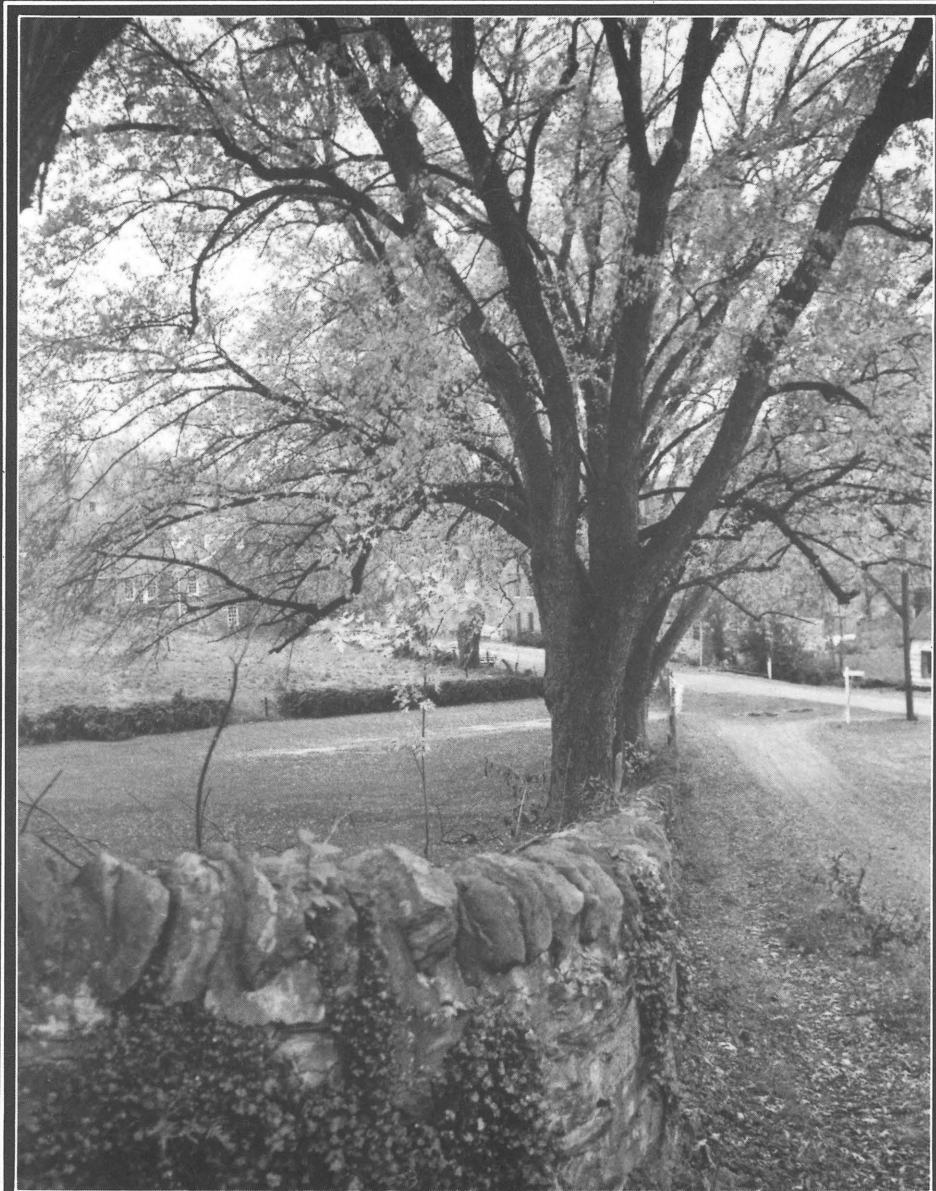


Notes on Virginia

Number 32

Virginia Division of Historic Landmarks

Winter, 1988/89



Department of Conservation and Historic Resources

Notes on Virginia

Number 32

Winter, 1988/89

Contents

<i>New Historic Preservation Easements</i>	3
<i>Recipients of the First Year Preservation Grant Awards</i>	6
<i>Virginia General Assembly Approves Preservation Funds</i>	12
<i>The Virginia Landmarks Register</i>	13
<i>The Virginia Manufactory of Arms</i>	25
<i>Demolition by Neglect</i>	31
<i>Virginia's Attic</i>	36
<i>Certified Historic Rehabilitations</i>	38
<i>Board Appointments</i>	40



Virginia Department of Conservation and Historic Resources
Division of Historic Landmarks

Morson's Row
221 Governor Street
Richmond, Virginia 23219

H. BRYAN MITCHELL
Division Director

Notes is edited by Margaret T. Peters, Division of Historic Landmarks
and designed and prepared for publication by
Katie M. Roeper, Office of Graphic Communications, Virginia Department of General Services.
All photographs are from the DHL archives, except where noted.

Virginia Historic Landmarks Board Approves New Historical Highway Markers

The following historical markers were formally approved by the Virginia Historic Landmarks Board in 1988. All new markers are funded from private organizations or local governments. **Texas Jack Omohundro (F-52)** in Fluvanna County; **Christiansburg Institute (K-68)** and **Founding of Future Farmers of Virginia (K-64)** in Montgomery County; **Norfolk Botanical Gardens and Bank Street Baptist Church (KN-3)** in the city of Norfolk; **Montview (L-21)** in Lynchburg; **Schoolfield (q-5-k)** in Danville; **Walkerton (EA-2)** and **Meadow Farm (EA-1)**, in Henrico County; **Osbornes (S-14)**, **Warwick (S-2)**, **First Railroad in Virginia (S-20)**, **Mattoax** in Chesterfield County; **First German Reformed Church and Cemetery (TA-1)** in Loudoun County; **Halifax Church (R-78)** in Halifax County; **Piney Grove and E.A. Saunders (V-23)** in Charles City County; **Franklin (U-126)** in the City of Franklin; **Martin's Hundred (W-51)** in James City County; **Southampton Insurrection (U-122)** in Southampton County; **Sully (C-18)** in Fairfax County; **First Trolley Car System in Richmond (SA-25)** in Richmond; **Battle of Chantilly (Ox Hill) (B-13)** in Fairfax County; **Action of Carters Farm (A-2)**, **Fort Collier (A-4)**, **Second Battle of Winchester (A-8)**, **Stephens City (A-12)**, **Hackwood Park (A-38)**, **Third Battle of Winchester (J-3)**, **Third Battle of Winchester (J-13)** in Frederick County; and **First Battle of Winchester (A-5)** in Winchester.

John R. Kern Named to Head Regional Office in Roanoke

John R. Kern, formerly State Historic Preservation Officer of Delaware, will direct the Virginia Division of Historic Landmarks' new Roanoke regional preservation office. A professional historian with fifteen years' experience in both private and public preservation efforts, Kern began work February 1.

The selection of Roanoke as the pilot center site, made public by Governor Gerald L. Baliles in early November, advanced a recommendation of the Governor's Study Commission on Historic Preservation urging the commonwealth to create as many as seven such centers throughout the state. Funding for the center is available through state funds appropriated for this purpose by the 1988 General Assembly.

Kern, who holds a doctorate in American History from the University of Wisconsin, recently completed a four year term as director of Delaware's statewide program of historic and cultural affairs. He also represented the state on the National Trust for Historic Preservation's Board of Advisors and as observer for Governor Michael

Notes on Virginia is funded in part by a grant from the National Park Service, U.S. Department of the Interior. Under Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, or handicap in its federally assisted programs. If you believe you have been discriminated against in any program activity, or facility described above, or if you desire further information, please write to: Office for Equal Opportunity, U.S. Department of the Interior, Washington, D.C. 20204. The contents and opinions of this publication do not necessarily reflect the views of policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior.

Castle on the President's Advisory Council on Historic Preservation.

The 49-year-old Iowa native began his distinguished career of public service as a Peace Corps Volunteer in Tunisia, North Africa, following his graduation from Swarthmore College in 1961. In 1965 Kern returned to the United States to begin graduate studies at the University of Wisconsin, where he earned his Master's degree in American History in 1970 and his doctorate in 1976. After teaching American History and Western Civilization for several years at the college level in California, Kern entered the field of historic preservation as Historic Preservation Coordinator for the Michigan History Division in 1974.

Joining Kern in the Roanoke office are J. Daniel Pezzoni, architectural historian most recently under contract to the North Carolina State Historic Preservation Office who has conducted surveys in Southwest Virginia, and Thomas Klatka who also has had broad experience in conducting archaeological survey and excavation in Virginia and has completed graduate work in anthropology at the University of Virginia.

The preservation center staff will conduct archaeological and architectural surveys, provide planning assistance to local governments, provide technical assistance for rehabilitation and restoration projects, offer technical support to private, non-profit groups, provide registration assistance for properties eligible for the Virginia Landmarks Register and National Register of Historic Places and support the development of local preservation education programs.

John R. Kern, Director of the Roanoke Regional Preservation Center



Cover

The Eleanor James Property in the heart of the Waterford Historic District, Loudoun County, is included among the initial grant awards from the Virginia Preservation Fund for threatened landmarks. Grant funds are being used to assist in the acquisition of open space in the National Historic Landmark District. The grant was one of sixteen announced by Governor Baliles in November. For details on other grant recipients, see page six.

New Historic Preservation Easements



Hanover Tavern, home of the Barksdale Dinner Theatre in Hanover County.



Cleydael, King George County.

The Division's easement program continues to be a popular method for legally guaranteeing the preservation of outstanding historic properties. Over the past year, the Virginia Historic Landmarks Board, which is authorized by the General Assembly to accept easements on behalf of the Commonwealth, has added nine easements to its inventory. An easement is a legal contract between the donor and the state which prohibits destruction or inappropriate change to the landmark. Easements are written into the deed, and the terms apply to all future owners of the property. The new easements are:

Hanover Tavern, Hanover County

A preservation easement on the historic Hanover Tavern in Hanover County has been donated by David S. Kilgore and Muriel McAuley, owners and operators of the Barksdale Theatre. The rambling frame building stands directly across U.S. 301 from the 1735 Hanover Courthouse. For the past 20 years it has been the home of the Barksdale Theatre. Constructed sometime in the mid-18th century and subsequently enlarged, the tavern was operated prior to the American Revolution by John Shelton, father-in-law to Patrick Henry. Before embarking on his career in law and politics, Patrick Henry worked as a bar keeper in the tavern. It was soon after that the famous orator argued the Parson's Cause in the Hanover Courthouse. The case has long been considered a milestone in the cause for American independence from Great Britain.

The terms of the easement permanently protect the

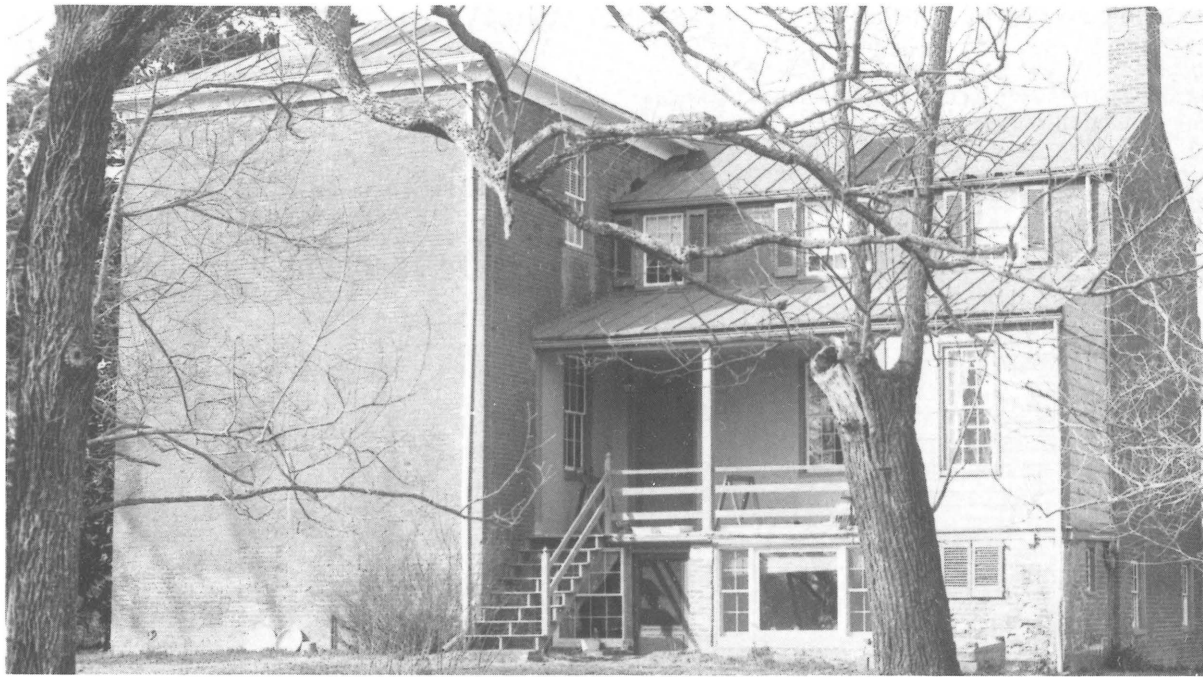
building against demolition or inappropriate alterations, but will allow it to remain in private ownership and will permit its current use as a dinner theatre.

Cleydael, King George County

S.E. Veazey of the Cleydael Limited Partnership has donated a historic easement to the Virginia Historic Landmarks Board. CLEYDAEL is a two-story, white frame house erected as a summer residence by Dr. Richard H. Stuart in 1859. The property is significant historically as well as architecturally. On Sunday, April 23, 1865, John Wilkes Booth sought medical assistance from Dr. Richard H. Stuart while the Stuart family was residing at Cleydael. Suspicious of who his visitors were and aware of the Lincoln assassination, Stuart refused medical assistance and sent the men away after having given them dinner. Under terms of the easement, protection of the original interior woodwork as well as archaeological resources on the property is assured.

Mount Columbia, King William County

Mr. and Mrs. Keith Armatage donated an easement on MOUNT COLUMBIA in King William County, in March, 1988. Mount Columbia, dating from 1790 and 1835, is a two-part house illustrating the increasingly sophisticated architectural taste that evolved in rural Virginia during the early decades of the 19th century. The older section was built in the 1790s for Gideon Boshier; the formal federal



Mount Columbia, King William County.

style front section was built for Bosher's son, William in the 1830s. The general character of the later section appears to have been influenced by the Virginia Executive Mansion in Richmond; William Bosher's brother John and his neighbor, Christopher Tompkins, were both involved in the building of the Mansion. The easement includes the dwellings and ninety-nine acres surrounding it.

The Lock-Keeper's House, Goochland County

One of only two lock-keepers' houses known to remain standing in the Commonwealth, this two-story frame structure has withstood innumerable floods since it was built *circa* 1836 to serve Lock Number 7 on the James River and Kanawha Canal. At least one of those floods is commemorated on the foundation wall near the basement entrance, where a horizontal line and the date "30 Sept. 1870" are cut into the stone. Lock Number 7 was most active in the decades between 1840 and the outbreak of the Civil War. Horses were changed, invoices and cargos checked, and tolls collected. In addition, the Lock-Keeper's House served as a tavern and furnished accommodations for passengers and canal boat crews. The house has a complex interior arrangement of stairs and rooms as a result of this dual function as residence and hostelry. After the war, the canal was acquired by the Richmond and Alleghany Railroad, and tracks were laid on the towpath. The lock has been silted in by floods and is no longer visible. Mr. and Mrs. Lucien Jones, however, carefully restored the house over a three-year period before the easement was donated in February, 1988.

Kenmure, 420 West Bute Street, Norfolk

Built as a two story house in 1845 and expanded to three stories around 1855, Kenmure represents the finest example of Greek Revival architecture on Norfolk's historic West Freemason Street. The house was built for William Wilson Lamb, who

was mayor of Norfolk during the Civil War, and who is credited with preserving the city's silver mace from Union troops by burying it under a second-floor mantel before he was forced to surrender the city. Mayor Lamb's son, William Lamb, became a wartime hero as the commander of Fort Fisher, North Carolina, where Confederate blockade-runners slipped past Union gunboats under the protection of Confederate artillery. Following the war, William Lamb became a controversial political leader, serving as chairman of the Republican Party of Virginia during the Gilded Age. William Lamb is also credited with having restored Norfolk's financial fortunes—at the sacrifice of his own—by his tireless promotion of the city as a port and as a center of the cotton trade with Great Britain. Kenmure boasts wide banded architrave door and window trim, two unusually elegant openstring staircases, and broccottello marble mantels. The easement was donated in December of 1987 by Dr. and Mrs. Frederick Herman.

Bank of the Potomac, 413-415 Prince Street, Alexandria

This three-and-one-half story four bay house is an outstanding example of the Federal architecture which typifies the Alexandria Historic District. The building was constructed between 1804 and 1807 for the use of the nationally-chartered Bank of the Potomac, and continued to function as a bank building until the outbreak of the Civil War. During the war, Alexandria, along with the city of Norfolk and seven Virginia counties, as well as all of present-day West Virginia, remained loyal to the Union, and continued to be recognized by the federal government as the state of Virginia. During this time, the Bank of the Potomac building functioned as the official residence and executive offices of Governor Pierpont and the "Restored Government of Virginia." The house features excellent Flemish bond brickwork and liberal use of Aquia stone in the matching arched doorways, flat arched



Lock Keepers House, Goochland County.



Kenmure, interior, Norfolk.

windows with keystones, sills, and steps. An unusual brick gateway is also capped with molded Aquia stone. The easement was donated in December of 1987 by Howard H. Stahl, who has undertaken an extensive restoration of the building.

Bel Air, Prince William County

This one-and-one half story brick house is believed to have been built around 1740 on the basement of an earlier house by Captain Charles Ewell. Captain Ewell's wife, Sarah Ball, was closely related to George Washington's mother, Mary Ball Washington. The house's association with George Washington was further strengthened when around 1808, Captain and Mrs. Ewell's granddaughter, Frances, and her husband, Mason Locke Weems, acquired it. Parson Weems was the first biographer of George Washington, publishing *The Life and Memorable Actions of George Washington* around 1800. It was in the fifth edition of this book that the famous



Bank of the Potomac, Alexandria; Exterior detail.



Bel Air, Prince William County.

story of Washington and the cherry tree first appeared. The house has undergone numerous changes during the nineteenth and twentieth centuries, but still preserves much original paneling and an extraordinary removable wooden partition between the hall and the drawing room. The partition is paneled above and below the chair rail and has two glazed casement windows for lighting the hall. The easement was donated in March of 1988 by Dr. William E.S. Flory and his son, William E.S. Flory, Jr. and daughter, Anne R.F. Naedele.

Also placed under easement since the last issue of NOTES ON VIRGINIA were the Thomas Moore and Asa Bond Houses, part of the Eleanor James Estate in the National Historic District of Waterford in Loudoun County, donated by the Waterford Foundation in November, 1987. Also protected by easement were an additional five and one-half acres of the Townfield property in Port Royal, donated by Alexander Long, IV.

Governor Baliles Announces Recipients of the First Year Preservation Grant Awards

In November, Governor Gerald L. Baliles announced the winners of the first year grant awards from the Virginia Preservation Fund. In response to the Preservation Study Commission's preliminary report last year, Governor Baliles recommended and the General Assembly appropriated \$500,000 to assist in the preservation of some of Virginia's threatened landmark resources. The projects listed below were selected from over 120 applications. Announcement of the second year's grants is scheduled for later this spring.

The first award of grant funds from the Virginia Preservation Fund for threatened sites and buildings included:

Elm Hill Manor House, Mecklenburg County Grant Award; \$50,000 to assist in emergency stabilization

Elm Hill is an early plantation house in the Roanoke River basin. Although unoccupied and in deteriorated condition, the house has suffered few alterations and preserves nearly all of its original fabric including its boldly provincial Federal woodwork. It was built ca. 1800 as the residence of Peyton Skipwith of Prestwold. It was held by the Skipwith family into the late 19th century.

Nathaniel Friend House, Petersburg Grant Award: \$42,000 to assist in emergency stabilization

Nathaniel Friend, Jr., an import-export merchant and former mayor of the city, had this component of Petersburg's urban Federal architecture built in 1815-1816. Standing across Cockade Alley from the Farmer's Bank building, the **Friend House** is in the heart of the downtown. Although the house has been abandoned for many years and has had its first floor altered, the excellent Federal woodwork of the upper floors remains largely intact. It is a significant historic and architectural resource for the City of Petersburg.

St. John's African Methodist Episcopal Church, Norfolk Grant Award: \$25,000 to assist in emergency stabilization

St. John's African Methodist Episcopal Church was erected in 1887-88 in what was at the time a downtown Norfolk area. It remains an almost unaltered example of Richardsonian style architecture associated with Northern Italy. It is also the only surviving structure associated with one of Norfolk's leading architects, Charles M. Cassell. The history of St. John's congregation closely parallels the social evolution of Norfolk's black population from slavery to freedom. It began as an outreach effort of the Cumberland Street Methodist Church ca. 1800. It became independent during the Civil War and joined the African Methodist Episcopal Church in 1864.

Muddy Creek Mill, Cumberland County Award: \$30,000 to assist in roof repairs

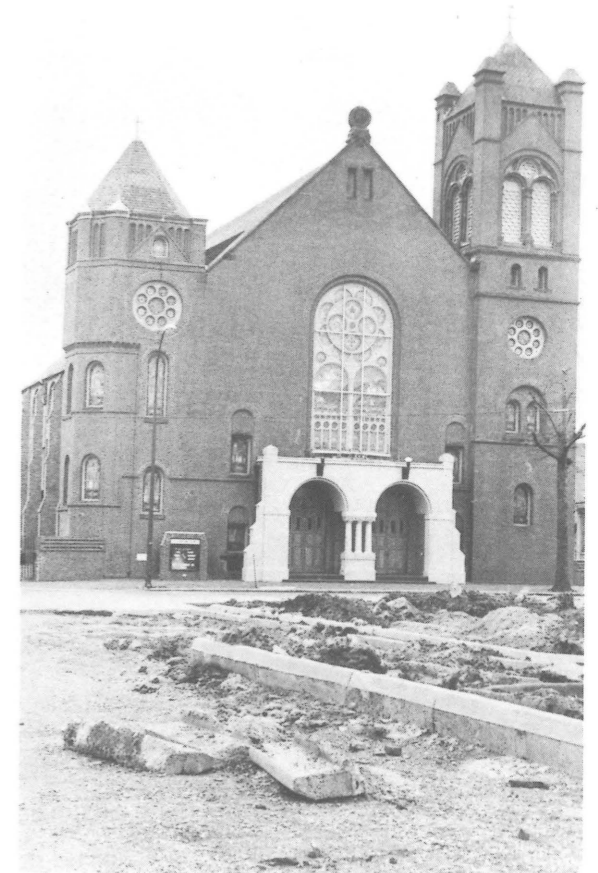
Muddy Creek Mill was erected in stages. This large merchant mill achieved its present appearance after 1792 when an agreement was reached among its partners to raise the building to its existing height. Combining stone, brick, and wooden construction, the building is the state's only surviving mill with two tiers of dormers. Muddy Creek Mill operated until the 1950s, producing flour, meal, and other products of water-power for the region as well as for shipment to Richmond. Much of the mill's machinery is intact.



Elm Hill, Mecklenburg County



Nathaniel Friend House, Petersburg



Saint John's A.M.E. Church, Norfolk



Muddy Creek Mill, Cumberland County



Kurtz Building, Winchester



Waldron-Hancock House, Daniel's Hill Historic District, Lynchburg

The Kurtz Building, Winchester
Award: \$50,000 with a commitment of an additional \$50,000 next year to assist in renovation

An important commercial landmark in the City of Winchester about the 1830s, the **Kurtz Building** located at 2 North Cameron Street served as a mercantile center in the 1840s and 1850s and a grocery business in the 1860s. In 1876, Captain George Kurtz bought the building for his furniture business and added a two-story frame addition. Kurtz's daughter continued to operate the furniture business in the building until 1968. The building is located within the Winchester Historic District. An agreement was reached in August, 1988, between Preservation of Historic Winchester and the City of Winchester that PHW would renovate the building for use as a community cultural center. At the completion of renovation, title will be transferred to Preservation of Historic Winchester.

Barret House, Richmond (City)
Grant Award: \$6,000 to assist in stabilization of portico

The **Barret House**, at 15 South Fifth Street in Richmond, is a Greek Revival mansion built in 1844 for William Barret, a tobaccoist considered the city's richest citizen at his death in 1870. The house is perhaps the finest and best-preserved survivor of the many dwellings that once dotted the hills of downtown Richmond. It was spared a threatened demolition in 1936 when Richmond architectural historian, Mary Wingfield Scott and her cousin Mrs. John Bocock purchased it for preservation. Scott donated the house to the Virginia Foundation for Architectural Education. The garden portico supports two tiers of galleries that



Barret House, City of Richmond

afforded a panoramic view of the city and the James River. The interior preserves Greek Revival woodwork and a curved stair.

Waldron-Hancock House, Lynchburg
Grant Award: \$25,000 to assist in roof and porch repairs

The **Waldron-Hancock House**, in the Daniel's Hill Historic District in Lynchburg, is located at 211 Cabell Street. Abandoned for many years, the Queen Anne house has been severely damaged by weather and vandalism. The house forms an important component of this significant historic residential district in Lynchburg.

Washington Iron Works Furnace, Franklin County
Grant Award: \$6,000 to assist in stabilization

Ironmaking was taking place at the **Washington Iron Works Furnace** site as early as 1770 under the direction of John Donelson, the father of Rachel Donelson Jackson, wife of President Andrew Jackson. The industry was sold in 1779 to Jeremiah Early and James Calloway, who patriotically changed its name from the Bloomery to Washington Iron Works. All that remains of the once-busy place is the furnace itself, a tapered granite structure with its hearth and bellows opening at the base of its front. Standing thirty feet high, the furnace is one of the earliest and best preserved of its type and is an impressive reminder of Virginia's former leading role in the iron industry.

Fall Hill, Fredericksburg
Grant Award: \$8,000 to assist in stabilization of kitchen dependency



Washington Iron Furnace, Franklin County

This hilltop plantation next to the falls of the Rappahannock River originally was included in the 8,000 acres of Spotsylvania County patented by Francis Thornton I ca. 1720. The present house at **Fall Hill** was built ca. 1790 for Francis Thornton V. The house was spared destruction during the Battle of Fredericksburg, although Robert E. Lee established a breastworks at the foot of the hill to guard the river. The kitchen is one of a number of scattered outbuildings associated with the property.

Thunderbird Archaeological Site, Warren County
Grant Award: \$50,000 to assist in acquisition

The complex of sites within the tract of land that includes the **Thunderbird Archaeological District** forms one of eastern America's most significant pre-historic archaeological zones. It includes the only known sites on the continent exhibiting stratigraphy and cultural continuity between the beginning Paleo-Indian and terminal Early Archaic periods, as well as the discovery of the earliest reported evidence of structures in the New World.

Eleanor James Property, Waterford, Loudoun County
Grant Award: \$15,000 to assist in acquisition of open space in Waterford

The National Historic District of the village of Waterford is a settlement tracing its origins to ca. 1733. Waterford is an excellently preserved hamlet free of modern intrusions. Efforts to preserve the rural setting of this fragile resource in Northern



Fall Hill Kitchen, Fredericksburg



Thunderbird Archaeological Site, Warren County



Trinkle Building, Roanoke

Virginia will be enhanced by the acquisition of this parcel of open land within the village limits.

Trinkle Buildings, Roanoke
Grant Award: \$50,000 to assist in acquisition

The **Trinkle Buildings** are four, contiguous, turn-of-the-century commercial buildings located in the heart of the central business district in downtown Roanoke. The three-story buildings were constructed between 1892 and 1903 and have remarkably unaltered elaborate facades. The buildings have recently been purchased by the City of Roanoke.



Kemper Mansion, Madison Courthouse Historic District, Madison County



The Poor House, one of the resources to be surveyed in Frederick County



Church Quarter, a picturesque building in Hanover County that will be included in that county's survey



Doswell, an abandoned farmhouse in rural Hanover County that will be surveyed with help from the grant from the Division of Historic Landmarks.



Living Green, an important dwelling house to be surveyed in Frederick County



Greenspring Stone Church, an architectural resource to be included in survey of Frederick County



The Lee Hall Railroad Station is among the resources to be surveyed in the City of Newport News

**Kemper Mansion, Madison County
Grant Award: \$45,000 to assist in renovation**

The **Kemper Mansion**, dating from the mid-19th century, was the residence of one of Madison County's most famous citizens, James Lawson Kemper. Kemper served in both the Mexican War and as a general in the Civil War. He was first elected to the Virginia House of Delegates in 1853, serving five terms, and was Speaker of the House in 1861 when war broke out. Following the war, he served as Governor of Virginia from 1874 to 1878. This house was his primary residence until 1882.

The house is a prominent landmark in the Madison County Courthouse Historic District.

**Frederick County Survey
Grant Award: \$18,000 to assist in survey and protective ordinance development**

Survey and the establishment of protective planning measures will be implemented with this grant to accompany efforts by Frederick County. The broad range of architectural resources throughout this scenic Shenandoah Valley county will be recorded with a commitment on the part of the county to ensure their protection.

**Hanover County Survey
Grant Award: \$20,000 to assist in survey and protective ordinance expansion**

Survey and the expansion of protective planning measures will be addressed with this grant supplementing efforts by Hanover County. As one of the rural counties immediately threatened by expanding development, Hanover's precious architectural resources will be thoroughly surveyed and evaluated to ensure future protection.

**Newport News Survey
Grant Award: \$10,000 to assist in survey and protective ordinance expansion**

Preservation grant funds to the City of Newport News will be used to complete a survey or architectural resources in this fast developing Tidewater city. Structures such as this old railroad station at Lee Hall will be included in this survey and evaluation effort that will lead to the implementation of protective measures for the City.

Virginia General Assembly Approves Preservation Funds

A total of \$3,525,000 for preservation projects was approved by the 1988 Virginia General Assembly.

Waller House, Northumberland County	\$20,000
Bedford Museum	\$18,000
Avenel, City of Bedford	\$50,000
Long Way House, Pulaski County	\$30,000
Wilderness Road Museum, Pulaski County	\$10,000
Pulaski Passenger Station, Pulaski	\$60,000
Belle Boyd Cottage, Front Royal	\$20,000
Old Jail, Fauquier County	\$25,000
Lee-Fendell House, Alexandria	\$10,000
Miller-Kite House, Rockingham County	\$10,000
Ben Lomond Manor, Prince William County	\$40,000
Manassas Museum, Manassas	\$15,000
Enchanted Castle, Orange County	\$50,000
Confederate Museum, Richmond	\$1,000,000
Washington County Courthouse, Abingdon	\$30,000
Amherst Museum	\$10,000
Crab Orchard Museum, Tazewell County	\$20,000
Woodrow Wilson Birthplace, Staunton	\$100,000
Wiehle Town Hall, Fairfax County	\$25,000
Catholic Chapel, Hopewell	\$50,000
Grayson County Courthouse	\$35,000
Miller Octagonal Barn, Rockingham Co.	\$12,500
Prestwould, Mecklenburg County	\$75,000
Belle Grove, Frederick County	\$100,000
John Marshall House, Richmond	\$100,000
Red Hill, Charlotte County	\$100,000
Danville Museum	\$75,000
Newsome House, Newport News	\$75,000
Fredericksburg Town Hall	\$75,000
Battersea, Petersburg	\$20,000

McIlwaine House, Petersburg	\$10,000
Siege Museum, Petersburg	\$25,000
Blandford Cemetery, Petersburg	\$5,010
Warwick Clerk's Office, Newport News	\$50,000
Magnolia Grange, Chesterfield County	\$10,000
Kenmore, Fredericksburg	\$10,000
Old Buckingham High School	\$40,000
Athenaeum, Alexandria	\$14,714
Poplar Forest, Bedford County	\$500,000
Centre Theatre, Norfolk	\$100,000
Waterford Foundation, Loudoun County	\$100,000
Va. Beach Maritime Museum	\$50,000
Woodlawn, Fairfax County	\$25,000
Pepper House, Montgomery County	\$15,000
Rolfe-Warren House, Surry County	\$5,000

The Miller-Kite House, Rockingham County



Reedville Museum, (Waller House) Northumberland County, a recipient of a preservation grant from the Virginia General Assembly in 1988.



The Virginia Landmarks Register

The Virginia Historic Landmarks Board is pleased to note the following additions made to the Virginia Landmarks Register since the Fall of 1987. As the state's official list of properties worthy of preservation, the Register embraces buildings, structures, sites, and districts prominently identified with Virginia history and culture from prehistoric times to the present. Since the General Assembly established the Register in 1966, recognition of more than 1,300 places has directed public attention to Virginia's extraordinary legacy from the past and greatly encouraged the preservation efforts of state, local, and private agencies and groups. All of the properties here listed have been nominated to the National Register of Historic Places.

A hard-bound copy of the **Virginia Landmarks Register**, Third Edition (1986) is available for \$25.00 (plus Virginia sales tax) from the University Press of Virginia, Box 3608 University Station, Charlottesville, VA. 22903. Add \$1.50 for handling.



Ballard Marshall House, Orange County.

Located at 158 East Main Street in the Town of Orange, the **Ballard-Marshall House** was built in 1832. It is a rare example of an urban house form influenced by the Jeffersonian Classical style. Although the workman who designed and executed the Ballard-Marshall House is unknown, the woodwork and brickwork in the original section are similar to that of two sophisticated dwellings in Orange County—Berry Hill and Frascati. The earliest section of the house was built by Garland Ballard.

The **Beaverdam Railroad Depot** is a significant example of postbellum railroad architecture in Virginia.



Beaverdam Railroad Depot, Hanover County.

Constructed ca. 1865 on the site of earlier depots that were destroyed during the Civil War, the building with its sophisticated brickwork symbolizes the increasing importance and power of the railroad in postwar Virginia. The depot, which retains its separate waiting rooms for black and white passengers, also serves as a concrete example of the growing trend toward racial segregation that began in the south during the last quarter of the 19th century.

Bon Air was begun in 1877 as a resort community with convenient access to the City of Richmond provided by



1890s photograph of the Arthur L. Adamson House at 2053 Buford Road, Bon Air Historic District, Chesterfield County.



T.M.R. Talcott House at 1730 Buford Road, Bon Air Historic District, Chesterfield County.



Bon Air Hotel Annex, 2052 Rockaway Road, Bon Air Historic District, Chesterfield County.



Bristol Sign, Bristol Virginia/Tennessee.



Buckland Historic District, Prince William County.

the Richmond and Danville Railroad which ran through the village. Financial problems and the decline of the railroad ended Bon Air's role as a resort by the close of World War I, but its proximity to Richmond and the increasing popularity of the automobile enabled it to evolve into a residential suburb of distinctive architectural quality. Bon Air is particularly significant because it retains much of its Victorian-village ambiance in the midst of one of the most rapidly developing areas in Virginia.

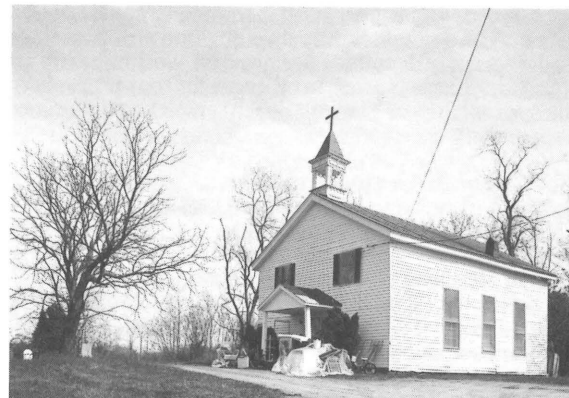
The most identifiable landmark of the twin cities of Bristol, Virginia and Tennessee is the large electric slogan sign erected over the state line on State Street. Constructed of structural steel, the sign measures 60 x 35 feet and weighs two and one-half tons. After sitting

atop a commercial building for five years, the sign was erected over State Street in April of 1915. The **Bristol Sign** is an important object remaining from the period of early 20th-century boosterism and marks the beginning of electrically lighted signs in the area.

The **Buckland Historic District** is significant historically and architecturally as a representative of the small, mill-oriented communities that characterized much of the Virginia Piedmont from the late 18th through the 19th centuries. Chartered by the Virginia legislature in 1798, Buckland was the first inland town established in Prince William County. It was an important wagon stop on the main east-west road between the port town of Alexandria and the territory beyond the Blue Ridge. The present turn-of-the-century grist mill is



Carter House, Martinsville. Credit: Virginia Hamlet.



Buckland Historic District, Prince William County.



Mill in the Buckland Historic District, Prince William County.

believed to be the third mill constructed on the site. Also included in the district is an early 19th-century wagon tavern and a small mid-19th-century church. These buildings in addition to several residential dwellings, have sustained few alterations or additions. Noted since its inception for the beauty of its scenic location on Broad Run, Buckland retains an exceptional degree of architectural and scenic integrity.

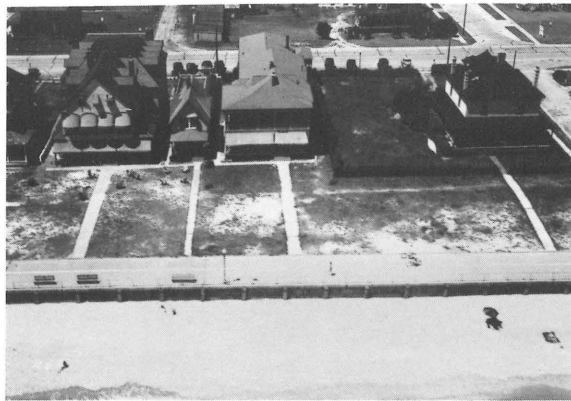
What remains of **Camp Hoover** on the Rapidan River in Madison County offers more than a "Hoover slept here" significance in its direct association from 1929 to 1933 with the lives of President Herbert Hoover and First Lady Lou Henry Hoover. While President Hoover considered the camp a source of spiritual renewal, his personal physician credits Camp Hoover with allowing the

President and Mrs. Hoover to remain healthy throughout their White House years. For both President and Mrs. Hoover the Rapidan Camp served as an oasis from the political firestorms that surrounded the Hoover Administration's efforts to deal with a failing world economy.

The **John Wadley Carter House**, located at 324 East Church Street in Martinsville, is a striking two-story Queen Anne residence built by Mr. Carter for his bride in 1896. Referred to locally as the "Gray Lady," the Carter House is a textbook example of the exuberant Queen Anne style. It's builder was a successful lawyer in Martinsville and served as mayor of the Henry County community. The house is currently being preserved for use as a corporate real estate headquarters.



Clifton, Albemarle County.



deWitt Cottage, Virginia Beach. Courtesy: Virginia State Library.



Col Alto, Lexington.



Evelynton, Charles City County.

Clifton, located in eastern Albemarle County, is significant as the home of Thomas Mann Randolph (1768-1828) who served as governor of Virginia, a member of the Virginia House of Delegates and the United States Congress, and son-in-law to Thomas Jefferson. Built by Randolph during the first quarter of the 19th century, Clifton was part of the never-to-be port of North Milton, a sister port to the now extinct village of Milton directly across the Rivanna River. It is a large, rambling frame dwelling whose early 19th-century core was greatly enhanced by Colonial Revival additions in the late 19th and early 20th centuries.

Col Alto occupies a seven-acre tract atop a hill on the eastern edge of the old part of Lexington. The focal point of the property is a brick, two-story Classical Revival mansion built in 1827. The design of the mansion is attributed to local amateur architect, Samuel McDowell Reid. The House was built for James McDowell, member of the Virginia General Assembly and later Governor of Virginia. He also served in the United States Congress from 1846 to 1851. In 1898, Col Alto was purchased by Henry St. George Tucker, Dean of the Washington and Lee University Law School and later acting president of the University. Striking additions to the house were commissioned by Tucker's daughter, Rosa Tucker Mason, who hired William Bottomly of New York to design the Palladian-style brick veranda in the 1930s.

The **de Witt Cottage**, a Queen Anne style house built in 1895, is the sole surviving example of the type of ocean front dwelling constructed at Virginia Beach during its first period of development between its founding in 1883 and its incorporation in 1906. Resort development as one of the events during the late 19th and early 20th centuries has made a significant contribution to the broad pattern of our recreational history. The cottage is

architecturally significant because it continues to function as a single family dwelling and still possesses its integrity of location, design, and workmanship. It stands in sharp contrast to other oceanfront property in the original area of Virginia Beach which has undergone high density development.

The **Dismal Swamp Canal**, is a 22-mile land cut between Deep Creek and Village of South Mills in Camden County, North Carolina. The 100-foot wide canal was originally dug between 1793 and 1805 by the Dismal Swamp Canal Company to connect the Southern Branch of the Elizabeth River with Pasquotank River in North Carolina. Built by hand labor under difficult swamp conditions, the Dismal Swamp Canal was an early engineering achievement that provided an inland link between the two states, became a link in the intra-coastal waterway, and produced an avenue for cultural exchanges between the two tidal regions. The canal is recognized as a National Historic Civil Engineering Landmark by the Committee on the History and Heritage of American Civil Engineering of the ASCE. Included in the canal complex are two lift locks built in 1940-41; two steel bascule drawbridges dating from 1933-34, and three water level control spillways.

Designed and built under the direction of one of the nation's most prominent Colonial Revival architects, W. Duncan Lee, **Evelynton** represents the academic phase of the Colonial Revival at its zenith. The original architectural drawings for the 1937 mansion reveal the influence of such prominent Tidewater landmarks as Carter's Grove and Westover. The property on which Evelynton stands is rich in historical association. The property was owned in the 19th century by Edmund Ruffin, Jr. son of noted agriculturist, Edmund Ruffin. During the Civil War, it was the site of part of the Seven Days Battle.



Greenway, Madison County.



John Hoge House, Pulaski County. Credit: Gibson Worsham.

Greenway, located near Madison Mills, was built ca. 1780 by Francis Madison, younger brother of President James Madison. The original portion of Greenway now forms the central section of the present house. The property has been in agricultural use since the 18th century and continues as a working farm. The property contains several 19th-century farm buildings and the family cemetery. The 18th-century section of the house is a story-and-a-half timber frame structure on a hall-and-parlor plan, with exterior brick chimneys and a gable roof. The shed-roof rear addition dates from before 1800.

The **John Hoge House**, located west of the Town of Pulaski, is one of the very few log houses in the county clearly datable to the early 19th century. The two-story frame house bears the date 1800 on the one surviving stone chimney. It appears that the original log structure stood on a parcel of land purchased by John Hoge in 1812. Its builder is unknown, the initials "A.B." that accompany the date stone not referring to any identifiable person known in the area.

Kenmure, located on West Bute Street in Norfolk, represents the finest example of Greek Revival architecture in Norfolk's historic Freemason Street area. Built as a two-story residence in 1845 and expanded to three stories about 1855, the house remains as a well preserved example of the popular urban town house. Kenmure was built for William Wilson Lamb, mayor of Norfolk during the Civil War, who is credited with preserving the city's historic silver mace by hiding it in the house. Following Lamb's death in 1874, the house became the home of his son, William Lamb, the hero of the Confederate stand at Fort Fisher, North Carolina. The younger Lamb is credited with having restored Norfolk's financial fortunes by working tirelessly to promote the revival of



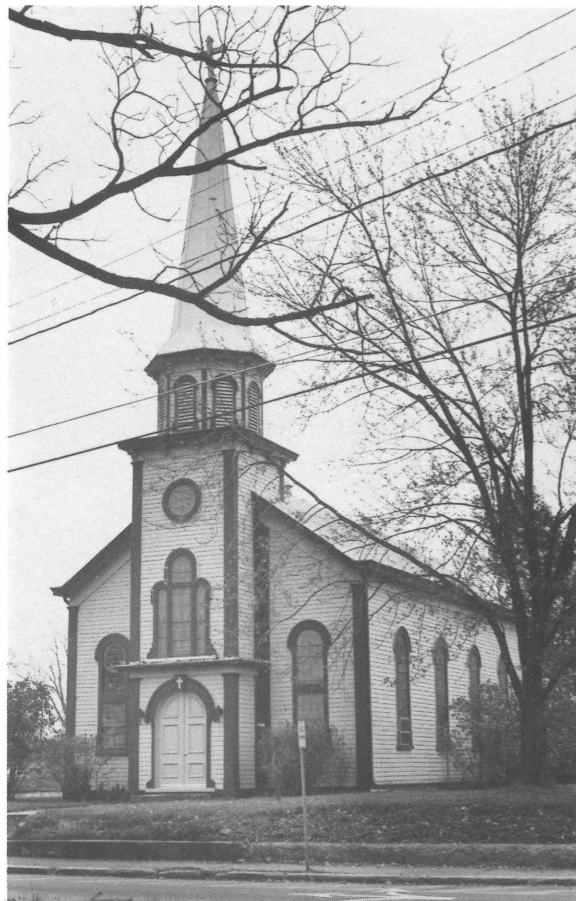
Kenmure, Norfolk.



T. F. Coleman House (1905), Manassas Historic District.

Norfolk as a port and center of the cotton trade with Great Britain.

The **Manassas Historic District** embraces the core downtown business district as well as some of the most prestigious residential blocks in the City of Manassas. Incorporated as a town in 1873, Manassas grew from a vital but war torn railroad junction to become the transportation, commercial, and governmental hub of Prince William County. This stimulated the construction of many late 19th and early 20th-century dwellings and public buildings. Some of the prominent buildings included in the district are the National Bank of Manassas (1896), Grace Methodist Church (1926), the railroad station and Hopkins Candy factory (1908), the Prince William County Courthouse (1894) and the U.S. Post Office on Church Street.



All Saints Roman Catholic Church (1878), Manassas Historic District.



Prince William County Courthouse (1894), Manassas Historic District.



Mount Columbia, King William County.



Needham, Cumberland County.

Mount Columbia, located in an isolated rural area of King William County, is a two-part house illustrating the increasingly sophisticated architectural taste that evolved in Virginia during the early 19th century. The older section, built ca. 1790, was constructed for Gideon Boshier and is typical of the simple residences of moderate-level planters of the period. The formal, Federal-style front section, built in the 1830's for Boshier's son, William, represents the desire of increasingly prosperous Americans of the 19th century to display their growing wealth in a suitably stylish manner. The general character of the later section appears to have been influenced by the Virginia Executive Mansion: William Boshier's brother, John, and his neighbor Christopher Tompkins, were both involved in the building of the Mansion. Mount Columbia occupies what was originally a portion

of the vast land holdings of the College of William and Mary that were rented to farmers and provided income for the college during the 18th and 19th centuries.

Needham, located in rural Cumberland County, gains its significance from its association with educator, jurist, and politician, Creed Taylor (1766-1836). Taylor established Virginia's second law school in Richmond (1810-1811) and its third law school at his Cumberland County home of Needham. Among his students in Richmond or at Needham were at least one future president (John Tyler, Jr.), a Secretary of State (Abel Parker Upshur) a Senator (William Cabel Rives) and a state supreme court justice (William Yates Gholson.) Taylor himself served in the House of Delegates and Senate of Virginia, and closed his political career as



Edward Nichols House, Leesburg, Loudoun County.

Speaker of the Senate. From 1806 to 1831 Taylor served as a judge on the Superior Court of Chancery; in 1829, he published his rules for the court. He was buried at Needham which stands today as a representative example of early 19th-century rural domestic architecture.

The **Nichols House** was built in 1899 for prominent local lawyer and businessman, Edward Nichols. Designed by Washington architect, Lemuel Norris, the dwelling combines elements of both the Queen Anne and Colonial Revival styles. The original architectural drawings and specifications for the house attest to the architect's talent, high standards of quality, and attention to detail. The property, which serves as a tangible reminder of Leesburg's recovery from the economic hardships of the post-bellum era, also includes a laundry, storage shed, and carriage house with an unusual water storage tower rising above its roof.

The **Nottoway Archaeological Site** is a series of spatially overlapping prehistoric components on a terrace overlooking the Nottoway River. Dating from the Paleo-Indian through the Late Woodland periods, the site contains artifacts, stratified deposits, and features that could significantly contribute to the limited research available for Native American inhabitants of the interior Coastal Plain of southern Virginia. The heavy concentration of lithic and ceramic artifacts has provided data on chronological sequences and the cultural history of the region.

The **Old Stone Church Archaeological Site** is the earliest historic archaeological site yet identified within the historic boundaries of Loudoun County. Together with other colonial period places of worship, it is an important legacy of Virginia's colonial civilization. The Old Stone Church, constructed between 1766 and 1770,

Early through Late Archaic period projectile points and scrapers recovered at Nottoway Archaeological Site, Sussex County.





Old Stone Church Archaeological Site, Leesburg, Loudoun County.



Pine Knot, Albemarle County.



Park Gate, Prince William County.

is the oldest site associated with Methodist worship in Virginia, and one of the first in the nation. Its deed, recorded 11 May 1766, represents the first acquisition of property for a Methodist Church in the United States. Archaeological excavations at the Old Stone Church Archaeological Site would yield additional architectural and artifactual data helpful in understanding the early life of a dissident community during a critical period of social change.

Park Gate with its earliest section dating to the mid-18th century, is a well preserved example of Tidewater style domestic architecture and exhibits a high degree of historical and material integrity. Links with the Brents, Washingtons, and Lees substantiate its interpretive importance. Demonstrating a progression of significant historic ownership, Park Gate is one of the few remaining 18th-century examples of the Tidewater class of architecture. There are several archaeological and architectural remains associated with the property including the stone chimney and fireplace of a slave quarters and an iron-fenced cemetery where documents indicate Thomas Lee, Mildred Washington Lee, and their infant son are buried.

Pine Knot, built between 1905 and 1908 in the Scottsville area of Albemarle County, was the Virginia country retreat of President Theodore Roosevelt. It was the first such retreat of a president in the century established close to the capital. Particularly appropriate in its undisturbed natural locale for the nation's first presidential conservationist, Pine Knot is a simple two-story dwelling with an unfinished interior and without modern conveniences. It has functioned since its construction as a rural retreat and has recently been acquired by a direct descendant of the president, Theodore Roosevelt IV.

The buildings, roads, trails, dams, and lakes built by the Civilian Conservation Corps camps and WPA laborers during the Depression are representative of early 20th-century federal efforts to provide recreational facilities for low-income groups and families who lived in congested urban centers. **Prince William Forest Park** is noted for its rustic architecture, natural landscaping, and sympathetic park design. Known as the Chopowamsic Recreational Demonstration Area, this is the fourth largest such project in the United States.

The **Providence Church**, also known as Halifax Presbyterian Church, was the home of the first organized Presbyterian congregation in Halifax County in 1830. Constructed ca. 1830-35 as a one-story, one-room building, it represents a vernacular tradition that is typical of many "first" public buildings in Virginia. The building is also a testament to the devotion and religious simplicity of its founding members. The structure was replaced by a nearby larger structure in 1926, but the original church has survived virtually unaltered since it was erected.

The **Pulaski Residential Historic District** represents the principal residential neighborhood of the late-19th-century town of Pulaski. Platted along with the commercial district (registered in 1986), by the Pulaski Land and Improvement Company in 1884, the district was home to both factory workers and factory managers. The generously scaled district was not fully developed for many decades, but it contained as many as 100 houses by 1913. As one of the most architecturally significant residential areas in the region, it contains Queen Anne, Gothic Revival, Vernacular, Colonial Revival, Bungalow, and Tudor Revival structures. Among the earliest dwellings still standing in the district is the Jones House built by Thomas Jones, an official of the Bertha Zinc Company during the 1880s.

St. Luke's Episcopal Church, located on the Old River Road in Powhatan County, is a small, one-story brick church constructed ca. 1843-44, and virtually unaltered since that time. The building is an excellent example of a rural ante-bellum Classical-style church in an excellent state of preservation. The church has housed a small membership over its history whose historic prominence in the county has far out-weighted its comparative numbers. The construction of the edifice was apparently a labor of love on the part of William Henry Harrison, an immigrant from England, who served in the British Army at the Battle of Waterloo. Harrison superintended all phases of construction; the building was consecrated April 10, 1845 by the Reverend John Johns, assistant Bishop of Virginia.



Providence Presbyterian Church, Halifax County. Credit: Howard J. Kittell.



G. C. Parrott House, Pulaski Residential Historic District, Town of Pulaski. Credit: Ken Martin.



Pulaski Residential Historic District.



St. Luke's Episcopal Church, Powhatan County. Credit: David Cole.

S. N. Hurst Law Office, Pulaski Residential Historic District. Credit: Ken Martin.





Slaughter-Hill House, Town of Culpeper, Culpeper County.



Solitude on the campus of Virginia Polytechnic and State University, Blacksburg, Montgomery County. Credit: Gibson Worsham.



South Norfolk Historic District, City of Chesapeake. Credit: The History Store.

The **Slaughter-Hill House**, located at 306 N. West Street in the Town of Culpeper, had its beginnings in the late 18th century as a one-room plank log structure built of plank log construction. A frame addition in the early 19th century doubled the building's size. The house was further renovated between 1835 and 1840 when the older sections were renovated and enlarged. The Slaughter-Hill House is the only known surviving example in the central Virginia Piedmont of a one-room urban vernacular structure built in the medium of plank log construction. It is likely that the building was erected by John Jameson, Clerk of Culpeper County from 1771 to 1810. The name of the house derives from Dr. Philip Slaughter, prominent local physician who made the mid-19th-century modifications, and Sarah Hill, cousin of General A.P. Hill who owned the house until her death in 1908.

Solitude, located on the campus of Virginia Polytechnic and State University, was built in several stages during the 19th century. It is an excellent example of early and mid-19th century architectural forms popular in the area. The building incorporates elements of earlier log houses in what is today a large Greek Revival dwelling. It probably was built by James Patton Preston, son of William Preston who built nearby Smithfield. The name "Solitude" was first documented in a letter dated 1808. The enlargement of the house took place in the 1850s under the ownership of Robert Preston. The University is now preparing to restore the house for use as an Appalachian Studies Center.

The **South Norfolk Historic District** represents the establishment and growth of a primarily residential neighborhood between 1890 and 1937. This was an



South Norfolk Congregational Christian Church, South Norfolk Historic District, City of Chesapeake. Credit: The History Store.



1209 Chesapeake Avenue, South Norfolk Historic District. Credit: The History Store.



500 D Street, South Norfolk Historic District. Credit: The History Store.



Cuthrell House, South Norfolk Historic District. Credit: The History Store.



1446 Chesapeake Avenue, South Norfolk Historic District. Credit: The History Store.



Stirling, Spotsylvania County

important period for the City of Norfolk and its surrounding communities because railroads finally reached their full potential here, resulting in the development of industries along the waterfront and general economic prosperity. The district is a cohesive unit of houses, churches, schools, and commercial buildings that help to explain the development of South Norfolk that began as a streetcar suburb of Norfolk. The residences range in style from simple popular versions of the Classical Revival to elaborate Queen Anne mansions. The later houses of the 1920s include cottages, bungalows, and American four-square houses.

Completed in 1860 by John Holladay, a wealthy landowner and farmer, **Stirling's** principal building is an imposing brick plantation house in the Federal and Greek Revival styles. The house has remained in the

ownership of the builder's family to the present day and retains its interior decoration virtually unchanged from the time of its construction. The plantation account books for Stirling survive and include information about daily plantation life and the construction of the dwelling house. This rare primary source documentation represents a valuable resource for the study of Virginia's material culture just prior to the Civil War.

The **Warm Springs Mill** is significant as the only extant mill building in Bath County and an important reminder of the once thriving industrial life of Warm Springs in the early 20th century. It was a successful and important business in the county and remained in operation under a succession of owners until it closed in 1971, outlasting the more than 20 mills which were operating in the county when it was first built in 1901.



Warm Springs Mill, Bath County. Credit: G. Henry.



Confederate Memorial in the Warwick County Courthouse Square, Newport News.



Warwick County Courthouse (1884), Newport News.



Wheatland, Essex County.

The mill has retained most of its interior and exterior features intact and is a virtual museum of milling machinery. The mill building now houses a restaurant and an inn.

The **Warwick Courthouse Square** complex exemplifies the development of groupings of government buildings in 19th-century Virginia. In 1810 the square contained a courthouse, clerk's office, and jail. In 1884 a new courthouse was built; the old jail was replaced in 1899 and the clerk's office demolished in 1904. The square now contains only the two courthouses and the Confederate monument that was unveiled in 1909. The earlier courthouse is a temple-fronted building, constructed with a three-room T-shaped plan. The later courthouse, also built of brick, possesses typical Italianate decorative features popular in the late 19th century.

Wheatland, a mid-19th-century Greek Revival plantation house, is located on a bluff that overlooks a bend of the Rappahannock River. The main house was constructed by John Saunders between 1849 and 1851 and includes a kitchen wing that may be the original 18th-century dwelling. Saunders, who was a merchant as well as a planter, built the plantation wharf that is still in use, and which is likely the only such remaining wharf on the river. During his ownership and that of his son Walton, the plantation wharf was a focus of river transportation and commerce for Essex County and other nearby communities. Saunders Wharf at Wheatland was a regular stop for passengers and freight on steamboats that ran between Fredericksburg, Tidewater towns, and Baltimore.

The Virginia Manufactory of Arms

Richmond's role as both the state capital of Virginia and as capital of the Confederacy during the Civil War is well established. Not as well known was Richmond's strategic value to the Confederate war effort.

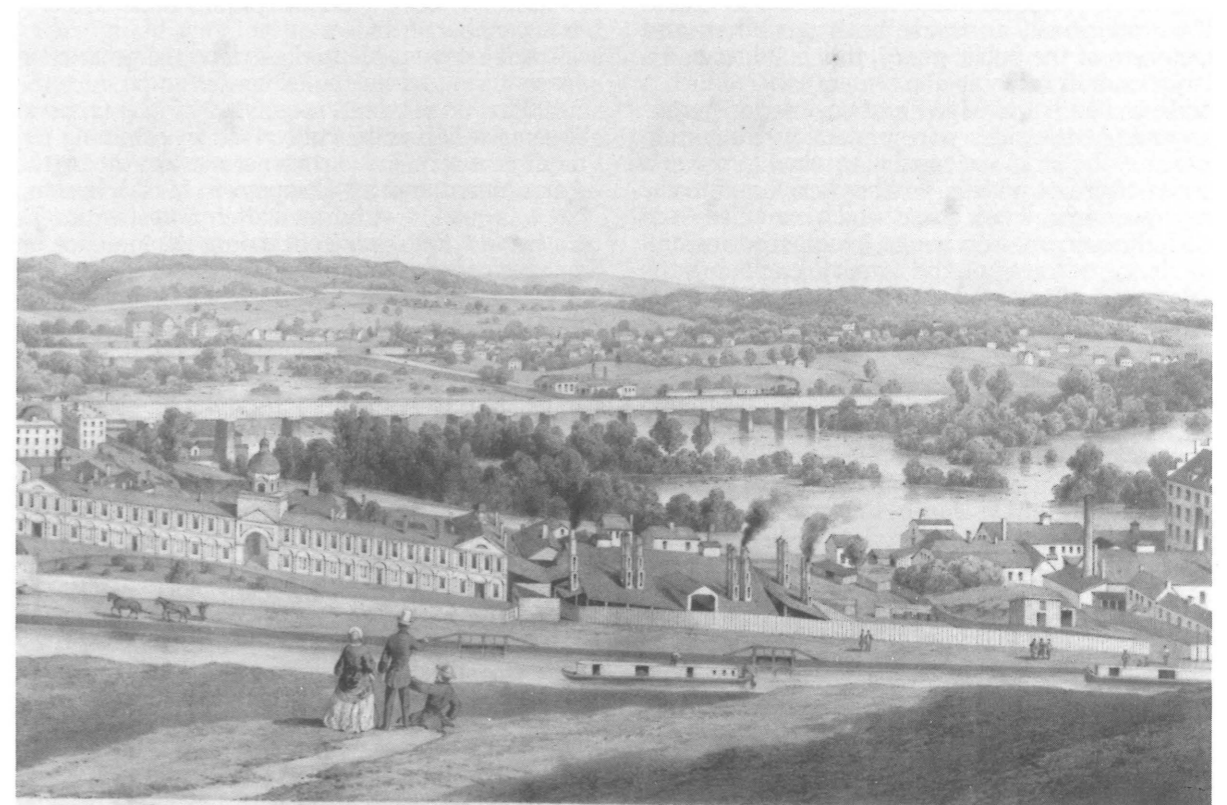
Unlike its antebellum sister cities in the south, Richmond was a prominent industrial city. Blessed with local deposits of coal from the Midlothian fields and abundant water power provided by the James River and Kanawha Canal, the city ranked thirteenth in the country in terms of industrial production by 1860. Now buried under concrete and glass high-rise offices are the dozens of former factories, mills, machine works, and work shops which made wrought iron and steel, rolled rails, hammered and forged spikes, fabricated horse-shoes, milled flour, wove cloth, assembled ships, built boilers and locomotives, and cast a wide range of iron products, including cannon and iron store fronts. The most visible reminder of Richmond's industrial heritage are the few remaining struc-

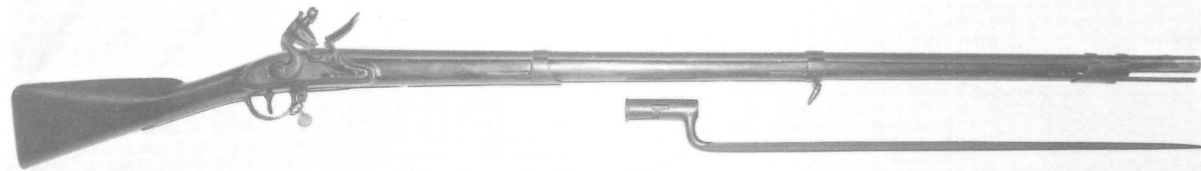
tures of the Tredegar Iron Works, whose cannon foundry and pattern shop have been carefully maintained by the Ethyl Corporation and are listed on the Virginia Landmarks Register and the National Register of Historic Places.

Immediately east of the Tredegar works, lying at the foot of Gambles Hill, and now largely buried under a parking lot, are the archaeological remains of an equally significant monument to Richmond's industrial past—the Virginia Manufactory of Arms. Established by the Virginia General Assembly in 1798, it was the first functionally integrated factory in the city, and indeed, one of the earliest such sites in the United States. Between 1802 and 1821, the armory produced enough muskets, rifles, pistols, swords, and cannon for the State's militia, making it the third largest such arms factory in the nation.

The Virginia Manufactory was an impressive architectural landmark of early Richmond. Its main building consisted of a two-story masonry

View of Virginia Manufactory of Arms ca. 1848

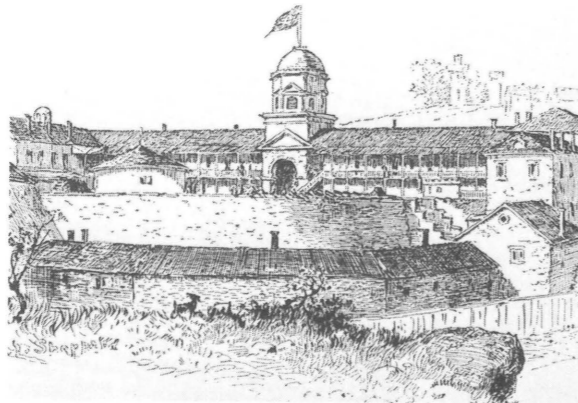




A few examples of early produced guns from the Virginia Manufactory of Arms still survive, including this flintlock musket with bayonet.



A close up of the firing mechanism clearly displays the Virginia mark, as well as an 1807 date.



A rear view of the Armory from the James River, by Shepherd, ca. 1861. (Courtesy of the Virginia State Library).

structure, 310 feet long which faced northward just below the James River and Kanawha Canal. Used originally to house both workmen and members of the public guard, this building had a large vaulted belfry in the center, under which a wide arched entrance led into an interior parade ground. At the sides were projecting wings into which water from the canal was taken to power a series of breast wheels. Further below and to the rear were more work shops which extended from both the east and west wings, joining a boring mill in the center rear of the armory, enclosing the interior parade ground.

After 1822, the building continued to function as an arms depot, repair shop, and barracks for the Public Guard; however, its arms-making machinery was largely dismantled. Increased tension between the northern and southern states, punctuated by John Brown's raid on the Federal armory at Harper's Ferry, shocked the General Assembly into action. In an effort to free the Commonwealth from dependence on Federal and private northern sources for arms, the Assembly, on January 21, 1860, appropriated \$320,000 for rebuilding and retooling the manufactory and authorized the empanelling of an Armory Commission to be appointed by Governor John Letcher.

The difficulties in activating a factory idle for 38 years seemed insurmountable. Shops had to be renovated, new machinery brought in and installed, and most importantly, personnel found to supervise and operate the works once manufacturing operations got underway. The commission

turned to Salmon Adams of the Springfield, Massachusetts, Armory, appointing him master Armorer in September of 1860.

Adams was able to determine the production space, tools and machines needed to produce the 5,000 arms per year requested by the General Assembly. Difficulties abounded in obtaining the required machinery. A contract was awarded to the Ames Manufacturing Company in Massachusetts, but was quickly withdrawn after protests from the *Richmond Enquirer* concerning dependence on northern sources, and the adjacent Tredegar Iron Works was contracted to build the machinery instead.

The Tredegar Works had never previously equipped a small arms factory and was forced to subcontract with northern factories including Colt's Firearms Manufactory Company in Connecticut. To expedite the resumption of arms production, the Armory Commission attempted to secure machine patterns and specifications from the Federal armory at Springfield, Massachusetts, retaining James H. Burton who had recently returned to America from his post as Chief Engineer of the Royal Small Arms Factory at Enfield, England.

Burton was an ideal candidate to approach the superintendent at Springfield for the critical machine patterns and mechanical drawings. He had earlier obtained the same for the British government in 1854 in helping establish the small arms factory at Enfield. Prior to travelling to England, Burton had been the Master Armorer at Harper's Ferry and was personally familiar with

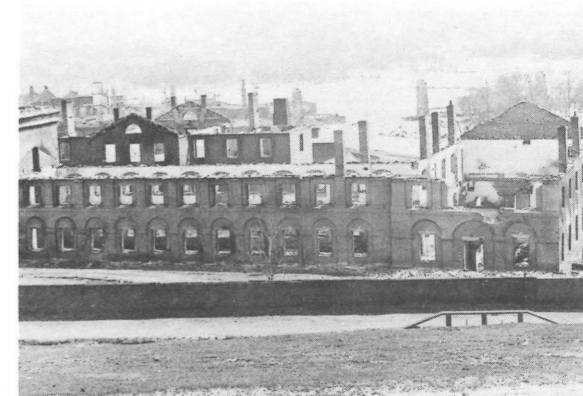


James Henry Burton (Courtesy of Yale University Archives).

the people and system at Springfield.

This time, however, the superintendent at Springfield was loathe to permit such critical technological information to be provided to a slave state without specific authorization from the Secretary of War. When authorization finally came in December of 1860, Burton hurried back to his former employer at Harper's Ferry and finally obtained the critical patterns from more sympathetic officials.

Few of the contracted pieces of machinery had arrived in Richmond when, on April 18, 1861, one day after Virginia's ordinance of secession, the state militia seized the Federal Armory at Harper's Ferry. Although retreating Federal had destroyed most of the standing arms, complete sets of machinery for both the musket and rifle works, parts and components to thousands of muskets including seasoned gunstocks, over 57,000 hand tools, and thousands of feet of belting and shafting were taken intact. Burton, who had been appointed superintendent of the renamed "Richmond Armory," supervised the removal of over 400 machines and thousands of tools and parts to Richmond. So extensive was the inventory of machines, that Burton recommended that the machinery contracts placed with the Tredegar Iron Works be cancelled. By fortuitous circumstance, the Richmond Armory had at its disposal all the former machinery at Harper's Ferry, all the necessary patterns, drawings and specifications and thousands of finished parts. Most important, the Armory possessed the one individual who best



West section of Armory immediately after Evacuation Fire, April 1865.



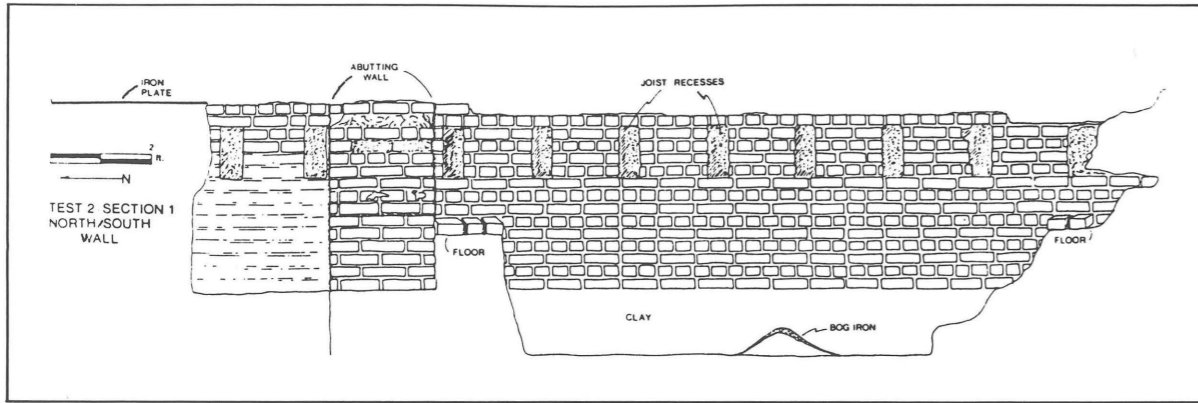
The photograph shows two of the supporting pillars in Test Unit 2, as well as the remnant eastern wall of the west wing.

knew how to reassemble the factory within the old walls of the Virginia Manufactory: the former master armorer of Harper's Ferry, James H. Burton.

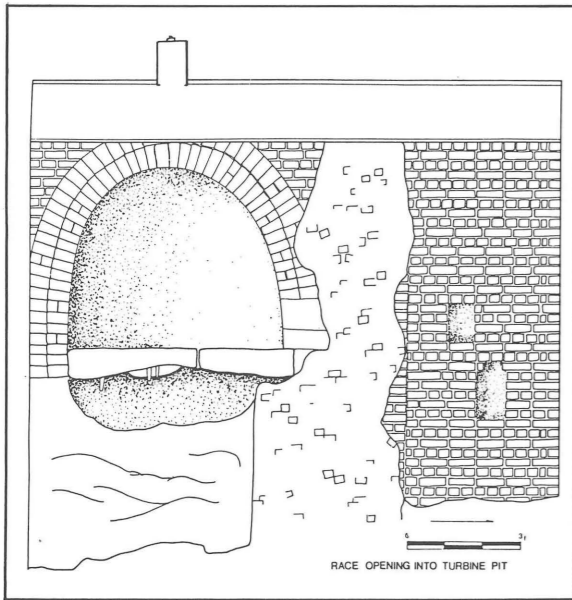
The Richmond Armory, together with the adjacent Tredegar Iron Works, and the Confederate Laboratory, located in the rear of the armory on Brown's Island, produced close to half of the armaments and ammunition used by the Confederate forces. Exactly how many small arms were produced at Richmond is unknown. Burton estimated that with additional buildings for work space, production of 100,000 rifles per year was possible. General Josiah Gorgas, chief of the Ordnance Department for the Confederacy, recorded that the factory was capable of producing 5,000 stands of arms per month, but that due to lack of skilled workmen, production seldom rose to more than 1,500 per month.

Gorgas fought hard to exempt his workman from military service, noting in a letter given to the Secretary of War, John Seddon, in October 1865, that the armory had a surplus of machinery but that 55 workmen had left during the first half of 1864. Although four out of five of the shop foremen at the Richmond armory were former Harper's Ferry employees, few of the remaining mechanics from the destroyed Federal Armory came to Richmond. Burton recorded that many of these skilled workmen joined the arsenal at Fayetteville, North Carolina, where living costs were reportedly lower than in Richmond.

In order to accommodate all the machinery



Joist holes were set into the interior wall every 18 inches. Later these were bricked in during remodeling and a brick floor was laid.



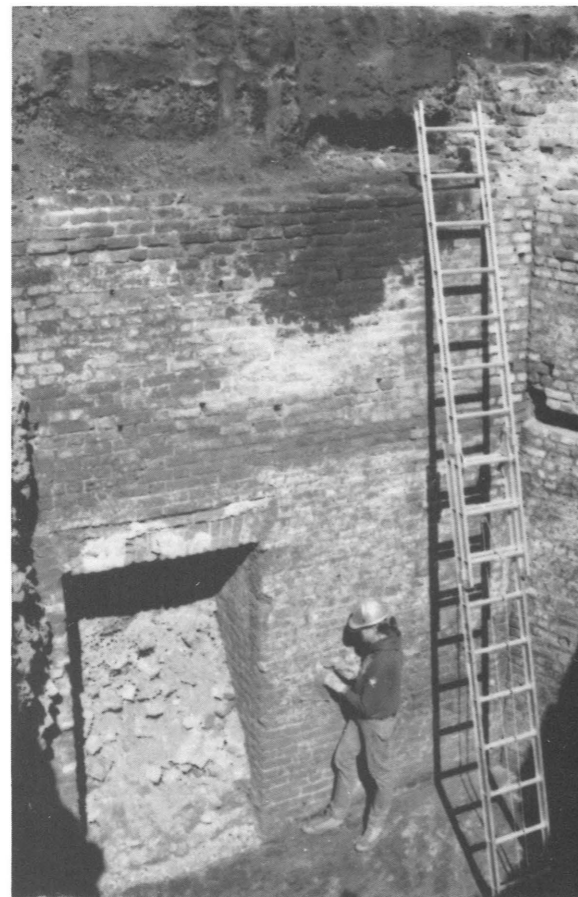
The arched race opening originally dumped water into a breast wheel pit.

brought from Harper's Ferry, Burton directed the construction of additional floor space. A two-story brick building was added to the southwest corner, providing over 13,000 square feet to house additional forges, trip hammers, and shops for the final finishing of metal parts for the rifles. Another two-story building, 40 feet by 100 feet in size, was erected at the center rear of the armory for the protection of rifle barrels.

The factory housed at least five separate waterwheels, two in each wing, the fifth within the barrel shop, and a series of nine forges and trip hammers. One technical innovation introduced by Burton was a "windcock" in which a rotary fan forced air through a common pipe to provide draft for each of the furnaces, removing the need for individual bellows.

Burton was relieved of command of the Richmond Armory in May of 1862, travelling first under commission to the Confederate Government to England to purchase machinery to be used for an expanded armory in Macon, Georgia. He did not return to Richmond until many years after the war.

In March of 1865, preparations were made to evacuate some of the machinery to Danville; however, no record confirming this has been found. Nor has any record of the Federal government indicat-



Test Unit 4 revealed intact walls for at least a story and a half. The doorway is believed to lead to the room used for the infirmary and company office.

ing a "reclaiming" of its property from Harper's Ferry been located despite an extensive inventory of lost machinery made in 1861.

On the night of April 2, 1865, the armory was gutted by the evacuation fire that swept through the munitions yards and the commercial and the industrial districts of Richmond. The western section of the main building was rebuilt after the war and used as barracks for the public guard until 1869. By 1878, the Tredegar works had acquired the remains of the western wing, apparently incorporating some of the foundations walls and existing raceway into a rolling mill. The remaining building stood vacant until the turn of the century when the walls were razed and buried with fill,



Archaeologists exposed the remains of a large gas retort in Test Unit 1.

obscuring the Manufactory's exact location.

Concerned that one of Richmond's most important sites might be impacted by modern development, the William Byrd Branch of the Association for the Preservation of Virginia Antiquities conducted an archaeological investigation to assess the state of preservation of the remains of the armory. Through the cooperation of the property owner, the Ethyl Corporation, permission was granted to explore what was believed to have been the Armory's western wing.

The only above ground remains of what is believed to have been the armory is an eight-foot section of brick wall laid in English bond with shell mortar, running along the canal wall just outside the northwest corner of a parking lot. Power machinery was used to open a series of test trenches south from this section to determine whether the brick work was indeed original to the armory and thereby determine exact placement, orientation, and possibly the original elevation of the factory.

Over 173 feet of the inner west wing foundation was located with brick walls ranging from five feet to almost twenty feet below the present ground surface. One of the most surprising discoveries was the fact that the brick wall was laid directly on subsoil and not on a stone footing as had been anticipated. One of the more exciting architectural features uncovered was the lower portion of an eight-sided brick column. Its presence is somewhat mysterious in that it appears to have supported an exterior archway; however, it appears to be located well within the interior of the west wing.

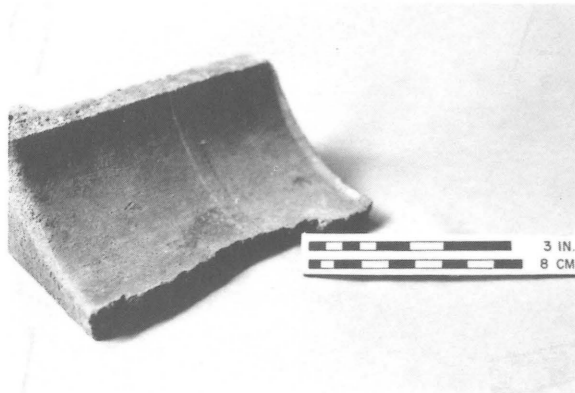
Testing also located part of the brick aqueduct used to carry water from the canal to power a set of breast wheels within the west wing. At least twenty-eight feet of the aqueduct is extant including a six-foot wide arch visible within the second wheel pit. This aqueduct remained in use after the Civil War to supply water to a turbine placed in the Armory's original wheel pit to power a rolling mill.

Several tools related to the post Civil War rolling mill established by the Tredegar works were recovered including six pairs of iron tongs used to manipulate the hot metal. Oil had been used to cool the metal; consequently, much of it had seeped through the floor below aiding in the preservation of discarded tools.

The most puzzling discovery related to the post Civil War reuse of part of the site by Tredegar was the uncovering of a brick and sheet metal bowl-like feature, stretching over 18 feet wide, with a two-foot wide metal bell within the feature's center axis. This proved to be the bottom of a gas retort used to supply carbon monoxide gas to fuel adjacent furnaces.

Utilizing the former towpath of the James River canal for a railroad spur, a thirteen-foot gap had been cut underneath one section of the towpath, allowing the unloading of coal from underneath the rail cars down a chute to the retort below, using part of the original armory wall for one side of this chute.

The base of one of the open hearth furnaces was uncovered just 50 feet from the retort as was an intricately drylaid lattice of firebrick known as a "checker." Both the remains of the open hearth



Part of a bronze die which matches a similar one found by archaeologists at Harpers Ferry.

furnace and associated checker are believed to date to the last quarter of the 19th century, representing an early use of this technology and one of a handful identified archaeologically.

The most exciting archaeological discovery made was the uncovering of the rear wall of the west wing of the armory and the brick floor of an adjoining workshop. Located at a depth of 20 feet below the present ground surface, this workshop was a narrow affair, set between two brick walls, 15 feet apart, which were themselves set at a 30 degree angle to the main armory wing. Within the workshop, congealed splashings of iron were found adhered to the walls and floor, indicating metal molding and casting activity. No machinery or tools were found within the shop; however, two metal artillery grease buckets were recovered within the overburden removed from above the brick floor.

The buckets tentatively were identified as a Model 1842 "tar" bucket and a rare variant of a Model 1842, which would have equipped 6-pound field cannons commonly used by the Confederacy. Exactly why they were housed in the Manufactory of Arms is unknown. Possibly they were brought in for repair, or they may have been used as expedient containers for storing grease to lubricate factory machinery.

A major discovery of both architectural and archaeological interest was the uncovering of a passageway leading from the workshop into an unexcavated chamber within the main armory wing. This chamber is believed to have been the Armory office during the Civil War and may have earlier served as an infirmary to the public guard. Closer examination of this portion of the armory showed two phases of construction.

Originally the doorway had been an outside entrance capped by a well-crafted, vault-like brick arch. By 1860, the south wall had been thickened by an additional two courses of brick, covering the doorway arch with a flat brick span and converting the entrance to an interior passage. Notable features include the survival of whitewash on the wall below and to the right of the doorway, while above the doorway, rows of "weep" holes are discernable. It is unclear whether these holes served to ventilate moisture trapped with the wall or used instead to anchor scaffolding or shop machinery.

Attached to the southern wall but not inter-bonded to it is the northeast wall of the workshop. Set within the wall 9 feet above the brick floor is a massive sill believed to have held the floor to the



Remnants of an artillery bucket found in excavation.

second story. This evidence combined with the construction evidence gleaned from the examination of the passage strongly suggests that what has been uncovered is the ca. 1861 two-story brick workshop James Burton recommended building to house the additional forges and tripp hammers seized from Harper's Ferry. Assuming a total square footage of 13,000 as indicated by Burton, with a building two stories high by 15 feet wide, total building length would be approximately 45 feet, placing most of it under the parking lot. No evidence of reuse of these walls during the post Civil War period by Tredegar was uncovered indicating the presence of undisturbed archaeological remains both with the suspected armory office and within the forging shop lying immediate east within the parking lot.

The Virginia Manufactory of Arms site (44HE469) represents one of the earliest archaeological remains in the country and has the potential for explaining that phase of transition from small craft workshop to an operationally integrated factory. The site also contains information related to industrialism throughout the 19th century, as the building was modified during the Civil War to receive more technically advanced machinery, and again after the war as Tredegar attempted to regain its former prominence as an iron works through even newer technology. As a symbol of Richmond's industrial past, the site also serves to remind us that despite the massive ground disturbances that take place in an urban landscape, it is possible to find deeply buried archaeological features below the concrete and steel.

Herb Fisher
Archaeologist

Demolition By Neglect: *Testing the Limits and Effectiveness of Local Historic Preservation Regulation*

I. The Threat to Preservation Values

Despite substantial restrictions imposed by most preservation ordinances on the demolition of historic buildings, numerous historic properties are destroyed each year as a result of conscious efforts by their owners to avoid the application of these restrictions. Property owners who are either denied a demolition permit or who do not wish to bother with the permit application process circumvent these requirements by refusing to maintain regulated buildings. Eventually, the buildings become a health or safety hazard and is condemned by local health or building inspectors. Demolition is then required and the owner has effectively bypassed the requirements of the preservation ordinance. This process is known as "demolition by neglect."

Efforts to avoid the application of preservation ordinances by promoting demolition by neglect present one of the most serious tests of the limits and effectiveness of local historic preservation ordinances. For example, the Jordan House, located in Smithfield, Virginia, was built around 1771, Later converted into a "large and commodious" mansion between 1828-1830, and further added onto between 1873 and 1876, (1) the Jordan House is designated in the Historic Preservation District in the Town of Smithfield and is also located in the Smithfield Historic District recognized by the Division of Historic Landmarks for the Virginia Landmarks Register and the National Register of Historic Places. (2) The owner, however, failed to maintain this building. The circuit court which heard Smithfield's action to require repairs (3) found that as a result of this failure:

—exterior walls or other vertical supports are not weatherproofed and have deteriorated; that the roof of the structure has deteriorated, is subject to leaking and is missing shingles; that horizontal members of the structure, specifically porch and interior floor surfaces, have deteriorated and collapsed in certain areas; that exterior chimneys have deteriorated. . . (4) The court concluded that this condition "threatened the continued existence of the structure" in violation of Smithfield's historic preservation ordinance (5) and order the owner to correct the violation. As of this writing, the necessary repairs have not been performed; the property continues to deteriorate.

II. Minimum Maintenance Provisions

The primary mechanism used by many localities to combat the problem of demolition by neglect is the adoption of code provisions requiring landowners to maintain the historic character of their property. The content of these provisions, referred to as "minimum maintenance," "anti-neglect," or "affirmative maintenance," provisions, and the procedures for enforcing their requirements vary widely.

Some ordinances simply state that historic buildings must be maintained, or that they must be maintained in accordance with the building code. However, historic resources may be lost before a building reaches a point of decrepitude at which the building code mandates repair. Moreover, tying a preservation ordinance to a building code can be detrimental to preservation values since the standards such codes require often are not consonant with the historic character of the property, (6) and building codes often permit demolition.

Other ordinances go considerably further than stating a requirement of repair, specifying defects which must be repaired or conditions of deterioration which are not permitted. Charlottesville, for example, has an affirmative maintenance provision which prohibits the owner or the person in charge of regulated property from allowing deterioration including but not limited to:

- a. The deterioration of exterior walls or other vertical supports;
- b. The deterioration of roofs or other horizontal members;
- c. The deterioration of external chimneys;
- d. The deterioration or crumbling of exterior plasters or mortar;
- e. The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
- f. The peeling of paint, rotting, holes, and other forms of decay;
- g. The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;
- h. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions. (7)

The anti-neglect provision in the code of Petersburg, on the other hand, is cast in terms of the repairs which can be ordered rather than the

conditions prohibited:

The owner of any building or structure, which is located within a historic area, shall keep such structure properly maintained and repaired. . . (8)

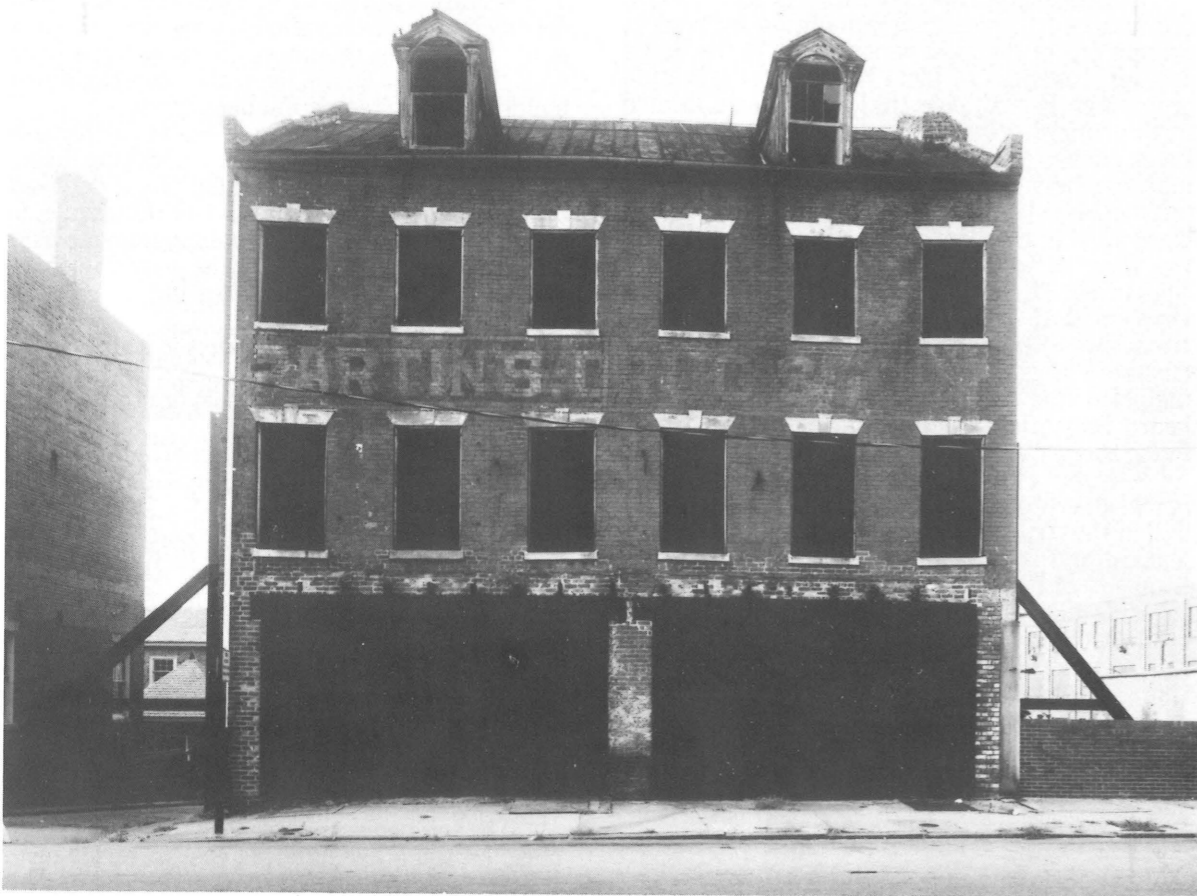
While the Petersburg maintenance requirement is formulated in terms of the structure itself, the Charlottesville ordinance goes further, forbidding deterioration which has a "detrimental effect upon the character of the district as a whole or the life and character of the landmark." This language prohibits harm not only to the structure itself but to the character of the structure. Moreover, prohibiting harm not only to the structure itself but to the character of the district is more in keeping with a *tout ensemble* rationale of historic districts which recognizes the importance of the interrelation between structures in the area. (9)

Most significantly, the Petersburg ordinance requires prevention of only serious structural defects threatening permanent damage to a structure; a requirement that allows considerable damage to occur before repairs can be mandated. The Charlottesville ordinance, on the other hand, is more effective in preventing demolition by neglect since it may require repairs at an earlier stage in the deterioration process.

As one commentator has noted, "(p)reservationist tend to give little thought to enforcement of landmarks laws. . . But ignoring the details of enforcement is a trap for the unwary." (10) Often, anti-neglect ordinance are either inadequately enforced or the enforcement provisions are insuffi-

cient to secure compliance. For one thing, the fines imposed for violation of an anti-neglect ordinance are often miniscule. As a result, a developer may ignore the provisions of the ordinance and view the fines as a small part of the transaction costs involved in a project. (11) Increasing the amount of fines and assessing a separate fine for each day of violation are two ways of addressing this problem. A second problem with the enforcement provisions of minimum maintenance requirements is that criminal sanctions are often insufficient deterrents. Quite simply, few judges would be willing to impose a jail sentence upon an individual for allowing a building to deteriorate. (12)

The most effective enforcement mechanism is one which, in addition to the imposition of fines, allows a locality to make the necessary repairs itself if the landowner does not make them within a specified period of time and attach a lien on the property in the amount of the repairs. This type of mechanism has enough teeth to either prompt compliance or prevent demolition by neglect in the event of noncompliance. If a preservation ordinance does not authorize this enforcement technique, the best method of achieving compliance with maintenance requirements is to get a court order requiring the repairs to be performed. Then, if the landowner fails to make the necessary repairs, the locality can request that the court establish a receivership overseen by a third party authorized to collect rent and pay for the necessary repairs. (13)



Nathaniel Friend House, Petersburg

III. Challenges to the Legality of Minimum Maintenance Provisions

The police power is an inherent power of the state to regulate, to protect or promote the public health, safety, morals, or the general welfare. This power is enjoyed by states, but not localities. Consequently, local governments can only enact preservation ordinances if the state has granted them authority to do so. The first challenge (14) to the legality of a minimum maintenance provision in a historic preservation ordinance, then, is whether it was enacted pursuant to a grant of power by the state and if that grant was within the scope of the police power.

Most states have enacted enabling legislation delegating police powers to localities to zone to protect or promote the public health, safety, morals, or the general welfare. In Virginia, one of eight enumerated permissible purposes for the exercise of this zoning power is "to protect against destruction of or encroachment upon historical areas." (15) In addition to the general grant of zoning power, many states specifically grant the power to localities to create and regulate historic districts and landmarks. (16) Virginia's grant of such authority clearly enables municipalities to adopt minimum maintenance provisions pursuant to such a preservation ordinance. It states that

The governing body of any municipality may, by ordinance, classify the territory under jurisdiction. . . into districts. . . and in each district it may regulate, restrict, permit, prohibit, and determine the following. . . (b) the size, height, area, bulk, location, erection, construction, reconstruction, alteration, *repair, maintenance, razing, or removal of structure.* (17)

Thus, in Virginia, the state appears to have clearly given localities the power to enact minimum maintenance provisions.

Assuming this grant of authority exists, the next question is whether or not this grant was of a power within the scope of the police power. Modern courts defer to a considerable extent to legislative determination of whether or not a particular form of regulation is within the scope of police power. Historic preservation regulations are almost uniformly held to be a form of land use regulation which promotes the general welfare and this a legitimate exercise of the police power.

Even if the regulation in question promotes valid objectives within the scope of the police power, a further constitutional issue is whether the method employed in a particular statute bears a reasonable relation to the achievement of the permissible objective. Since the problem of demolition by neglect is a serious threat to the goals of historic preservation ordinances, anti-neglect provisions are necessary if these ordinances are to be effective. Consequently, as a federal court of appeals in *Mather v. City of New Orleans* (18) recognized "(o)nce it has been determined that the purpose of the. . . [preservation] legislation is a proper one, upkeep of buildings appears reasonably necessary to the accomplishment of the goals of the ordinance." (19)

The most significant legal challenge to minimum maintenance provisions is whether such requirements violate the federal and state constitutional prohibition of the taking of private property

for a public purpose without the payment of just compensation. Unfortunately, the takings questions in one of the most difficult and confusing areas of constitutional law. (20)

Last year, the United States Supreme Court decided three major land use cases involving the takings issue. The decision receiving the most public attention, *First Evangelical Lutheran Church, Los Angeles County* (21) has been widely discussed and frequently misunderstood. The central issue in this case is the appropriate remedy when a regulation is deemed to be a taking. Although a very significant opinion on the questions of damages when a taking is found, this case did not address the issue central to the validity of minimum maintenance provisions, *i.e.* how far a regulation can go before it is deemed a taking.

This determination generally is not subject to clear rules. As the United States Supreme Court conceded, "(t)here is no set formula to decide where regulation ends and taking begins." (22) Instead, the determination of whether a taking occurs is "a question of degree—and therefore cannot be disposed of by general propositions." (23) Consequently, "(e)ach case must be judged on its own facts." (24)

The United States Supreme Court, as well as the Virginia Supreme Court has not addressed the takings issue in the context of affirmative maintenance provisions. The seminal case on the constitutionality of affirmative maintenance provisions in preservation ordinances is *Maher*. There, a federal court of appeals upheld the constitutionality of a provision requiring property owners within a historic district to maintain and repair their buildings. The court concluded that because "an owner may incidentally be required to make out-of-pocket expenditures in order to remain in compliance with an ordinance does not per se render that ordinance a taking." (25)

In reaching this conclusion, the court noted that health and building codes similarly require the expenditure of funds by private owners to maintain property in accordance with certain standards. (26) It is important, though, to recognize the court's statement that the anti-neglect regulation in questions could effect a taking in certain circumstances if the cost of maintenance were too unreasonable and "unduly repressive." (27) It is, therefore necessary to examine how courts address the issue of whether a regulation goes too far and constitutes a taking.

One method of addressing the takings issue is to examine the character of the government's regulatory action. Courts have held that a regulation enacted to further the substantial public interest in eliminating activities which resemble nuisances or to protect the public from harm does not constitute a taking, regardless of the amount of economic loss the regulation causes a property owner. (28) If this approach is adopted, a strong argument can be made that minimum maintenance provisions do not constitute a taking since they are intended to protect the public from the harmful effects of decreased property values, threats to health and safety, destruction of scenic beauty, and loss of precious historical, architectural, and cultural resources which demolition by neglect can cause. (29) Even if the fact that anti-neglect provisions are enacted to eliminate such harmful effects is not sufficient to settle the



100 Block East High St., Charlottesville property subject to Charlottesville ordinance relating to demolition by neglect.



100 Block West Main St., Charlottesville; area governed by design review.



The Parker House, Smithfield, Isle of Wight County, Virginia—subject of extensive litigation. Credit: The Times of Smithfield.

takings issue, a court should nonetheless consider the type of property use regulated by minimum maintenance provisions as a factor which favors upholding such ordinances.

In addition to considering the type of land use regulated by an ordinance, the economic impact of a regulation is often examined by courts to determine whether a taking has occurred. Perhaps the most widely used approach to the takings questions, the "diminution in value" test, focuses on the extent of the economic loss a regulation imposes on a particular property owner and asks whether the degree of economic loss is too great to be permitted. A regulation does not constitute a taking, however, merely because it diminishes the value of private property. As Justice Holmes states, "(g)overnment could hardly go on if to some extent values incident to property could not be diminished without paying for every such change in the general law." (30) As long as the regulation is reasonable and within the scope of the police power, large economic losses may result. For example in one case a 95 percent reduction in the value of property from \$2,000,000 to \$100,000 was upheld. (31) It is unlikely that the amount of economic loss an affirmative maintenance provision imposes on a landowner would ever be great enough to constitute a taking under the diminution in value test.

The value of the property which remains after

a regulation is adopted is another economic factor courts consider in determining whether a taking has occurred. According to the "reasonable use" test, a regulation does not constitute a taking unless it deprives a landowner of the entire reasonable economic value of the property. (32) Under this test, a minimum maintenance provision will not be deemed a taking unless there is no reasonable return possible on the property as it is, there is no profitable use to which the property could be adapted, and sale or rental of the property is impractical. (33) This, obviously, is a very stringent test. Nonetheless, an increasing number of courts seem to use this approach in historic preservation cases. (34) As a result, most courts reject takings challenges to preservation ordinances as long as renovation expenses and other financial considerations do not preclude adapting the property to any reasonable economic use. (35)

A final economic factor considered by courts in addressing the takings issue is the financial capacity of the owner. A Missouri court reflected this focus on economic hardship when it stated that, "(w)here a landowner is unable because of his own financial status to rehabilitate the property even within reasonable economic limits and is unable to dispose of the property as at a reasonable price, enforcement of the ordinance would practically serve to confiscate his land." (36) While an owner of

a historic building should not be permitted to intentionally allow a building to deteriorate and then claim that a maintenance provision constitutes a taking because the costs of repair it imposes are unduly burdensome, (37) a taking is most likely to be found in the application of minimum maintenance requirements where the owner of the property does not have adequate financial resources to devote to maintenance.

If a locality wants to reduce the chances that its minimum maintenance regulation will be deemed a taking, it should be aware, among other things, of the financial resources and nature (individual or a commercial, or a charitable organization) of the property owner, the cost of repairs, the current value of the property and the potential uses of the property. Whenever these factors indicate that a property owner is likely to be able to establish a hardship claim, the locality should reconsider both the historic significance of the property and its decision not to acquire the property by an exercise of its eminent domain power. Sometimes a locality will decide to pursue enforcement of its anti-neglect ordinance in these instances. If so, the chance of successfully defending against a takings claim will be much greater if the locality employs some mechanism, such as a rehabilitation loan, tax incentives, or a grant, to reduce the burden of its minimum maintenance requirement.

Conclusion

Demolition by neglect is a serious threat both to historic resources and to integrity and effectiveness of local preservation efforts. In response to this threat, localities should adopt an anti-neglect ordinance and conduct a program of periodic inspection of regulated properties.

Minimum maintenance provisions are a justifiable and constitutional response to the problem of demolition by neglect except in cases of extreme hardship. If steps are taken to alleviate hardship in a particular case there is a greater chance that the landowner will make the necessary repairs and that, if these repairs are not made, a locality's attempt to enforce its maintenance provision will be upheld.

Sensible application of minimum maintenance provisions is essential to both preserving historic resources and enlisting the public support for a preservation program which is necessary for effective prevention of demolition by neglect.

Oliver A. Pollard III
Assistance City Attorney
City of Alexandria

Notes

1. Nomination of the Smithfield Historic District to the National Register of Historic Places.
2. Trial Memorandum of Town of Smithfield, *Harris v. Parker*, p. 4.
3. *Harris v. Parker*, Chancery No. 3079 (Isle of Wight County, Va., Cir. Ct. Jan. 20, 1983).
4. Order of the Circuit Court of Isle of Wight County, Va., Chancery No. 3079, April 15, 1985, pp. 1-2.
5. *Id.* at 2-3.
6. See, Johnson, Legal Issues of Historic Preservation for Local Governments, 17 Wake Forest L. Rev. 707, 730 (1981).

7. Charlottesville, Va. Code, Art. XVI, Section 31-141.
8. Petersburg, Va. Code, Art. 35, Section 16.
9. See, *City of New Orleans v. Pergament*, 198 La. 852, 5 So. 2d 129 (1941).
10. Duerksen, Local Preservation Law 29, 120 in *A Handbook of Historic Preservation Law* (C. Duerksen, ed. 1983).
11. *Id.*, p. 122.
12. *Id.*
13. *Id.*
14. Due to space limitations, several legal challenges to anti-neglect ordinances cannot be addressed in this article. One constitutional requirement which must at least be mentioned is the due process requirement that an individual be given adequate notice and an opportunity to be heard prior to governmental deprivation of property rights. There can be little doubt that requiring repair expenditures or assessing fines for failure to make such expenditures affects property interests. Thus, notice and an opportunity for some form of hearing should be provided before penalties are assessed pursuant to an anti-neglect provision. As long as these procedures are provided and the rules set out in the enabling statute are followed, there will be no basis for a procedural due process challenge of the application of an affirmative maintenance provision.
15. Va Code 15.1-489(5).
16. See, Va. Code, Section 15.1-503.2.
17. Va. Code Section 15.1-486 (emphasis added).
18. 516 F.2d 1051 (5th Cir.), cert. denied, 426 U.S. 905 (1975).
19. 516 F.2d at 1066-67.
20. Consequently, the following discussion is by no means an adequate legal analysis of this issue; rather, it is intended to merely alert the reader to several of the issues and considerations involved.
21. — U.S. —, 107 S.Ct. 2378, 96 L.Ed.2d 250 (1987).
22. *Goldblatt v. Town of Hempstead*, 369 U.S. 590 (1962).
23. *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393, 416 (1922).
24. *United States v. Caltex*, 344 U.S. 149, 156 (1952).
25. 516 F.2d at 1067.
26. *Id.*
27. *Id.*
28. See, e.g., *Mugler v. Kansas*, 123 U.S. 623 (1887); *Keystone Bituminous Coal Ass'n v. DeBenedictis*, — U.S. —, 107 S.Ct. 1232, 94 L. Ed. 2d 472 (1987).
29. In fact, the effects of demolition by neglect may be severe enough to constitute a nuisance. See, *Kelly*. If this characterization is correct, affirmative maintenance provisions would clearly be a valid exercise of the police power.
30. *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393, 413 (1922).
31. *William C. Haas v. City and County of San Francisco*, 605 F. 2d 1117 (9th Cir. 1979), cert. denied, 445 U.S. 928 (1980).
32. *Penn Central Transportation Co. v. City of New York*, 438 U.S. 104, 137-38 (1978).
33. See, *Lafayette Park Baptist Church v. Board of Adjusters of St. Louis*, 599 S.W.2d 61, 66 (Mo. App. 1980).
34. See, e.g., *Penn Central; Maher*.
35. *Lafayette Park Baptist Church v. Board of Adjusters of St. Louis*, 599 S.W.2d 61, 66 (Mo. App. 1980); *Figarsky v. Historic District Commission of Norwich*, 171 Conn. 198, 368 A.2d 103 (1976); *State, by Powderly v. Erickson*, 285 N.W.2d 89, 90 (Minn. 1979); *Manhattan Club v. Landmarks Preservation Commission*, 273 N.Y. 2d 848, 51 Misc. 2d 556 (1966); *Buttnick v. City of Seattle*, 105 Wash.2d 857, 719 P.2d 93 (1986).
36. *Lafayette Park Baptist Church v. Scott*, 553 S.W.2d 856, 864 (Mo. App. 1977).
37. See, *Penn Central Transportation Co. v. City of New York*, 42 N.Y.2d 326, 366 N.E.2d 1271 (1977).

Virginia's Attic

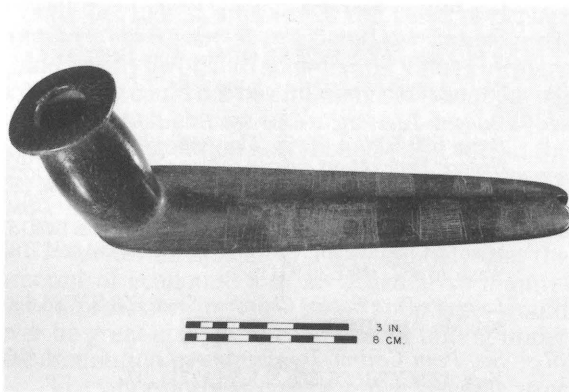
The Smithsonian is known as the nation's attic. The basements of Morson's Row in Richmond are Virginia's attic. Stored in these rooms are artifacts resulting from over 25 years of archaeological excavations in the state. Virginia's long history and even longer prehistory have made the state one of the richest in the nation in archaeological sites and have provided a collection of artifacts that are unique as a state resource.

Some of the earliest historic sites in Virginia are represented here. The Walter Aston site, also known as Causeys Creek, dates to the earliest part of the 17th century and contains artifacts not found any place else in the United States. A French wheel lock dating from between 1600 and 1610 is one of these unique items and the Saintonge costrel shown below is another. This costrel, thought to have been a container for alcoholic beverages, was made in France from the late 1500s to the early 1600s.

The prehistoric collections are equally rich and varied and represent excavations from the earliest period, Paleoindian, which dates to 10,000 years before the present, up to the European contact period. The incised chlorite schist pipe pictured below is from a late burial site (post AD 1500) located in Southampton County and is just one example from the excellent prehistoric collections.

As the state repository for these collections, the Division of Historic Landmarks has responsibility for the curation of the artifacts. For a state agency, curation means not only the care and proper

An incised chlorite platform pipe found in a burial at a contact site located in Southampton County. The burial dates from circa 1625 to 1640.



storage of these artifacts, but also sharing them with the public through exhibitions and making them available to scholars and researchers for study and analysis. In order to fulfill these responsibilities, the collections are housed in two ways. A study collection is maintained in museum cases easily accessible to scholars and researchers. This collection is composed of a representative sample of objects found in prehistoric and 17th- and 18th-century sites; lithics, ceramics, wine bottles, tools, and one-of-kind items. These vary from 17th-century pots made by local potters to English, French, and Dutch objects imported by the early colonists and includes artifacts from each of the

This Saintonge costrel was made in France during the late 16th to early 17th century. It was recovered from a Charles City County site.



prehistoric periods. The study collection is used for comparative purposes to identify objects found on other sites, as a teaching tool for students of materials culture, and for research projects that will add to the knowledge of prehistory and history in Virginia.

The bulk of the collections are stored by site for long term curation. They are available to those wishing to do an in-depth study of artifacts from one particular site or study a specific type of artifact found on several sites. Material from both of these groups can be seen by making an appointment with the curator.

The importance of these collections is reflected in the requests we get for loans. Currently one of our largest collections, the Governor's Land, is on loan to the Jamestown Yorktown Foundation for exhibit in its new museum facility in Jamestown. In this setting it will be viewed by thousands of tourists from the United States and abroad and increase their understanding of early settlement in the New World.

Just as important are the loans we make to local communities. The Poquoson Public Library has an exhibit of artifacts from sites excavated in that area which interpret the prehistory and history of the Poquoson peninsula. Objects for theme exhibits are also available from the collections. The new Newport News Museum and Archives has borrowed a collection containing many 18th-century farm tools to be used in an exhibit depicting the transition of Warwick County from a rural society to an industrial one. Sherds from an 18th-century chamber pot are on tour in the Virginia Museum of Fine Arts Artmobile exhibit on Fragments. This exhibit uses objects from art, architecture, and archaeology to explore the concept of fragments, a perfect showcase for an archaeological object which is almost always fragmentary.

These artifacts are not only in demand within the state but their significance has been recognized nationally. A loan of wine bottles from colonial Virginia sites has been made to the Wine Museum of San Francisco for an exhibit. The Museum of Fine Arts in Boston requested a loan of some of our early ceramics for a special exhibit on ceramics. Anheuser Busch has a display of artifacts from Kingsmill in their home office in St. Louis as well as at Kingsmill and Busch Gardens. Our policy is to share these artifacts with the public as long as they are presented by a qualified institution in a manner reflecting their significance as a part of Virginia's early history.

The Division also accepts donations of collections for curation. These collections should be from a site registered in the state site files and prepared according to the state curation standards. The artifacts along with the site documentation will be accepted with a signed donation form transferring title to the Department of Conservation and Historic Resources Division of Historic Landmarks.

Interns and volunteers are welcome in our laboratory. Interns can benefit by receiving college credit for working with the collections. Internship programs are designed for the individual to meet his or her interests and level of knowledge. Last spring, we had an intern from Virginia Commonwealth University working with us. The program designed for him included learning artifact types and materials from the prehistoric and historic

periods in Virginia, laboratory procedures for washing, labeling, and cataloguing artifacts, and accepted methods of packaging collections for long term storage. He was also able to participate in a field excavation with our Survey and Register Section, gaining a knowledge of field techniques. As a result of his work with us, he was offered a summer job with an archaeological contract firm. Graduate students wishing to do an independent study course or a special research project are also encouraged to contact us.

Our volunteer program enables volunteers to earn paraprofessional status in archaeological field methods and laboratory techniques. This program is certified by the Council for Virginia Archaeologists and is being used by several institutions in the state. A volunteer can be certified at three levels of expertise in either laboratory techniques, field excavation, or survey methodology. Each level requires an increased commitment of time and study and is rewarded with a certificate of accomplishment and increased responsibility in the area of that certification. One of our recent volunteers earned her level 1 certificate while volunteering at the Department of Transportation and has now begun working on level 2 of the laboratory techniques section in our laboratory. We also encourage volunteers who have less time to contribute but are interested in archaeology and willing to work with collections. Often volunteers with specialized skills in other areas such as computers, photography, or drawing find it very rewarding to apply these skills in an archaeological context. High-school students and undergraduates will find volunteering in an archaeological lab a good way to explore future career choices.

The Division's mandate to curate the archaeological collections of Virginia is being met by caring for and storing these collections, making them available to the public through exhibitions and to archaeologists and others for study. However, caring for the collections in their present condition is not enough. The field of collections management and curation is constantly changing and improving as new knowledge about artifacts and their preservation needs is discovered. In addition, new technology continually adds to our ability to care properly for these "non-renewable resources." This phrase is often used to describe archaeological sites but is equally applicable to archaeological artifacts. Future plans for the collections include; rehousing the older collections in archivally stable materials; creating a computerized artifact database listing all artifacts by provenience which will be cross referenced to the site inventory database; conducting a conservation needs assessment; and establishing a schedule for monitoring conserved objects. By implementing these plans and continuing to improve our curation standards we can preserve the treasures of Virginia for future Virginians.

Watch for future articles on "Virginia's Attic, 'er' Basement."

Certified Historic Rehabilitations in Virginia
October 1, 1987, through April 1, 1988

Alexandria 413-415 1/2 Prince Street (Part 3)	\$430,000
Bedford 124 S. Bridge Street (Part 3)	\$63,873
Charlottesville 1533 Virginia Avenue (Part 3)	\$180,000
Danville 704 Berryman Avenue (Part 3)	\$45,599
Fairfax County Clifton Hotel, Clifton (Part 3)	\$504,332
Franklin 105 East Third Avenue (Part 2)	\$16,000
Fredericksburg 604 Caroline Street (Part 3)	\$60,000
Lynchburg 412 Cabell Street (Part 3)	\$88,350



704 Berryman Avenue, Danville. House rehabbed for two apartments.
Completed rehabilitation.



Newport News Hotel Warwick (Part 3)	\$1,753,424
Petersburg 314 Exchange (Part 3)	\$98,000
526-528 Grove Avenue (Part 2)	\$15,000
535-537-539 Grove Avenue (Part 2)	\$15,000
	\$ 188,000
Pulaski 106 6th Street (Part 3)	\$17,000
Richmond 128 West Broad Street (Part 2)	\$70,000
1309 E. Cary Street (Part 2)	\$750,000
1311 E. Cary Street (Part 2)	\$750,000
3407 Chamberlayne Avenue (Part 2)	\$30,000
217-219 E. Clay Street (Part 3)	\$40,000
711 W. Clay Street (Part 2)	\$40,000
211 N. 18th Street (Part 3)	\$160,000
Linden Row, 110-112 E. Franklin Street (Part 3)	\$1,800,000
818 W. Franklin Street (Part 2)	\$200,000
First National Bank, E. Main St. (Part 3)	\$13,402,192
1701 E. Main Street (Part 2)	\$150,000
1724 E. Main Street (Part 2)	\$60,000
1726 E. Main Street (Part 2)	\$65,000
1731 E. Main Street (Part 3)	\$186,000
2507-2509 W. Main Street (Part 3)	\$120,000
15, 19, 23 N. 19th Street (Part 2)	\$1,900,000
205 N. 19th Street (Part 2)	\$300,000
10 South Robinson Street (Part 3)	\$35,000

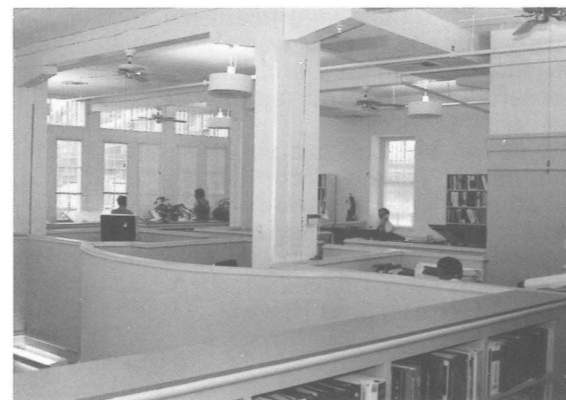
Sigma Pi Fraternity, 1533 Virginia Avenue, Charlottesville. The new addition is consistent with the National Park Service guidelines.



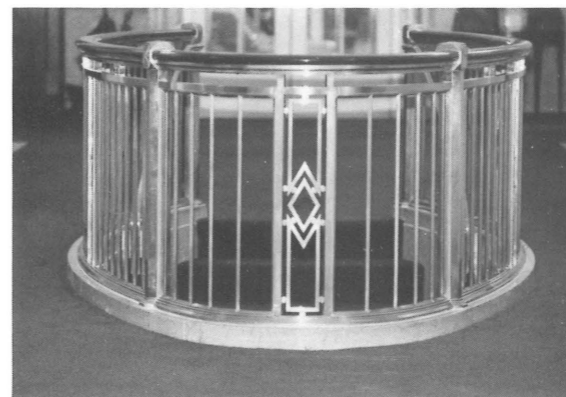
Hill Building, 114-122 Virginia Avenue, Richmond, showing retention of warehouse atmosphere after insertion of office space on the first floor.



Banking Room of First National Bank Building. Credit: DKM Richmond Associates.



Completed work in the Hill Building.



First National Bank Building, refurbished stairwell in the main banking room. Credit: DKM Richmond Associates.



First National Bank Building, 823 East Main Street, Richmond. Close-up, terra cotta ornament on south elevation. Credit: DKM Richmond Associates.

16 South Robinson Street (Part 3)	\$32,500
18 South Robinson Street (Part 3)	\$31,500
20 South Robinson Street (Part 3)	\$33,000
14 N. 30th Street (Part 3)	\$92,260
3-5 S. 12th Street (Part 2)	\$450,000
114-122 Virginia Street (Part 3)	\$1,336,022
	\$22,032,974
South Boston 1400 Fenton Street (Part 3)	\$19,000
437 Main Street (Part 2)	\$60,000
	\$ 79,000

Staunton 505-505 N. Augusta Street (Part 2)	\$33,262
519 W. Frederick Street (Part 3)	\$68,955
627 W. Frederick Street (Part 3)	\$39,000
	\$ 141,217
Total	\$25,599,769

Board Appointments

Three New Members Appointed to Landmarks Board

Governor Gerald Baliles has appointed Nicholas A. Pappas, AIA, of Williamsburg and David S. Cohn of Richmond to four-year terms on the Virginia Historic Landmarks Board. Mr. Pappas is the Foundation Architect for the Colonial Williamsburg Foundation where his primary responsibility is the assurance of authenticity in the Historic Area of the Colonial Capital in terms of architectural design, construction, maintenance and landscaping. Previous to assuming his duties at Colonial Williamsburg in 1982, Mr. Pappas was a partner in the firm of Yerkes, Pappas and Parker, Architects in Washington, D.C.

Mr. Cohn is a partner in the Richmond law firm of Browder, Russell, Morris and Butcher, PC. He has served as the Chairman of the Real Estate Committee of the Virginia Bar Association and as a member of the Board of governors of the Real Estate Section of the Virginia State Bar. He has taught in the law schools at the College of William and Mary and the University of Richmond and currently serves on the Board of the Science Museum of Virginia Foundation and is an Associate Trustee of the University of Pennsylvania.

Dr. Jeffrey L. Hantman has been appointed by Governor Baliles to the Virginia Historic Landmarks Board. Dr. Hantman, of the Department of Anthropology at the University of Virginia, is a member of the Governor's Commission to Study Historic Preservation. He will serve as one of the Board's archaeologists.

Reappointed to the Landmarks Board was Dr. William Kelso, archaeologist for Jefferson's Poplar Forest, currently on leave from his work as archaeologist for Monticello.

Danville Native Appointed to State Review Board

Gary Grant, long active in preservation activities in Danville, has been appointed by H. Bryan Mitchell to a three-year term on the State Review Board of the Division of Historic Landmarks. The State Review Board is responsible for review of all nomination to the Virginia and National registers. Mr. Grant co-authored *Victorian Danville* in 1977, a publication about the architecture and history of 52

of that city's most significant landmarks. Currently he is chairman of Danville's Commission of Architectural Review and is self-employed as a researcher for several nationwide information-gathering services.

Bryan Mitchell has also appointed S. Allen Chambers to the State Review Board. Mr. Chambers, an architectural historian formerly with the Historic American Building Survey, presently serves as the president of the Preservation Alliance of Virginia. He is the author of *Lynchburg: An Architectural History*.

Staff members John Salmon, Julie Vosmik, Beth Hoge, and David Edwards surveying in Urbanna, Middlesex County. Credit: Tom Chillemi, Southside Sentinel.



Notes on Virginia

MORSON'S ROW



Division of Historic Landmarks
Morson's Row
221 Governor Street
Richmond, Virginia 23219

BULK RATE
U.S. POSTAGE
PAID
RICHMOND, VA.
PERMIT NO. 1225