



THE BULLETIN OF THE KING WILLIAM COUNTY HISTORICAL SOCIETY OF VIRGINIA

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KING WILLIAM COUNTY

King William County was formed from King and Queen County in the year 1702, it embraced that area lying between the Mattaponi and Pamunkey Rivers and extended westward and prior to the formation of King William County was known as Pamunkey Neck. The County was named for William III of Orange, King of England, who with his wife Queen Mary ascended to the throne in 1689 and reigned until 1702.

King William County is forty miles long and an average width of eight miles, and is bounded by the Mattaponi and Pamunkey rivers. These two rivers flow together at West Point and form the York river. The County has a population as of the last census of 7,498 citizens. During the past few years there have been four or five sub-divisions started in the area of the intersection of Routes 360 and 30 and the population would now exceed eight thousand. The County including the Town of West Point has an area of 278 square miles.

KING WILLIAM COURTHOUSE

Malcolm H. Harris, M.D.

The courthouse of King William County is unique for it is the oldest court building in Virginia and the United States that has been in continuous use for the purpose for which it was built, since its erection. This is a remarkable record, nor has it suffered from a fire in its two and half centuries.

There is no evidence of any court being held in Pamunkey Neck prior to the formation of King William County. The county was formed in 1702 by an Act of the General Assembly, which followed several petitions from the freeholders living within Pamunkey Neck, asking that they be given a court or divide the county of King and Queen by the Mattapony River, in either case to serve the convenience of the people in Pamunkey Neck.¹

The first court for King William County sat in a house, which was certainly standing before 1702, which was on a tract of land which belonged to the Presiding Justice of the First Court: The Honorable Henry Fox, Esq: The subsequent facts clearly confirm the fact that the court used this house from April 1702 until the following January, and this house became known as the Courthouse of King William County.²

The Governor and Council had set up the machinery for the county government, for they appointed the officials and issued the necessary commissions. The Commission of Peace which was issued was as follows:

Henry Fox, John Waller, John West, Henry Madison, W. Claiborne, and Richard Gissedge to be of the quorum and Martin Palmer, Daniel Miles, Roger Mallory, Thomas Carr, Wm. Noy, George Dabrice (Dabney) and Thomas Terry. John Waller had sought the clerkship, but the Governor and Council felt that his experience would serve the county better as sheriff, and this left two gentlemen in the contest for clerk: Orlando Jones and William Aylett, and on ballot, William Aylett was duly chosen and commissioned the first clerk of King William County.³



On the twenty first day of January 1702, Mr. Henry Fox and Capt. Richard Littlepage conveyed by deed two acres of land to Her Majesties Worshipful Justices of the County of King William and to their successors, on part of which the Court House for the said county now stands.⁴

The grantors had large tracts of land in Pamunkey Neck and out of free will and generous inclination of reward, they did bind themselves and their heirs in the sum of four hundred pounds sterling, that all should enjoy the said land.

This deed of coveyance was admitted to record at a Court held for King William County on the 21st day of January by adjournment from the 20th of the same month, 1702.⁵

This early courthouse was standing and used by the first court in 1702, and was probably a log house which served until the present courthouse was erected.

In passing a word about the first clerk, William Aylett, who held the office from 1702 until his death in 1732 or 3. He had been employed in the Colonial Government at Williamsburg, serving as clerk to various committees of the House of Burgesses. He was well known and his political connections were sufficient to get the appointment over John Waller and Orlando Jones.⁶

This original courthouse served the county for about twenty years until 1722, when John Butts and other Justices presented a petition to the General Assembly asking that a new courthouse be erected in King William County on the lands of Major Aylett and that the county be not divided.⁷

At this time the old courthouse was said to be "ruinous" and there were several locations under consideration and the Justices were divided about the proper location, but agreed to submit the matter to the Governor and Council for their decision to settle the question as to the proper site.

Major William Aylett had offered land and timber to be used in the building, if the courthouse was built on his land on the Mattapony River at his storehouse, which was an enticing offer, and one that the Major could well afford, for the control of the affairs about the courthouse had proved a good business venture.

"The Governor was pleased to declare in Council that in pursuance of the above submission," he did approve the said

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courthouse of the said county to be built on the land of Major William Aylett on Mattapony River near the said Aylett's Storehouse, that being nearest the center of the county and most convenient to the greatest number of the inhabitants."⁸

It is certainly a fact that the courthouse was not built in Ayletts, but why the order entered in the Council Journals was not carried out, is not explained by any record now in existence. Governor Alexander Spotswood had only six months in office before he turned over the office to Hugh Drysdale on September 22, 1722. This succession may have had some bearing on the matter.

The date of erection of the Old Colonial Courthouse at King William is not positively known, but Hanover County in 1735 used it as a model for the courthouse at Hanover, therefore it is definite the courthouse was built between 1722 and 1735, and probably as early as 1725. immediately after the decision to replace the first courthouse.

It is not known who the undertaker was or any detail of the planning or the construction beyond what is to be seen in the fine old building that still stands. The bricks were the usual clay bricks which were burned in a kiln nearby, and a close search in the area would in all likelihood turn up the site of the brick oven.

The Courthouse Building

The Colonial Courthouse at King William is one of the finest examples of colonial brick work that remains in existence today. It is an excellent example of the Flemish Bond pattern of brick laying, which pattern was brought to London after the Great Fire of 1666, which destroyed a large part of the city, but the Flemish bricklayers, who were brought over at this time and they left this type of bond of bricklaying which bears their name.

The facade of the old courthouse presents a one story brick building with hipped roof which is now covered with slate, and a portico with five rounded arches. The floor of the portico is layed with large flagstones, which were imported from English quarries, and neatly layed as they have been all these years.

The walls are of brick layed in English Bond to the watertable and in Flemish Bond above, which brings out the fine checkered pattern of the grey green headers and the red brick stretchers. It is a wall of beauty, which age has accentuated with its brush of time.

The front entry is the only door to the building in the outside walls, and this opens into the court room, which is flanked on either side by a small room which was used by the Justices or juries.

In the early days the courtroom was heated with open fires, one fireplace behind the Judge's bench and one in each of the Ante rooms, which are still evidenced by the tall chimney stacks, which are fitting, though not in use. Central heat and electric lights have made the building useful, at all times, and has not detracted from its antiquity.

The long windows well spaced give the room the needed light. The Judge's desk today has replaced the seating of the Commission of Justices, twelve or more, who were the most respected and honorable men in the county.

During the celebration in 1952, of the two hundred and fifty years of King William County history, the Society of Descendants of Henry Fox and Ann West placed in the court chamber in the fireplace behind the Judge's desk a bronze plaque on which was inscribed this legend:

DEDICATED TO THE MEMORY OF
HENRY FOX
FIRST PRESIDING JUSTICE OF THIS COURT

April 20, 1702

AND ALSO A BURGESS AND SHERIFF
OF KING WILLIAM COUNTY WHO WITH
CAPTAIN RICHARD LITTLEPAGE
JOINTLY DEEDED ON JANUARY 20, 1702
TO THE NEWLY FORMED COUNTY OF
KING WILLIAM THE LAND ON WHICH
THE FIRST COURTHOUSE STOOD AND
WAS BUILT ABOUT THE YEAR 1725.

ERECTED BY
THE SOCIETY OF DESCENDANTS OF
HENRY FOX AND WIFE ANN WEST
APRIL 20, 1952.

List of Clerks of the Circuit Court of King William County from 1702 to the present date, with the exception of the period from 1722 to 1785. There are no records available during this period.

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| William Aylett | 1702 - 1722 |
| Edmund Berkley | 1785 - 1802 |
| Robert Pollard | 1802 - 1852 |
| James O. Pollard | 1852 - 1863 |
| William D. Pollard | 1863 - 1869 |
| O. M. Winston | 1869 - 1887 |
| J. C. Johnson | 1887 - 1893 |
| B. C. Garrett | 1893 - 1923 |
| B. C. Garrett, Jr. | 1923 - 1973 |
| Thomas T. H. Hill | 1973 - |

The King William County Historical Society was organized through the interest and efforts of Mrs. L. E. Wendenburg (Sara Fox) of Aylett, Virginia. Mrs. Wendenburg's background as a member of the Virginia Historical Society, and a life member of the King and Queen Historical Society was especially suited to head up these efforts.

In September 1973 she brought the idea of organizing this Society before the Upper King William County Woman's Club which agreed to sponsor it. The following committee members were chosen to carry on this work: Mrs. L. E. Wendenburg, chairman, Mrs. T. L. Stevens, Miss Clare Mitchell, Mrs. Harmon Littlepage, Mrs. W. E. Garber, Mrs. Florence Decker, and Mrs. D. S. Robinson. One program was held by the club on organizing an historical society.

The committee worked independently on this and developed plans for the meetings, the election of officers, and the work that could be done.

The first meeting was held in King William Court House, Sunday, April 7, 1974 with the chairman, Mrs. L. E. Wendenburg, presiding. Gen. Edwin Cox of Aylett, present president of the Virginia Historical Society spoke on the subject: "The Contributions and Importance of a Local Historical Society and King William County".

The following officers were elected for the 1974-76 term of office: President-Mrs. D. S. Robinson, King William; Vice-President-Mrs. L. E. Wendenburg, Aylett; Recording Secretary-Mrs. G. H. Guy, Jr., West Point; Treasurer-Mrs. J. B. Sweet, Manquin; Corresponding Secretary-Thomas T. H. Hill, King William.

Bernice E. Robinson
President

KING WILLIAM COUNTY MEDAL

The face of this medal is a reproduction of the original seal of the Circuit Court of King William County, Virginia. In 1863 one Daniel Herskey of Mechanicsburg, Pennsylvania, a soldier in the Union Army, while with a raiding detachment at King William, saw and pocketed the seal. In 1927 the seal was located and graciously returned to King William County by Mr. Herskey, who had retained it in his possession.

¹ Hening Statutes at Large Vol. No. 3, page 211.

² Executive Journals of the Council of Colonial Virginia, Volume No. 2, page 61.

³ Executive Journals of the Council of Colonial Virginia, Volume No. 2, page 225a.

⁴ King William Records (Photostat) Vol. 1, page 71.

⁵ King William Records (1700-1785), p. 6.

⁶ Mss Will of William Aylett dated 18 November 1730 and proved 17 March 1733.

⁷ Journals of the House of Burgesses (1712-1726), Volume No. 5, page 366.

⁸ Executive Journals of the Council of Colonial Virginia, Volume No. 4, page 9.