilgore's in 1800 and 1810 when, in both years, the property was assessed at a value of \$113. This may indicate that the ordinary at site 44LD0729 was no longer extant by 1800.

Alexander McIntyre made his will in October 1788 and was dead before April 1789⁴⁰. At the time, the study property was conveyed to Kilgore, in 1784 and 1785, Robert Fryer appears on a list of tithables under the name George Kilgore. This may indicate that Fryer was living in Kilgore's house at the time. In addition to Fryer, Kilgore was responsible for two other tithables in 1784, "negros Jean and Dick" and one other tithable in 1785, "negro Dick."

Robert Fryer could not be found in Loudoun County records after 1785 and it is possible that he emigrated to Kentucky as part of Richard Spurr's Difficult Land Company circa 1786. Spurr had been a Carter tenant and, according to various genealogical sources, several other neighboring tenants left Virginia in his company around this time. Other tenants on Carter's lands near site 44LD0729 in the late 18th and early 19th century included William Horeseman Sandford Reamey, James Whaley, James Coleman, Israel Hunter, James Green, Phillip Marchant, William Sanders, James Whaley, Jr., James Rice, John Littleton, Michael Hummer, and William Fox⁴¹.

³⁷ Revolutionary War Pension Record Number S. 31483

³⁸ Boogher, William Fletcher.
1903 *Gleanings of Virginia History*. Washington, D.C.

³⁹ Loudoun County, Virginia Deed Book O:207

⁴⁰ Loudoun County, Virginia Will Book D:24

⁴¹ Mullen, John, David Carroll, Johnna Flahive, and Stephanie Sharpes
2008 *Phase II Archeological Investigation of Site 44LD0729, Loudoun County, Virginia*.
Report prepared by Thunderbird Archeology of Gainesville, Virginia for NA Dulles Real Estate Investors, LLC of E. Setauket, New York.

Although speculative in the absence of solid evidence, the most likely ordinary keeper at site 44LD0729 after the departure of Robert Fryer, may be William Hummer, probably a close relative of Carter tenant Michael Hummer. According to genealogical sources, William Hummer was born in Loudon County in 1753 and married Rachel in 1780. William Hummer first appears in Loudoun County tithables in 1780 as “Wm Homer” under his father Michael Homer. He appears in tithables alone between 1781 and 1784; in 1785, he appears responsible for another tithable, Jos. Thompson.

In Loudoun County property tax records, William Hummer appears in 1782, taxed on two cattle and six horses and, in 1784, taxed on six cattle and six horses. In 1785, he was responsible for taxes on another individual, likely Jos Thompson, six cattle and six horses; in 1786, he paid taxes on six cattle and four horses. Records from 1787 note that he held a license to operate an ordinary and was taxed on Robert Dawson and five horses; in 1789, he paid taxes on “Jere Day” and Jno Methias” along with five horses. In 1790, Hummer was taxed on “Jo. Groves,” “Geo. Johnston,” one African American slave older than 16 years, and five horses.

In 1791, Hummer held three enslaved African Americans over the age of 16 and was also taxed on “Jos. Groves,” “Pet. Benglet” and five horses. In 1792, he held four enslaved African Americans over the age of 16 and owned five horses; in 1793, he held three enslaved African Americans over the age of 16, George Johnston had returned and he owned nine horses. Records from 1794 show that he held three slaves and had been once again been granted a license to operate an ordinary. He was also taxed on George Johnston and nine horses.

Although Hummer had apparently owned no land in previous years, in 1795, he purchased 406 acres from Joseph Gardner and John Evans⁴². These properties were adjacent to “the Sisters’ Tract,” likely near Dranesville and Sugarland Run. That year, according to tax records, Hummer renewed his ordinary license, held seven slaves and owned nine horses. The records also indicate that a man named Stephen Donaldson lived with Hummer in 1795. The following two years saw little change in Hummer’s tax records; in 1798; however, Hummer held an ordinary license and a merchant’s license, owned six slaves and 18 horses.

A plat of Carter’s Broad Run and Sugar Run Tracts, the lands in the vicinity of the study property, was prepared in 1796, evidently for the chancery suit of Charles Carter of Shirley et al. vs., Robert Carter et al.⁴³. This case appears to have been held in advance of the conveyance of 1,978 acres from Robert Carter Jr. to John Lyons in 1798. Although the 1796 survey included metes and bounds for the greater portion of these tracts, it did not include specific boundaries for the Lynton tract that remained in possession of George Kilgore at this time. As such, the Lynton tract as shown was not surveyed and the precise location of the tract remained uncertain (Exhibit 3).

⁴² Loudoun County, Virginia Deed Books W:97 and W:502

⁴³ Carter & c. vs. Carter & c., Chancery Loose Papers, Fredericksburg Circuit Court Archives





**1796 Plat of Broad and Sugarland Run Tracts
Kincora Phase III - 44LD0729
WSSI #7442.07
Not to Scale**

Map Source: "Broad Run and Sugar Run Tracts 1796 -
Plaintiff: Charles Carter of Shirley et al.
Defendant: Robert Carter et al.
Carter & c. vs Carter & c., Chancery Loose Papers, Fredericksburg Circuit Court Archives

The map of a 1798 survey conducted to establish the redrawn boundary line for Fairfax and Loudoun Counties along Sugarland Run shows a house associated with the name “William Hummer” on the Loudoun County side along the turnpike (Exhibit 4). As this map was not drawn to scale, it is impossible to conclude whether this location shows Hummer’s dwelling (i.e., the ordinary that may have been at site 44LD0729) or his dwelling on the lands near Dranesville that he acquired in 1795, although the latter seems more likely.

The James Madison 1807 Map of Virginia and Maryland offers an overview of the area’s roads and communities during this period but shows little detail (Exhibit 5). Scheel’s Loudoun County map, a reconstructed composite of current and historic roads and landmarks, shows the route of Vestal’s Gap Road passing through the immediate vicinity of site 44LD0729 (Exhibit 6). Vestal’s Gap Road was replaced prior to 1820 by the Leesburg and Alexandria Turnpike as the primary northwestern route from Alexandria to the Blue Ridge and points west⁴⁴. The only known trace remaining of the road is located approximately two miles to the east at Claude Moore Park. Around 1810, Whaley’s Mill and a store were established near the intersection of Broad Run and the turnpike.

On June 17, 1817 George Kilgore prepared his last will and testament and, by March 1819, he was dead⁴⁵. Kilgore’s sons-in-laws, George and William Shied, served as executors of his estate which, based on Loudoun County tax records, included several tracts of land: the 160 acres that he had purchased from James Ingles in 1784, the 99 ½ acre tract purchased from Alexander McIntyre in 1784 that likely contained site 44LD0729, and the remaining 150 acre portion of the original Lynton grant that he had acquired from the Coleman family.

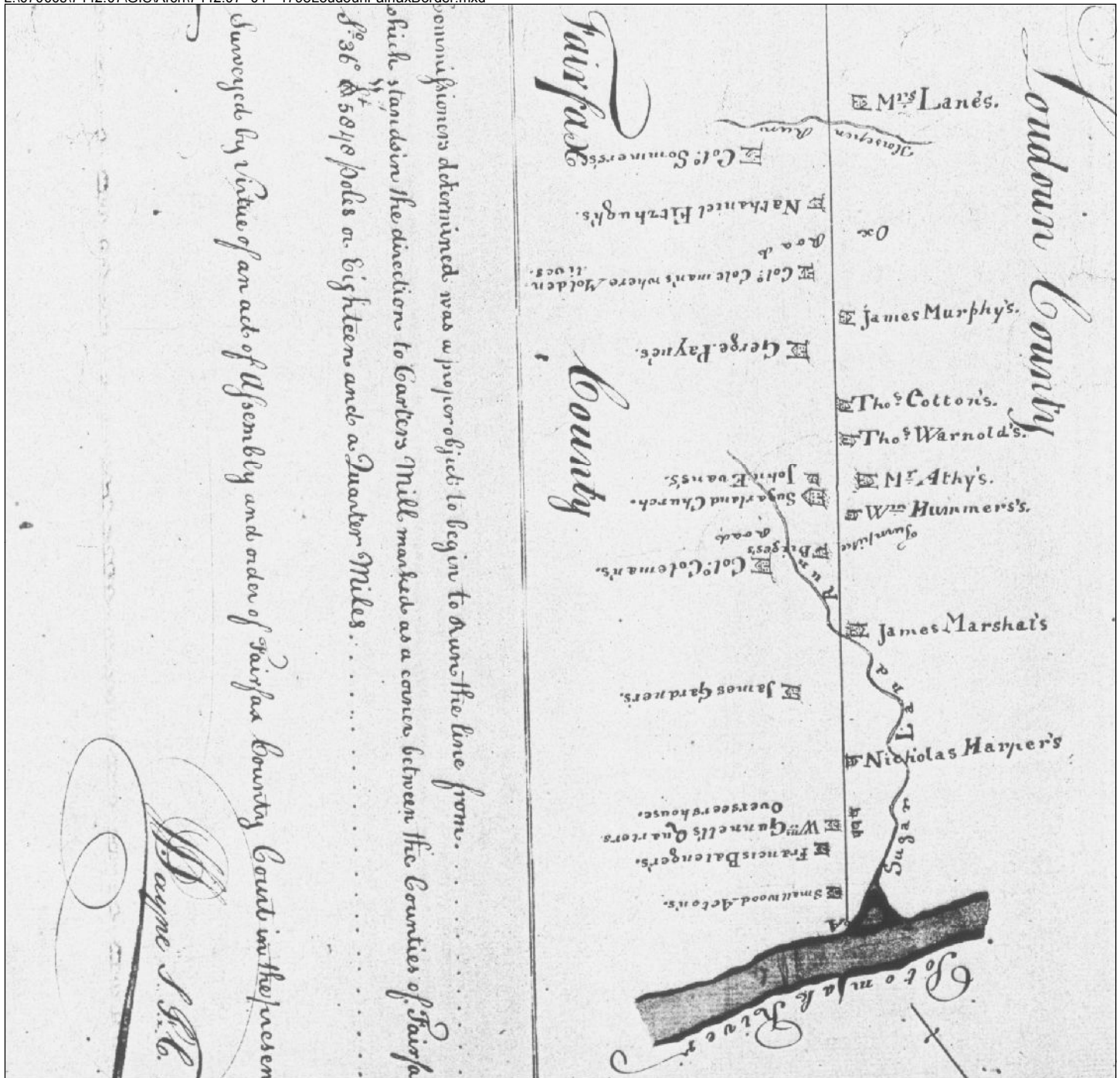
Kilgore, by the time of his death, was an elderly man who had evidently been quite successful in his milling business. His estate inventory, though likely prepared 20 years or more after the abandonment of the ordinary at site 44LD0729, contains a variety of items that could have been associated with the ordinary including “2 barrels cider and 2 empty kegs... 6 pewter plates, 10 basons, 5 pewter basons...bowl tea and chocolate pot...18 whiskey barrels...2 kegs...lot of casks...4 casks...”⁴⁶.

⁴⁴ Scheel, Eugene M.
2002 Eastern Loudoun: Goin’ Down the Country. *Loudoun Discovered, Communities, Corners and Crossroads*. The Friends of the Thomas Balch Library, Inc. Leesburg, Virginia.

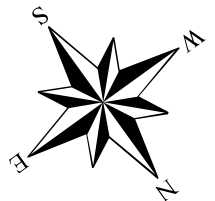
⁴⁵ Loudoun County, Virginia Will Book N:70

⁴⁶ Thompson, Stephen M.
1988 *Phase II Significance Evaluation of the Old Kilgour Burying Ground (44LD421) in Loudoun County, Virginia*. Report prepared by James Madison University Archeological Research Center of Harrisonburg, Virginia for Dewberry & Davis, Fairfax, Virginia.





1798 Records of Survey Map
 Fairfax and Loudoun County, Virginia
 Kincora Phase III - 44LD0729
 WSSI #7442.07
 Not to Scale



Map Source: Dividing Line Between Fairfax and Loudoun Counties".1798. Fairfax Records of Survey, p. 214. Original Scale: Unknown.

Although Kilgore, in his will, specified that this real property should be divided amongst his grandchildren, the executors determined that the most equitable division would be achieved by liquidating the land at public auction. Prior to this sale, Kilgore's lands were resurveyed and a discrepancy of approximately 40 acres was discovered. Although no plat or record of this survey has been located, it appears that at all or most of this acreage was a part of the 99 ½ acre tract that Kilgore had acquired from Alexander McIntyre. William Shied purchased this tract at auction but it had been reduced in size by over two thirds.

The status of this land may have been in question for some years and the lack of any solid evidence regarding the method of its disposition leads to speculation. It is possible that this land was also part of a 110 acre discrepancy that was found in an 1849 survey of the 1,978 acre tract that John Lyons had acquired from Robert Carter in 1798, increasing its acreage to 2,088. Ann Elizabeth C. Richardson (née Lyons), had inherited land from her mother and father, Ann C. of Cleve and John Lyons, in Hanover County; this land appears to have included her brother John Lyon's estate in Loudoun County⁴⁷. In 1841, she conveyed the 1,978 acres in Loudoun County to William B. Chittenden⁴⁸. The same year, the parcel of land was described in land tax records as being on Broad Run, twelve miles east of the county courthouse and was assessed at \$2.00 per acre, with \$800 for buildings, and a total of \$3957 in assessed value. A few years following this conveyance, she married William B. Chittenden. Upon her death around 1844, she bequeathed all of the Lyons' estate to her new husband⁴⁹. No specific description of her property was included in her will. William B. Chittenden owned the property for three years before conveying the 1978 acres, among other parcels, to four trustees :William B. Nutt, William Seldon, Loflin N. Ellitt, and Wellington Goddin⁵⁰.

On April 9, 1849, William Seldon became the owner of the property after purchasing it at auction⁵¹. At this time, the property included the additional 110 acres and totaled 2,088 acres of land. The plat of the 1849 survey is included as Exhibit 7. Importantly, this plat represents the first surveyed plat of the Lynton tract found, as neither the plat for the court ordered survey of 1770 nor the 1819 survey plat of Kilgore's lands have been located. It is likely that the two 19th century surveys resulted in the reduction in the Kilgore lands and the incorporation of the acreage containing site 44LD0729 into the lands acquired by Seldon. This plat appears to be the basis for the projection of the Lynton grant as shown on the Loudoun County Land Grants map (see Exhibit 1). It is also noteworthy that the GIS acreage of the projection is approximately 30 acres less than 509 acres that the tract was originally felt to contain.

⁴⁷ Loudoun County, Virginia Deed Book 4W:295

⁴⁸ Loudoun County, Virginia Land Tax Records 1842, 1843

⁴⁹ Loudoun County, Virginia Will Book 2C:104

⁵⁰ Loudoun County, Virginia Deed Book 4W:295

⁵¹ Loudoun County, Virginia Deed Book 5B:229



Shortly after purchasing the property, Seldon conveyed the entire acreage to William B. Nutt⁵². Nutt owned the property until his death around 1883 or 1884, when he conveyed it to his daughter, Alice E.N. Wise, in trust. He did not; however, describe the property or give a total number of acreage conveyed. Later deeds and land tax records indicate Nutt owned approximately 1,360 acres in the area. Trustees named in his will include his friend Frederick B. McGuire and his nephew James R.H. Deakins⁵³.

In 1908, following Alice E.N. Wise's death, her heirs sold 1,360 acres to Albert Shaw, who was a resident of New York at this time. The property conveyed is described as follows:

All that certain tract of land on the North side of the Bluemont Branch of the Southern Railway near the village of Sterling in Broad Run district, in the county of Loudoun and State of Virginia...Beginning at a point on the Leesburg and Alexandria Turnpike at the Eastern end of the Old Stone Bridge over Broad Run thence up the said run with the meanders thereof to a point marked E on the old plat of Jackson and Bridges... thence with the road to the intersection of the road leading to Sterling, thence with the Sterling road to the southeast corner of the lot on which Presley Jones now resides... thence with the line of the Thayer property to a stone in the centre of the Kilgore Mill road to a point marked I ... thence up Broad Run with the meanders thereof (and at one point crossing said Run for a short distance) to the western abutment of the railroad brick over Broad Run... to a stone near a corner of the Reed lot on the Leesburg and Alexandria Turnpike, thence with said Turnpike to the beginning, containing 1360 acres⁵⁴.

Albert Shaw resided on the property for eight years, though not at site 44LD0729, before conveying it to his son, Albert Shaw, Jr., who owned the land until 1962. In 1962, Albert Shaw, Jr. conveyed 527.931 acres of the larger parcel to Northern Virginia Development Company⁵⁵. Following, in 1973, the Company transferred the property to NDV Company, LLC and it was combined with a ±1549-acre tract of land⁵⁶. NA Dulles Real Estate Investors, LLC acquired 317 acres of the larger parcel by 2005⁵⁷.

Conclusion

Data recovery at site 44LD0729 afforded an exceptional and challenging opportunity to study an almost unique site type in Loudoun County and a rare site type in Virginia. The work at the site may assist archeologists in identifying additional ordinary or tavern sites in the region and also contributed to our understanding of how rural and urban taverns of the 18th century differed from one another and how Virginia taverns and ordinaries changed over time.

⁵² Loudoun County, Virginia Deed Book 8H:288

⁵³ Loudoun County, Virginia Will Book 3S:304; Deed Book 8H:37

⁵⁴ Loudoun County, Virginia Deed Book 8H:37; Will Book 3S:304

⁵⁵ Loudoun County, Virginia Deed Book 11C:211; 418:404

⁵⁶ Loudoun County, Virginia Deed Book 575:492

⁵⁷ Loudoun County, Virginia Deed Book 719:215; 712:244;1997:787; Instrument 200509160104822; Deed Book 2314:1582