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HISTORIC STRUCTURE REPORT

Frederick A. Roeder's Store, Bldg. No. 5, on

Wager Lot No. 16.

Historical Data

Harpers Ferry National Historical Park

West Virginia

by

Charles W. Snell

PROPERTY OF

HARPERS FERRY NATIONAL HISTORICAL PARK

HARPERS FERRY, WEST VIRGINIA

Denver Service Center
National Capital Team
National Park Service
United States Department of the Interior
Denver, Colorado

April 1980

PREFACE:

The purpose of this report is to update the "Historic Building Report, Part II Historical Data Section, for Bldg. No. 5, Frederick A. Roeder's Store," Harpers Ferry National Monument, W. Va.," prepared by Historian Charles W. Snell, March 31, 1959, on the basis of additional archeological, architectural, and historical evidence that has been discovered during the 20 year period since the above-listed report was prepared.

The writer wishes to thank Librarian Hilda F. Staubs of the staff of Harpers Ferry National Historical Park for her assistance in providing copies of photographs and documents from the Park collections for use in preparing this study.

Charles W. Snell
Historian

April 1980

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II. HISTORICAL DATA SECTION:

A. Significance:

Frederick A. Roeder's Store, Bldg. No. 5, located within approximately 100 feet of the original site of U.S. Armory Fire Engine House, or " John Brown Fort," is of the Second Order of Significance because it formed an immediate part of this key historic scene during the John Brown Raid in October 1859. Most of the action of that attack took place in front of Bldg. No. 5. Like Park Bldgs. No. 8, 9, and 7, Bldg. No. 5 is visible in the background of many photographs that were taken of the John Brown Fort from 1859 to 1892.

Bldg. No. 5 was constructed by Frederick A. Roeder in 1856-57 to replace the space that he lost in 1856 when he sold the front(north) half of Bldg. No. 7 to the United States and the Armory demolished that portion of Roeder's tavern in order to widen the narrow alley on which it front^{ed} into a 40-foot wide ~~street~~. Bldg. No. 5, as built by Roeder in 1856-57, was a duplicate or twin of ^{the} remaining portion of Bldg. 7 in size, floor plan, and their north or front facades were similar. Bldg. No. 5 also appears to have been utilized during most of its existence as a drinking house or tavern, as was the case with Bldg. 7.

Bldg. No. 5, in 1856-57, was a two and one half story brick and stone structure with a slate-covered gable roof, but unlike Bldg. 7, it lacked a cellar. Bldg. No. 5 fronted 24 feet 2 inches on the new street that was later known as Potomac Street and was 20 feet 2 inches deep. The first story walls were of stone and the upper story and a half of brick. There was a small end chimney centered in the north and south gable ends of the house. The north or front elevation was divided into three bays. On the first story there was a center door with a window adorned with exterior louvered shutters in each flanking bay. The center bay of the second story was occupied ~~by~~ ^{above and} by a door with a small transom ^{gls} that opened out on to a small wooden porch or balcony. There was a window in each flanking bay and also one in the third story level that was centered over the door below. Second and third floor windows did not have shutters and all windows had six over six lights. Prior to 1861 a two-story brick wing with a sloping slate-cover shed roof was added to the rear ^{gls} five room main house. The ^{wings} 12 feet 7 inches wide and 13 feet deep, had one room ~~on~~ ^{on} each floor, so that Bldg. No. 5 had a total of seven rooms by 1861. The first floor room in the wing had a fireplace.

B. Chain of Title for Bldg. No. 5 on Wager Lot
No. 16, 1751 to 1953:

The lot that was to include the future site of Bldg. No. 5¹ was a part of the 125 acre tract that Robert Harper, a millwright from Pennsylvania, purchased from Lord Thomas Fairfax on April 25, 1751. Harper died at Harpers Ferry in October 1782 and in his will he left the land that was to contain the future sites of Bldg. No. 5, the lower town of Harpers Ferry, and the U.S. ~~Musket~~ Factory to his ~~son~~ niece, Sarah Harper, who was then the wife of John Wager, Sr. and residing with her husband in Philadelphia.² About 14 years later, on June 15, 1796, John and Sarah ~~Wager~~ sold all of their Harper inheritance, except for six and 3/4 acres retained in what became known as the Wager Six Acre Reservation and ~~Wager~~ Ferry Lot, to the United States Government for \$ 7,016.66.³ The Federal Government was acquiring this land for the purpose of erecting an Armory and Arsenal at Harpers Ferry.

The future site of Bldg. No. 5 was located in the Wager Six Acre Reservation, which with the Ferry Lot, remained the property of the Wager family from 1796 to 1836. The only available private land on which mercantile stores and shops could be built in this sea of Federally-owned property, the Wager land increased in value as the Armory and the population of the town expanded with the passage of time. The Wager heirs refused to sell any of their land, but leased it out at high ground rents to merchants who further agreed to erect buildings as a part of securing a leasehold. These costs were passed on to the Armory

1. Fairfax deed for 125 acres to Robert Harper, April 25, 1751, in Northern Neck Grant Book No. 6, p. 496, in Virginia State Library, Richmond, Va.

2. Last Will of Robert Harper of Berkeley County, Va., dated 26 September 1782, probated in Berkeley County, Va., on October 15, 1782. Copy of will in Office of the Judge Advocate General, Military Reservation Division, West Virginia Reservation File, Box 41, National Archives Record Group No. 153, Washington, D.C.

3. Copy of Warranty Deed of John Wager, et ux, Berkeley County, Va., to the United States, June 15, 1796, National Archives Record Group 121, Public Buildings Service, Entry 75. Washington. D.C.

workmen in the form of very high prices charged for goods.

One of the three Wager heirs, James B. Wager, however, overextended himself in his financial ventures and, on July 7, 1834, was thrown into prison for debt. He was forced to declare bankruptcy. On April 2, 1835, the Circuit Superior Court of Law and Chancery for Jefferson County, Virginia, appointed commissioners "to lay off and divide into three equal lots and parcels, the real estate at Harper's Ferry which descended to James B. Wager, Gerard B. Wager, and Sally Ann Wager, now Sally Ann Swayne, the wife of Noah H. Swayne, from their father John Wager (Jr.), deceased."⁴

The commissioners subdivided the Six Acre Reservation and the Ferry Lot, together with the buildings on this land, into 56 numbered lots. On October 10, 1835, the Circuit Court divided the lots and structures equally among the three Wager heirs. Among the lots allotted to "Sally Ann Swayne, the wife of B Noah H. Swayne," ~~was~~ "Lot No. 16", which was to be the future sites of Park Bldgs. No. 5 and 16.⁵ Wager Lot No. 16 fronted 32 feet on the north side of High Street, ran about 122 feet along the east property line to a 15-foot wide alley on the north, fronted 32 feet on this alley, and then ran about 116 feet^{south} along the west lot line to High Street. Bldg. No. 16 was to be erected on the south end of the lot, fronting on High Street, and Bldg. No. 5 was to be constructed on the north end of Lot. 16, fronting on the narrow alley which separated the Wager Six Acre Reservation lot from the U.S. ~~Masket~~ Factory public land.

4. Gibson, etc. vs. Wager etc, Decree, in Deed Book 29, pp. 140- 141, Registry of Deeds, Jefferson V County Courthouse, Charles Town, W. Va. Henceforth all deed books mentioned are located in the Jefferson County Court House unless otherwise specified.

5. Ibid. The 1835 Plat- prepared for the commissioners and entitled "The Wager Six Acre Reservation, drawn by James M. Brown, S.G.C," is located in Deed Book 29, at p. 140.

The future site of Bldg. No. 5, on the north end of Lot 16, was vacant in 1835-1838(See Map No. 1, 1835 and Map No. 2, 1837-38).

Noah Haynes Swayne (1804-1884) was the U.S. District Attorney for Ohio during the years 1831 to 1841. He had married Sarah Ann Wager of Harper's Ferry in 1832 and they were ~~now~~ now residing in Columbus. She owned slaves, but, sharing her husband's views on the evils of slavery, she emancipated them. The Swaynes retained title to most of the lots that Mrs. Swayne received on October 10, 1835, and leased it out, operating as absentee landlords, while living in Ohio.

On September 7, 1837, Noah H. Swayne leased Wager Lot No. 16⁶ and also adjacent Wager Lot No. 17, to John Wilson, a Harper's Ferry merchant, for 10 years, effective April 1, 1838, at an annual rent of \$ 140. Wilson further agreed to erect one or more brick or stone houses on the lot prior to April 1, 1843.⁷ On January 29, 1844, with the consent of John G. Wilson, who had apparently decided he did not need so much land, Noah H. Swayne leased Wager Lot No. 16 to Frederick A Roeder, a confectioner or baker, for a period of 24 years at an annual rent of \$ 70.00. This lease also ~~contained~~ contained a clause calling upon Roeder to build on Lot 16.⁸ Roeder ~~promised~~

and on September 13, 1847 he was able to purchase Wager Lot No. 16

6. Dictionary of American Biography, XVIII, pp.239-240. Taking a high rank at the Ohio bar, President Abraham Lincoln appointed Noah H. Swayne an justice of the U.S. Supreme Court on January 21, 1862, a position that Swayne held until January 25, 1881, when he reired at the age of 76.

7. Lease, Swayne to Wilson, September 7, 1837, in Deed Book 22, pp.340-341.

8. Swayne to Roeder, Lease, January 29, 1844, Deed Book 27, pp.102-103; and Swayne and Wilson, Agreement, January 29, 1844, Deed Book 27, p.103.

from Noah and Sarah Swayne for \$ 1,166.66. On January 2, 1848,
Roeder next purchased Wager Lot No. 17 from the Swaynes, again paying
\$ 1,166.66 for the land. This addition increased his frontages on both
High Street and the alley below to 64 feet.

In the mid 1840's, Major John Symington, Superintendent of
the Harper's Ferry Armory, launched a program to acquire the Wager Six
Acre Reservation Lots from No. 16 west to Lots 22, 23, and 24 (See Map
3) which fronted directly on the 15-foot wide alley that ran between
the north boundary line of the Six Acre Reservation and the south property
line of the U.S. Musket Factory. The Six Acre land was jammed with
houses, ~~stables~~ stables, and shops, many of them built of wood and hence
highly flammable. Filth and refuse from this area also
poured down the hill when it rained and flowed into the U.S. Armory Canal.
Symington wished to purchase some or all of these lots, demolish the
buildings that fronted on the narrow alley and improve that lane into
a 40 foot wide street. This would create an effective fire break ,
and with the demolition of the privately owned wooden structures, would
greatly ~~lessen~~ lessen the danger of fire to the great Musket Factory
workshops. Symington submitted a detailed map showing the land with
the buildings on it that was wanted, together with a detailed description
of these improvements, with estimates of the ~~prices~~ cost of the land and buildings
could be purchased ~~for~~. The Superintendent asked Congress to
9. Deed of B & S. , Swayne to Roeder, Sept, 13, 1847, Deed Book 29, pp.
303-304.
10. Deed of B.&S., Swayne to Roeder, January 2, 1848, Deed Book 29, pp. 304-305.

11.
 appropriate \$ 50,261.00 to carry out this program. Congress
 appropriated the requested \$ 50,261.00 to acquire this land with
 their improvements on August 8, 1846.¹² Symington began implementing
 the land acquisition program¹⁴ June 1847 and on June 6, 1848,
 Frederick A. Roeder sold the north ends of Lots 16 and 17, two
 vacant pieces of ground, each fronting 32 feet on the narrow alley
 and 25 feet deep, to the United States Government for \$ 237.00 each,
 making a grand total of \$ 574.00 received.¹³ By 1849, the 15 foot wide
 alley from the north end of Wager Lot No. 15, subdivision 4, west
 to Wager Lot 34 had been widened and improved into a 40 foot
 wide street, as had been proposed by Symington in 1844.

Prior to this, on November 2, 1847, Frederick A. Roeder
 purchased Park Bldg. No. 7, then a one-story stone warehouse
 with cellar and slate roof, measuring 24 by 40 feet size
 and erected in 1838-39, from William Anderson for \$ 1,000.¹⁴
 This structure, located to the east of Wager Lot 16 also fronted
 on the 15-foot wide alley and occupied a 24 foot wide by 45 foot
 deep lot that^{was located on} portions of Subdivisions No. 2 and 4 of Wager
 Lot. 15. Perhaps utilizing the \$ 574 received from the
 United States in June 1848, Roeder, probably in 1848 or 1849,
 added a second stone story and a half to his warehouse, which was

11. Major John Symington to Lt.Col. George Talcott, Ordnance Department, December 12, 1844, with Schedules A and B, describing lots, improvements thereon, and probable prices for land and buildings, published in Serial No. 464, Document No. 43, House of Representatives Executive Documents, Vol. 2, 28th Congress, 2nd Session, 1844-45.
12. U.S. Statues at Large, Vol. IX, p. 69. This money was included in a total appropriation of \$ 128,361.00 for permanent improvements at the National Armory at Harper's Ferry. Also see Map No. 3.
13. Deed of B. & S., June 8, 1848, Roeder to U.S., Deed Book 30, pp. 230-231.
14. Deed of B & S., November 2, 1847, Anderson to Roeder, Deed Book 29, p. 240.

utilized as a "drinking house" known as "White Hall", also as a warehouse, and living quarters were located on the upper floors.

In the 1850's Armory Superintendent Benjamin Huger recommended that the U.S. Government purchase Wager Lots No. 13 and 15, Subdivisions 1, 2, and 4, with the buildings standing on this land, for the purpose of widening the 15 foot-wide alley that still ran between the north boundary lines of these Six Acre Reservation lots and the U.S. Musket Factory property line, into a 40 foot wide street, thus completing the project begun by Symington in 1848. The new street, which was to be first called North Cliff Street and later Potomac Street, would thus be 40 feet wide from its junction with Shenandoah Street^{all the way} west to the junction with the county road. Huger also proposed that Wager Lot 17 be purchased and turned into a cross street running from Cliff Street¹⁵ up to High Street.

On February 13, 1856, Frederick A. Roeder sold a 24 feet wide by 25 foot deep portion of his Bldg. 7 lot, including the front or north half (24 feet wide by 20 foot deep) of Bldg. 7, to the United States for \$ 1,700.00.¹⁶ The Armory demolished their portion of the structure and made the lot into a street. This left Roeder with one-half of a two and one-half story stone structure, 24 by 20 feet in size, present Bldg. No. 7, for his use as a dwelling, and warehouse.

15. Huger to Col. Henry K. Craig, Ordnance Department, July 17, 1852, National Archives Record Group No. 156, Records of the Office of the Chief of Ordnance. Copies of correspondence on Harpers Ferry National Historical Park Microfilm Reel 26, Vol. 4, p. 331.
16. Deed of B. & S., Feb. 13, 1856, Deed Book 35, pp. 299-300.

Roeder charged \$ 700 for the land and \$ 1,000 so that he could replace the demolished portion of his Bldg. 7 drinking house.

On August 26, 1856, Roeder sold 28 feet six inches of the original 32 foot wide frontage on High Street and ^{also on} the new Cliff¹⁷ Street of Wager Lot No. 17 to the United States Government for \$ 1,166.66. Retaining title to the remaining 3½ foot ~~16~~ frontage of Lot 17, Roeder added this to his Lot 16, thus increasing the original frontage of Lot 16 from 32 feet to its present size of 35 feet 2½ inches. On August 26, 1856, the U.S. Government also purchased the leasehold of John G. Wilson to Wager Lot 17, including Wilson's 30 by 60foot one story frame ¹⁸ stable which stood on this lot, for \$ 300. The Armory then demolished Wilson's stable and converted Lot 17 into a street as it still is today. Wager Lot 16 thus assumed its present size in August 1856.

Wager Lot 16, with Bldgs. No. 5 and 16, and also adjacent Park Bldg. No. 7, remained the property of Frederick A. Roeder and his heirs until after the Civil War.

On January 3, 1881, Roeder's heirs sold Wager Lot 16, including Park Bldgs. No. 5 and 16, to Brigdet ~~19~~ Boerley (or Burley, and later Burleigh), for \$ 1,000. The property remained in the hands ^{family} of the Burleigh ¹⁹ from 1881 to ~~19~~ 1952, passing from Brigdet to her two children: Thomas J. Burleigh and Elizabeth Burley Hagen to

17. Deed of B & S. Roeder to the U.S., August 26, 1856, Deed Book 36, pp. 135-136.
18. Deed of B & S., Wilson to the U.S. August 26, 1856, Deed Book 36, p. 133.
19. Deed of B & S., Roeder heirs to Brigdet Burley, January 3, 1881, Deed Book I, p. 104. The Roeder Heirs sold Park Bldg. No. 5 to Charles L. Hopwood on May 12, 1874 for \$ 321.43, Deed of B. & S., Deed Book B, pp. 153-154.

Mary Delores Burleigh ,who ²⁰ acquired full title from all
the other Burley heirs in 1951. On December 12, 1952,

Mary D. Burleigh sold Wager Lot 16 with Park Bldgs. No. 5 and
16 to the State of West Virginia for about \$ 6,000.

The deed described the bounds of Lot 16 as follows:

Located on the east side of High Street and south side
of the connecting street between High and Potomac Streets:-then east
101.75 feet to a point on Potomac Street, then south 35.5 feet,
then west 106 feet to a point on High Street, then north 34.26
feet with High Street to the point of beginning. 21.

On December 19, 1953, the State of West Virginia donated Wager
Lot No. 16, with Bldgs. No. 5 and 16, to the United States Government
22
to be included in Harpers Ferry National Monument.

- 20. Deed of B. & S., October 24, 1951, Thomas J. McQuade to Mary D. Burleigh, Deed Bool 186, p. 302. Thomas J. McQuade was the grandson of Elizabeth Burley Hagen.
- 21. Deed of B & S., December 12, 1952, Mary D. Burleigh to W. Va., Deed Book 190, p. 508. The price is not given in the deed.
- 22. Deed of B & S., December 19, 1953, W. Va. to U.S., Deed Book 199, p. 41.

C. Construction of Bldg. No. 5

The Map entitled " Sketch No. 2, Shewing two practicable locations for the Balto. & Ohio R. Rd. through the Village of Harper's Ferry, Scale 100 feet = one inch," (See Map No. 2), reveals that there was no structure located on the future site of Bldg. No. 5 in 1837-38,¹ the date when this map was drawn.

As has been mentioned, Noah H. Swayne leased Wager Lots No. 16 and 17, then vacant lots, to John G. Wilson for 10 years from the first of April 1, 1838.² On January 29, 1844, Wilson, a Harper's Ferry merchant, surrendered his leasehold to Wager Lot No. 16 and Swayne immediately leased Lot 16 to Frederick A. Roeder, a Harper's Ferry³ confectioner or baker, for 24 years at an annual rent of \$ 70.00.

Item No. IV of the Swayne-Wilson lease of 1837 contained the following clause:

"The said party of the second part (John G. Wilson) within five years from the said first day of April (1838) next shall erect on said Lots (16 and 17) a house or houses of brick or stone covering the entire front of said lots (except enough for one, two or three alleys which may be left or ~~not~~ at the option of said Wilson) at least two stories high & with the walls of sufficient thickness to sustain another story....⁴

Roeder's lease of 1844 for Wager Lot No. 16 also contained a provision that near the termination of the 24 year lease "the improvements now on said premises & those hereafter placed on the premises by the party of the second part (Roeder), shall be appraised..."

1. Ordnance Office Drawer No. 6. Portfolio 1, No. 5- National Archives. There is no date on the map, but the plan was one of several that were prepared and accompanied an agreement for a right of way through the U.S. Mukset Factory Yard, signed by the Secretary of War and the President of the B. & O. R.R. on November 3, 1838.

2. Lease, Swayne to Wilson, September 7, 1837, Deed Book 22, pp. 340-341.

3. Lease, Swayne to Roeder, January 29, 1844, Deed Book 27, pp. 102-103.

Agreement, Swayne and Wilson, Jan. 29, 1844, Deed Book 27, p. 103.

4. Deed Book 22, pp. 340.

by disinterested parties and paid for by Noah H Swayne.

Major John Symington's "Map of the Relative Position of the Reserved Land & Public Works at Harpers Ferry, Va.-1844" prepared in November 1844 to accompany his letter of December 12, 1844 to Lt. Col. George Talcott (See Map No. 3) shows the exact state of the improvements on Wager Lots 16 and 17 and his Schedule A provides the following description of the structures located on ~~the northern or lower ends of those two lots, fronting on the 15-foot wide alley.~~

Lot No. 16 -Owner of Ground-Mrs. Swayne. Owner of Building _____

Description of Bldg.: A large wooden stable, 60 by 30 feet and loft above.
Price of ground \$ 182; Price of Bldg. \$ 218. Total(estimated) \$ 400.⁶

Lot. No. 17: Owner of Ground; Mrs. Swayne; Owner of Bldg.-John G.

Wilson. Description of Bldg.- A small wooden house 16 by 14 feet, one story. Price of Ground: \$ 182; price of bldg. \$ 18, Total(estimated) \$ 200.⁷

Also shown on the southern end of Lot 16, fronting on High Street, is Park Bldg. No. 16 in the first stages of its architectural evolution. The building, however, was not described in Schedule A because Major Symington did not plan to acquire that end of the lot.

The deeds of Roeder and Wilson, selling parts of Lots 16 and 17 to the United States Government in 1856, indicate that the large stable

5. Lease, Swayne to Roeder, Jan. 29, 1844. Deed Book 27, pp. 102-103.

6. Serial No. 464. Document 43, p. 9, Schedule A.

7. Ibid.

with loft had been erected by and belonged to John G. Wilson. He received \$ 300 for the structure and his lease from the U.S. in 1856. The deeds for the sale of the north ends of Lots 16 and 17, each 32 feet wide and 25 deep, for \$ 237 each to the U.S. in June 1848, indicate that these pieces of ground were vacant at that date. It thus appear probable that John G. Wilson's stable was dismantled from its ~~position~~ on the north end of Lot 16 and reerected on the south(High Street) end of Wager Lot 17(to which Wilson also retained a leasehold) in 1848. The small wooden house on the north end of Lot 17 also could have been easily take down or removed intact back(south) 25 feet on Lot 17, so as the clear its original site for use as the new street.

The new south end of Lot 16 from ¹⁸⁴⁸ ~~1848~~ to 1856, after the new wide 40 foot street had been built, thus appears to have been vacant land, or the site only of minor outbuildings.

~~William Anderson~~ In 1847, Frederick A. Roeder, as has been mentioned, purchased William Anderson's one-story 24 by 40 foot stone warehouse for \$ 1,000 and in 1848-49 ~~added~~ a stone story and a half to the original structure. This enlarged building, which fronted on the 15-foot wide alley, was used by Roeder from 1848 to 1856 as a drinking house known as White Hall, with a dwelling on the upper floors, and also as his warehouse for his bakery operations.

In 1856, again as has been note, the United States purchased the front or northern half of Roeder's^s tavern(Bldg. No. 7), a section 24 feet wide by 20 feet deep , from the baker for \$ 1,700. The Federal Government then demolished that front half in order to widen Potomac Street to 40 feet at that point.

In the negotiations leading up to this acquisition, Col. Benjamin Huger, Superintendent of the U.S. Armory, informed the Ordnance Department that

Roeder wanted \$ 700 for the land to be sold and \$ 1,000 to "replace" the half of his 2½ story stone structure that would be demolished.

Bldg. No. 5, which is located on the north end of Lot 16, fronting on the new 40-foot wide street, thus appears to have been constructed by Frederick A. Roeder as a replacement for the space lost by the demolition of one-half of his Bldg. No. 7. This theory is strongly supported by measured drawings of the building, namely Drawings No NM-HF- 3057, "The Burleigh Store, five sheets, dated August 16, 1956. These plans reveal that main portion of the two and one-half story stone and brick house fronted 24 feet two inches on Potomac Street and was 20 feet two inches deep. In other words, the construction of the main portion of Bldg. No. 5, probably in the summer of 1856 or 1857, provided almost exactly the same amount of space that was lost by the demolition of one half of Bldg. 7., which also had to have a new north or front elevation construction in 1856. Furthermore, the early Historical Photographs (HF- 55, HF- 379; and HF-100, which will be discussed in some detail later) suggest the north or front elevations of Bldgs. No. 7 and 5, both probably built in 1856, were almost identical!

It thus appears most probable that Bldg. No. 5 was erected in S. Huger to Col. Henry K. Craig, Chief of Ordnance, Jly July 17, 1852, HPNHP Reel 26, V. 4, p.331.

1856 or 1857 as a twin house to remodelled Bldg. 7.

As constructed in 1856-57, Bldg. 5 was a two and one-half story house with a slate covered gable roof. Unlike Bldg. 7, however, Bldg. No. 5 never had a cellar. Bldg. No. 5 fronted 24 feet 2 inches on Potomac Street and was 20 feet 2 inches deep. The first story stone walls of Bldg. 5 were one foot seven inches thick and were possibly constructed of stone salvaged from the demolished portion of Bldg. No. 7. The walls of the two upper floors of Bldg. 5 are constructed of brick. The east and west side walls are one foot two inches thick and the front and rear walls are 9½ inches thick.

Like Bldg. No. 7, Bldg. 5 had small chimneys centered in the front and rear gable end walls. The fenestration of the north (front) elevations of Bldgs. No. 5 and 7 also were almost identical. Each was divided into three bays. On the first story there was a wide door located in the center bay and one window in each of the flanking bays. In the second story there was one difference,

Bldg. No. 7 had three windows, but Bldg. 5 ^{had} a door with a small transom above ^{that} opened out on to a small wooden porch or balcony in the center bay and a flanking window to either side. Like Bldg. 7, Bldg. No. 5 had one window in the third story level, centered on the end chimney. Like Bldg. 7, the windows in Bldg. 5 has six over six lights. By 1889, the first stone story of Bldg. 5, on the north or front elevation, was ~~not~~ painted white (See HF- 100). The second and ~~third~~ ^{however} third story brick walls of Bldg. No. 5 were unpainted during the period 1865 to 1889. (See Photos HF-55; HF- 379, and HF- 100).

The first-story windows on the front elevation of Bldg. No. 5, like those of Bldg. 7, were adorned with exterior louvered shutters (See HF- 100). The eaves of the the east^x and west side elevations of Bldg. 5 were ~~also~~ marked by corbelled brick cornices. The three openings in the second story of the facade were ~~also~~ topped by flat brick arches.

The first floor of the main house of Bldg. 5 , like Bldg. 7, probably consisted of one large room that could be use as a tavern, a store, or a warehouse. The upper ~~also~~ floors, intended for use as a dwelling, again like Bldg. No. 7, probably had two rooms on each level.

At some undetermined date after 1856-57, when the main portion of Bldg. 5 was erected, but prior to 1861, a ~~also~~ two-story brick wing with a sloping shed roof was added to the rear(south) elevation, near the southeast(left) corner. The wing, 12 feet 7 inches wide and 13 feet deep, contained one room on each floor. The first floor room in the wing, which contains a fireplace, may have served as the kitchen, and the rooms above perhaps as a bedroom. Windows in the wing had six over six lights and were topped by flat brick arches. The roof of the wing, like that of the main house, was covered with slate.

In testimony given in 1902, the children of Frederick A. Roeder stated that Bldg. No. 5 contained seven rooms(in contrast to five in Bldg. 5) in 1861, thus suggesting that the brick wing had been added to Bldg. ^{beginning} ~~also~~ prior to the ~~also~~ of the Civil War. 9

9. National Archives Record Group 123, U.S. Court of Claims, JC Claim (Congressional Jurisdiction) No. 11803. Claims of Frederick A. Roeder Estate against the U.S., 1873-1906, Federal Federal Record Center, Suitland Maryland. See Appendix I, for statements of Roeder heirs.

The facades of Bldg. No. 5 and 7, little altered from their pre-Civil War appearance, are still to be seen in Photo HF-96, which was taken in the period 1896 to 1901. Map No. 5- The Sanborn Company Insurance  Map of Harpers Ferry, dated September 1907, reveals that the one-story covered porches that were to be added to the first stories of Bldgs. No. 5 and 7 had not yet been erected by that date. For these porches, which were built in the first decade of the 20th century, see Figure 34 Archeologist on page of 50 of David Hardgrave Hannah's "Archeological Excavations on Virginus Island, Harpers Ferry National Historic Park, 1966 - 1968 (Harpers Ferry Job Corps Civilian Conservation Center, Harpers Ferry, West Virginia, March 1969).
10

Park Photos, NHF-196 and NHF- 843, taken 1955-56, show the 20th century one-story porch on the front of Bldg. 7; the similar porch on Bldg. 5 is missing, but structural evidence visible on the facade documents the fact that such a porch had once existed.

The Inventory of Buildings, prepared by Henry C. Edwards and John T. Willett in 1955, to accompany the Architectural Base Map of Harpers Ferry, Drawing No. NM - HF - 3055, offers the following information on the state of Bldg. No. 5: Type: Store; Date- B.1847 (actually 1856) Built by: _____. No of stories 2½, 1 story wood shed (in rear). Square feet per floor- 649 plus 200 in shed.

10. This photo, donated by the Bank of Charles Town, Charles Town, W.Va., was dated by the bank as taken in 1893, but the actual date had to be after 1901 and probably 1907, for the following reasons: 1st. The Catholic Church, on which remodelling work began in 1896, is completely remodelled in this view. 2nd. Bldg. No. 3, which was erected after 1901 and before 1907 is visible in this picture; and 3rd. The Sanborn Company Insurance Map of September 1907 indicates that neither Bldgs. 5 or 7 had had front wooden porches added to their facades as of that date.

Cost to W. Va. \$ 200 plus \$ 5,800 for Bldg. No.16. Condition:

September 1955: Flood damage, ^{de}terioration from neglect. Remarks

Belonged to Burleigh family before Civil War (Incorrect- since
1891.) Sold to Frederick Roeder, 1847. Unused since 1918.

D. The Use of Bldg. 5, Roeder's Store, 1856-1953

Confectioners, bakers, and tavern keepers did not find it necessary to advertise their business in the newspapers so that there is no documentary evidence available on just how utilized Bldg. No. 5 was ~~utilized~~ during the period 1856 to 1861.

Roeder's children, in statements made in 1902, indicated that their father had rented Bldg. 5 for \$ ¹⁰ ~~10~~ a month prior to the Civil War. From the design and location of Bldg. 5 it could be used as a tavern, store, or warehouse on the first floor, and as a residence on the upper floors. From its location close to the entrance to the U.S. Musket Factory, Bldg. 5 may well have been used, as was Bldg. No. 7, as another "drinking¹house."

On April 18, 1861, Confederate troops seized the National Armory at Harpers Ferry and held the town until June 15, when after destroying all the Armory buildings they could and removing all of the machinery possible, the Confederate Army under the command of General Joseph E. Johnson evacuated the town. Confederate skirmishers, however, kept moving in and out of Harpers Ferry in the weeks that followed. A Union Army under command of Major General Robert ~~Patterson~~ Patterson invaded Virginia on July 2, 1861, crossing the Potomac at Williamsport, Maryland. A Union force comprised of the 1st New Hampshire, 1st Pennsylvania, and 9th New York regiments, under the

1. See Appendix I, Statement of James R. Roeder, September 5, 1902.

command of Col. Stone, occupied Sandy Hook, Md., opposite to Harpers Ferry about the the same time as Patterson moved into Virginia. On July 4, at about 4 p.m., the picket guard of the 9th New York, under command of Lieutenant Galbraith, Co. E., was fired upon by rebels hiding in the ruins of the Musket Factory, and posted behind the iron trestle work and bridge abutments of the B. & O. railroad on the Virginia side of the Potomac. Fearing that the rebels would attempt a crossing, Lieutenant Galbraith called for re-enforcements. Companies A, C, and a detail of 16 men from Company G, proceeded under the command of ~~Major~~ Atterbury to the ruined B. & O. Potomac bridge. The firing last^{ed} about half an hour when the Federals retired, as their antiquated smooth-bore muskets proved no match for the later model rifles and rifled muskets of the Confederates. One Union soldier was mortally wounded, ^{and} four more ^{were} wounded in lesser degrees.

During this initial skirmish of the Civil War at Harper's Ferry, the first civilian casualties were experienced. A shoemaker of Harpers Ferry, named Harding, who was on a spree, needlessly exposed himself, and received a dangerous wound^s as a consequence of his foolhardiness.

That same evening, when the fight was over, a straggler from a Pennsylvania Regiment, celebrating the Fourth of July at Sandy Hook, fired a random shot across the Potomac, intent upon killing some "damned rebel." His bullet glanced off the brick end^s of Isaac Fouke's Hotel, the former Wager House or U.S. Hotel, located on Wager Lots 6, 7, and 8, and struck Mr. Frederick A. Roeder, a prominent citizen of Harpers Ferry, who happened to be coming around the corner of the building, at that fateful moment. Roeder reached his home, Park Bldg. No. 16, unassisted

and shortly thereafter died from the wound which had ripped open
 He was 51 years old.
 his groin. ² Ironically enough, Roeder was a strong supporter of the
 Union cause.

Roeder's wife, Anna Maria, had died in her 41st year on March 23,
 1861, and with his death on July 4, ^{they} left six minor children aged two to
 16. Roeder's 13 year old ^{daughter} Mary L. Roeder, who had recently married,
 and her 25 year old husband, John J. Kern, took charge of the six
 orphans and fled for safety to Maryland, living at Middletown and
 Frederick during the remainder of 1861. On their departure, the citizens
 of Harpers Ferry and the roving soldiers of both armies looted ^{cd} Roeder's
 property, furnishings and papers from Bldgs. No. 5, 7, and 16.

On Sunday, July 21, the day that the First Battle of Manassas was
 fought, Patterson, ~~retreated~~, retreated from Charles Town to Harpers
 Ferry and established his headquarters in the residence of the Armory
 Superintendent, ⁱⁿ Armory Dwelling No. 25, on Camp Hill.

The wholesale mustering out of Patterson's command, which ^{was} comprised
 chiefly of volunteers who had enlisted for three months service, had
 already commenced. ~~On~~ July 21, five regiments left, four more on the
 22, and so on. His command of ^{on June 28} 14,344 men ^{was} reduced by July 29 to
 about five or six thousands men. The 70-year old Patterson was
 discharged himself on July 25. Major General Nathaniel P. Banks

2. For detailed study of the first year of the Civil War at Harpers Ferry,
 Sullivan. Arthur L., "Harpers Ferry, April 18- December 31, 1861, A
 Casualty of War," (NPS typescript, Harpers Ferry National Monument,
 February 17, 1960), pp. 61- 65. For death of Roeder, also see
 Barry, Joseph, The Strange Story of Harper's Ferry (1st printing 1903,
 7th Printing Shepherdstown, W.Va., 1974), pp. 106-108.

took command of this reduced army on July 25. Long-term enlistees now joined Banks's force until by August 6, he had almost 12,000 men. Convinced however, that 20,000 men were necessary to defend the military position of Harpers Ferry- that is, holding fortifications on Bolivar, Loudoun, and Maryland Heights, Banks withdrew his army from Harpers Ferry to the Maryland bank of the Potomac on August 17, 1861. From August 18, 1861 to February 25, 1862, when the Union Army reoccupied Harpers Ferry in force, the town was virtually a no-man's land.³

On or about July 25, 1861 and until March 25, 1862, the Roeder children and John J. Kern were to charge in 1873, the Union Army under the command of Major General Robert Patterson occupied and used the abandoned buildings of Frederick A. Roeder. John J. Kern, who was appointed administrator of the the Frederick A. Roeder Estate in 1863, stated in his claim against the United States Government for the Army use of these structure. That the Army "took possession shortly after Mr. Roeder was killed..." "They were all used by Col. Baxter's (Philadelphia Fire) Zouaves (three month volunteer troops). Bldgs No. 5 and 7 had their first floors used as stables and the upper floors were utilized to store hay and other stores. The Union Army used these two structures" off and on during the entire war." Kern further reported that the buildings were in good condition when the U.S. first took possession, and he (Frederick A. Roeder) always kept them in good repair. They were in a bad condition when the U.S. left them. The

3, Sullivan, "Harpers Ferry. April 18- December 31, 1861-A Casualty of War," pp. 71-79. Also Arthur L. Sullivan, "Harpers Ferry in the Civil War- 1862," (NPS typescript, Harpers Ferry National Monument, June 26, 1962).

"windows had been taken out and removed to Camp Hill to build quarters (for the soldiers) ~~with~~ with. I guess it would have cost \$ 1,000.00 at that time to restore the (three) buildings to the condition in which they were before the U.S. authorities used the same. " ⁴

Kern's remarks about dates in 1861 are not particularly accurate because, as has been mentioned, he fled to Maryland. Kern, like his father-in-law, was also a strong Union supporter, and he returned to Harpers Ferry with his wife and the six Roeder children in March 1862, taking up residence in Bldg. 16, while the Union Army, as Kern wrote later, continued to utilize Bldgs. No. 5 and 7 off and on to the end of the war. ¹¹ The Kern-Roeder family contained to reside in Harpers Ferry until 1865, except during several brief intervals when Confederate troops again occupied Harpers Ferry and the family found it wise to retreat again into Maryland for safety. The censuses of 1870 and 1880 reveal with his family of seven and James Roeder and family of four were living on Wager Lot 16. (A). In October 1873, acting as Administrator of the Roeder

Estate, John J. Kern presented a claim against the United States Government in the total amount of \$ 504.00 for the rent of Bldgs. No. 5, 7 and 16, during the period July 25, 1861 to March 25, 1862.

For ~~Bldg. 5~~ Bldg. 5 he requested:

"For Rent of two-story Brick House (with seven rooms) on Potomac Street from July 25, 1861 to March 25, 1862, at \$ 12.00 per month.....\$ 108.00 5.

4. See statements in Appendix I of this report.
5. Claim of J.J. Kern for Rent, 504, Power of Attorney, Dated October 3, 1873, to N.M. Macrae, National Archives Record Group 123.
- A. Census of 1870, Microfilm Reel No. 1869, National Archives, Washington, D.C.
- Census of 1880 . Record Group 29, Microfilm Reel 1404. James Roeder worked on the railroad and his family perhaps resided in Bldg. 5 while Kern's may have lived in Bldg. 16.

Kern was to press this claim in the Treasury Department, in Congress, and in the U.S. Court of Claims from 1873 to June 8, 1906, when the U.S. Court of Claims finally awarded the Roeder heirs \$ 320.00 of the total \$ 504 requested. Kern was then 70 years old. The Roeder heirs, however, did not receive the \$ 320 award until 10 years later, because Congress ~~had~~ ^{did not do so} to appropriate the money until March 4, 1915. On January 1, 1916 this money was finally distributed as follows: the lawyers and administrators received a total of \$ 114.32 and each of the seven ~~Roeder~~ ⁶ Roeder heirs received \$ 29.38.

The Boerly Family Era, 1881-1952:

On January 3, 1881, as has been mentioned, Administrator John J. Kern and the Roeder children sold Water Lot 16, with Bldgs. No. 5 and 16, to Bridget ^{Boerly} ~~Boerly~~ (who appears in history under the ⁷ aliases of Boerly, Burley, and Burleigh) for \$ 1,000. Mrs. Boerly was the widow of Thomas Boerly, a Harpers Ferry tavern keeper who was killed by the John Brown raiders on October 17, 1859.

Thomas Boerly and his wife, Bridget, were both born in Ireland ⁸ in the year 1818. The historian Joseph Barry reports ⁹ that Thomas was "a native of the County of Roscommon in Ireland." They had arrived in this country by 1844, for their eldest child, ¹⁰ Mary, was born at Harpers Ferry during that year.

6. The more detailed story of this 43 year battle is narrated in Snell, Charles W., "Historic Structure Report: White Hall Tavern, Bldg. No. 7, on Subdivisions No. 2 and 4 of Water Lot No. 15-Historical Data, Harpers Ferry National Historical Park, West Virginia, (National Capital Team, Denver Service Center, Denver Colorado, April 1980), pp.18-20.

7. Deed Book I, p.104.

8. U.S. Census of 1850, HFNHP Reel 12, p.41. They both stated that they were 32 years old and born in Ireland.

9. Barry, Strange Story, p.84.

10. Census of 1850 lists Mary as six years old and born in Va.

Barry describes Boerly as "a man of great physical strength and he was noted for courage. He measured about six feet in height and weighed about two hundred pounds."¹¹ In 1850 Boerly listed his occupation in the census as "laborer" and he was probably employed at the U.S. Armory. He and Brigdet had two girls and a boy, ranging in age from two to six. Surviving evidence suggests that Brigdet was probably the brains of the Boerly family.

At some date between 1850 and 1853 Thomas and ~~Brigdet~~ Boerly opened a tavern on Wager Lot 56, Section C in a three-story stone and brick house that fronted on the south side of High Street, leasing the lot and house from Gerard B. Wager, one the heirs of John Wager, Jr., They made money, for in November 1853 Thomas was able to paid a total of \$ 676 to purchase Wager Lot No. 28 and No. 36 from the estate of Martin Grace, a deceased tavern owner.¹² In a deed of trust dated July 8, 1854, Thomas Boerly put into trust to secure a loan "his household stuff and furniture and bar and bar fixtures" and he further noted that ~~Brigdet~~, his wife," had been keeping a tavern boarding house out of which from her excellent care and labor considerable money was made."¹³

11. Barry, Strange Story, 84, plus other details.

12. Deed Book 39, p. 477.

13. deed of Trust, July 8, 1854, Deed Book 34, pp. 134-136.

The family continued to operate their tavern at the High Street stand from 1850 to 1861. Barry narrates the death of Thomas as follows:

"A little before 7 o'clock, a.m. (on October 17, 1859-during the John Brown Raid), Mr. Alexander Kelly (a blacksmith who resided in a house on Wager Lot No. 25, High Street) approached the corner of High and Shenandoah Streets (by Bldg. No. 12), armed with a shotgun, for the purpose of discharging it at the invaders. No sooner did he turn the corner than two shots were fired at him and a bullet was sent through his hat. Immediately afterwards, Mr. Thomas Boerly ~~approached~~ approached the same corner with the same purpose. He was a man of herculean strength and great personal courage. He discharged his gun at some of the enemy who was standing at the arsenal gate, when a shot was fired at him by one of the party who was crouching behind the arsenal fence. The bullet penetrated his groin, inflicting a ghastly wound, ¹⁴ of which he died in a few hours."

The census of 1860 reveals that Thomas left three children:

Charles, 14; ~~Elizabeth~~ Elizabeth, 11; and Thomas, Jr., 8. His widow, ~~Mridget~~ Mridget, listed her occupation as "Merchant", The value of her real estate owned (Wager Lots 28 and 36) at \$ 1,500, and the value of ¹⁵ her personal estate at \$ 600.

Writing of the Boerly family in 1903, Historian Joseph Barry noted: "His (Thomas Boerly, Sr's) youngest child Thomas, Junior,

14. Barry, Strange Story, 51-52.

15. Census of 1860, Reel 12, p.195.

"still resides at Harper's Ferry and is quite a prominent citizen. (He was mayor of Harpers Ferry in 1896). He has inherited the great bodily powers and the many genial characteristics of his father. The State of Virginia granted a small pension to the widow but, the (Civil) war breaking out shortly afterwards, she received no benefit from the annuity until the restoration of peace, her claim was brought to the notice of the state authorities. From that time, until her death a few years ago, she was paid punctually. Mr. (Thomas) Boerly (in 1859) kept a grocery store and was in very comfortable circumstances." ¹⁶

At the time of Thomas Boerly, Sr.'s death in October 1859, however, "all the household stuff and furniture and bar and bar fixtures now in the dwelling house and tavern on High Street where said Boerly ^R resides" was in the name of his wife Bridget. ^{16 17} *Thus* the total value of his personal estate in 1859, which included one small carriage and ¹⁸ one grey horse, was \$ 455.00.

In the great public auction of Armory lands that was held at Harpers Ferry in December 1869, when lot and buildings were sold at highly inflated prices, Bridget Boerly was the high bidder for Wager Lot No. 18, with its with three-story brick house, at \$ 2,600.00 and for vacant ^{also} ~~lot~~ Wager Lot No. 29 at \$ 80.00. ¹⁹ After thinking it over, she apparently decided she had ^{bid} ~~too~~ too much for Lot 18 and, on December 6, 1869, refused to sign her bond for the property. The lot thus reverted to the U.S. Government,

16. Barry, Strange Story, p.85.

17. Deed Book 34, pp.134-136.

18. Will Book No. 16, p. 162-163, Jefferson County Courthouse, Charles Town, W. Va.

19. "Letter from Chief Clerk of the War Department, communicating, in compliance with a Senate Resolution of December 4, 1873, information in relation to the sale of Government property at Harper's Ferry (in 1869), in Senate Executive Documents, Vol. 1, 43rd Congress, Serial No. 1580, Document 6, p. 4,

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and Mrs. Boerly thus escaped being burdened with a heavy debt that many ~~citizens~~ citizens saddled themselves with when they bid extremely high prices on the government land on the assumption that Harpers Ferry was about to enter a boom period, when in fact the depression that began at Harpers Ferry in 1865 was to continue to 1884! Mrs. Boerly did, however, purchase Lot 29, which adjoined her Wager Lot No. 28, for the bid price of \$ 80.00 and received her deed from the United States on January 13, 1872.

Returning to Bldg. No. 5 on Wager Lot 16, the Boerly or Burleigh family ~~operated~~ ^{Boerly} operated this structure as a tavern from 1881 well into the 20th century. The Sanborn-Perlis map of November 1894 and the Sanborn Map dated September 1907, ~~both~~ ^{still} indicate that Bldg. No. 5 was being utilized as a "Saloon" when these map were prepared (See Maps 4 and 5). Bldg. 5 was thus probably used chiefly as a tavern, with a residence located on the upper floors, from its construction in 1856 down to 1918.

as a tavern

Bldg. No. 5 was operated ~~by~~ Thomas J. Burleigh, the son of Bridget Boerly, probably from 1881 to 1918. In the census of 1900, ^{he} gave his occupation as "saloon keeper" and he was then residing with his wife and seven children in Bldg. No. 16.

20. Ibid., p. 4; All in National Archives Record Group 121, Public Buildings Service, Entry 76- "Deeds from United States, Harper's Ferry, Ordnance Department" (2 vols.), Vol. II, p. 5, for deed. During the December 1867 sale, Thomas J. Burley purchased Lot 1, Block A., Standeech Street, for \$ 2,025.00. This price was later abated or reduced to \$ 450.00 and Burley received his deed for Lot 1 on November 6, 1870, U.S. Deeds, II, p. 30; also Serial No. 1550, p. 2.

Under the terms of Bridget Boerly's will, title to Wager Lot 16, with Bldg. 5 and 16, passed in equal portions to her two surviving children, Thomas J. Burley or Burleigh and Elizabeth Burley Wager.

21. U.S. Census of 1900, Microfilm Film Reel 1761, National Archives, Washington, D.C.

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4. Virginia Free Press, Charles Town, Va., 1824-1861, a weekly newspaper that printed Harpers Ferry and county news. Available for use on nine reels of microfilm at Library of Harpers Ferry National Historical Park.
5. Harper's Ferry Constitutionalist, 1839-1840, a weekly newspaper that was briefly published at Harpers Ferry. Available for use on microfilm at Park Library.
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7. Spirit of Jefferson, Charles Town, West Virginia, 1865 to 1955, and to date. Weekly newspaper publishing area news. Available for use on microfilm at the University of West Virginia, at Morgantown, W. Va.
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9. Northern Neck Grants Books, Virginia State Library, Richmond Virginia.
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11. National Archives Record Group 123, U.S. Court of Claims, JC (Congressional Jurisdiction)- No. 11803- Claim. Federal Record Center at Suitland, Md. This has all the of the Frederick A. Roeder Claims for Bldgs. No. 5, No. 7, and No. 16 against the United States from 1873 to 1906.

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13. National Archives Record Group No. 156. Records of the Chief of Ordnance. Correspondence of the Chief of Ordnance and the Superintendents of the U.S. Armory at Harper's Ferry regarding the purchase of land and buildings adjacent to the U.S. Musket Factory, during the years 1844 to 1857. Available on microfilm at the Park Library of Harpers Ferry National Historical Park.

II. Published Material :

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Sullivan, Arthur L., "Harpers Ferry in the Civil War - 1862," (NPS typescript, Harpers Ferry National Monument, June 26, 1961), 257 pages, 23 illustrations.

Gardner, William M., "Excavations - Harpers Ferry, 1973-74," (Contract study for the Denver Service Center, December 6, 1974). Archeologist Gardner's test trench C investigates the site of Bldg. No. 6, which was erected about 1890 and located between Bldgs. 5 and 7. Also test trench H, investigated the area north of the rear elevation of Bldg. No. 16.

Appendix No. I

Documentary evidence on the number of rooms
and Use of Bldg. No. 5, during the years 1861-62,
by the Union Army

Data extracted from:

National Archives Record Group No. 123, U.S. Circuit
Court of Claims Records. Claim File No. JC 11803, Congressional
Jurisdiction, Abstract of Evidence from 1873 to 1906 of Claims
of the Estate of Frederick A. Roeder to the U.S. for the
U.S. Army use of Bldgs. No. 5, 7, and 16 from 1861 to 1862.
Federal Record Center, Suitland, Md.

Frederick A. Roeder's Store, Building No. 5: and 5A, in 1861-62

a. John J. Kern's claim, October 4, 1873, for rent on behalf of the Estate of F.A. Roeder:

For Rent for two story Brick House on Potomac Street from
July July 25, 1861 to March 25, 1862 at \$ 12.00 per
Month..... \$ 108.00

rented by Col. Baxter commanding Baxter's Philadelphia Fire Zouaves.

b. John J. Kern (66 year old) statement of Sept. 5, 1902: p. 4

There was one building (No. 16) on Washington (or High) Street and two (Bldgs. No. 5 and 7) on Potomac Street.

They were all used by Col. Baxter's Zouaves... The two brick buildings on Potomac Street were used for stables and other purposes.

They took possession shortly after Mr. Roeder was killed...

They (the Union Army) held it continuously until Baxter left and they used them off and on during the entire war. I think Baxter left sometime in the spring of 1862.... The other two (buildings) on Potomac Street were worth \$ 10.00 each (in rent per month) and did bring \$ 15.00 at one time.

The buildings were in good condition when the U.S. first took possession, and he (Roeder) always kept them in good repair. They were in a bad condition when the U.S. left them. The windows had been taken out and removed to Camp Hill to build quarters with. I guess it would have cost \$ 1,000.00 at that time to restore the (3) buildings to the condition in which they were before the U.S. authorities used the same.

Cross-examination of Kern: p. 5

"...One of the buildings on Potomac Street had five rooms (Bldg. No. 5) and the other (No. 7) had three.... I can't say who (what officers) used the buildings on Potomac Street. They were in and out all the time... The other two (buildings) on Potomac Street (were worth) about one thousand dollars (at the time the occupancy commenced).

c. Mary L. Kern, 59 years old, oldest child of Frederick A. Roeder,
Statement of Sept. 5, 1902: p. 5

" I know the U.S. authorities occupied buildings belonging to my father's estate during the war, -- our home place (Bldg. No. 16) and two (Bldg. Nos. 5 and 7) on Potomac Street... One (Bldg. No. 5) on Potomac Street (contained) seven (rooms) and the other (Bldg. No. 7) had five (rooms).

Our father was killed July 4, 1861. and the troops took possession of the house (Bldg. No. 16) that month. They gave up the home building (No. 16) and we took possession in March, 1862. The other two they used after that at different times during the war. They were brick buildings. (The Union Army used) The Potomac Street buildings for stables and warehouses for storing feed, etc.

Cross-examination of Mary L. Kern, 1902: p. 6

"The two buildings on Potomac Street were two and one-half stories high. I think it was Col. Baxter who had control of the home house (Bldg. No. 16) and it was the same troops had the other two."

d. James R. Roeder, 54 years old, second oldest son of Frederick A. Roeder, statement of Sept. 5, 1902: p. 7

The Union army used three houses (Bldg. No. 5, 7, and 16) and a bakery (Bldg. No. 16A?) belonging to my father's estate...

The other two buildings were on Potomac Street. They were built of brick. One (Bldg. No. 5) had seven rooms and the other (Bldg. No. 7) five. They used the lower part for horses and had forage in the upper part. The larger building was worth \$ 10 per month (in rent) and the other \$ 6.00.

They (the Union Army) took possession not quite a month after my father died, July 1, 1861. I could not say for sure but I think they (Col. Baxter of the 72d Penn. Fire Zouaves) remained there that winter."

Cross-examination of James R. Roeder: p. 5

"The same officers (Mr. Baxter and his staff) had control of the buildings on Potomac Street."

e. Thomas J. Burleigh, past 50 years of age, owner in 1902 of Bldg. No. 16, statement of Sept. 5, 1902: p. 6.

"I don't remember about them (the Union Army) occupying the two buildings (Buildings No. 5 and 7) on Potomac Street, but I remember they were very much damaged by some one."

f. Summary of the evidence by Attorney G.W. Hott, May 4, 1906:

"One (Bldg. No. 5) contained seven rooms and one (Bldg. No. 5) five.

The buildings were used for....a stable, and warehouses."

Map No. 1

A Portion of the "Plat of the Wager Six Acre Reservation and the Three-fourth of an Acre Ferry Lot Reservation, showing the subdivision of this land of John Wager, Jr., among his three heirs, October 10, 1835." By James M. Brown, S.D.C.
Scale: One inch equals 60 feet.

Original of this plat is in Deed Book 29, at page 140, Jefferson County Court House, Charles Town, W. Va.

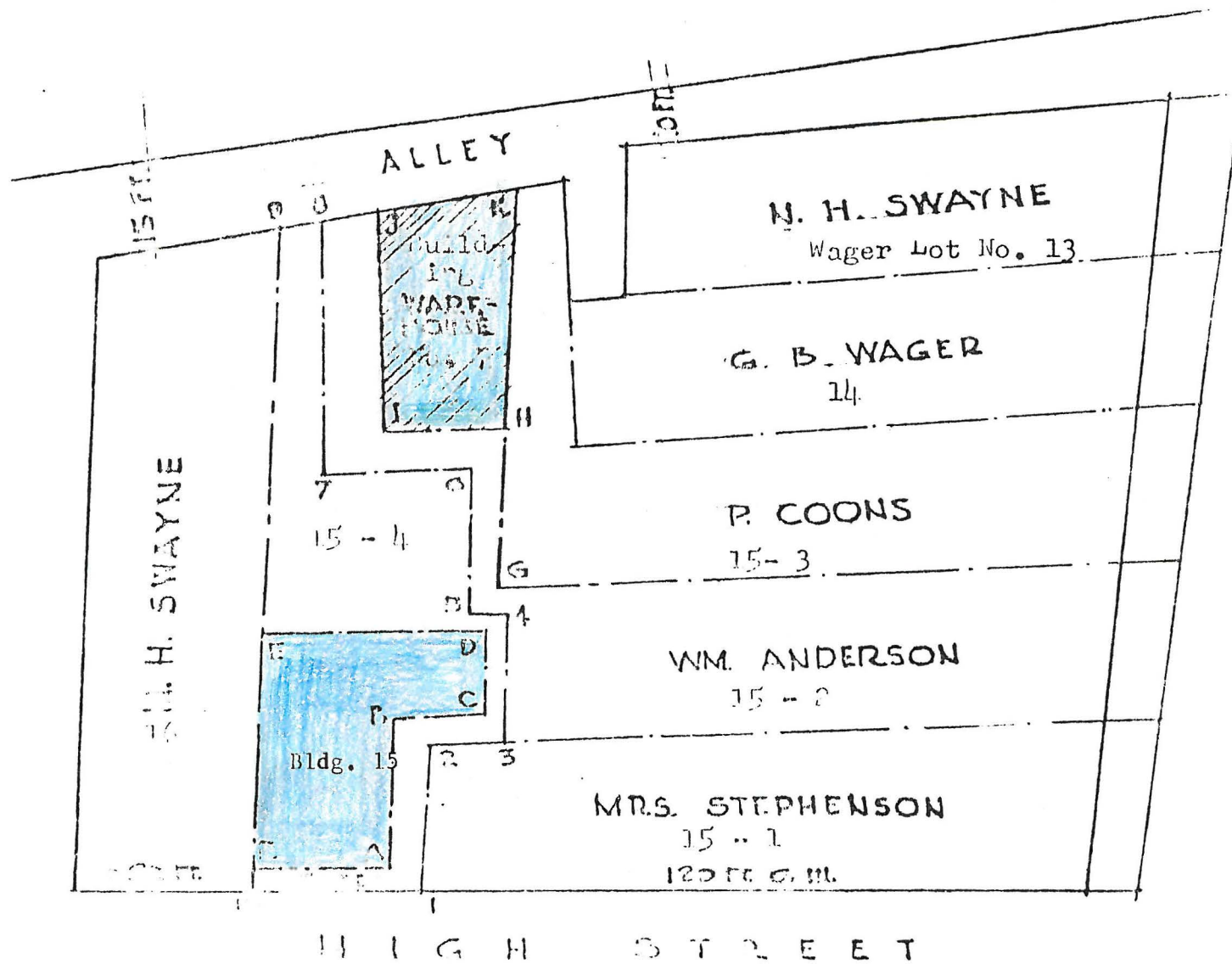
This is from a tracing of the original made by Architect Archie W. Franzen, July 11, 1957, and numbered as Harpers Ferry National Monument Master Plan Drawing No. NM-HF 30706.

The buildings shown on this plat have been added by Historian Charles W. Snell on the basis of the announcement and description of the Wager lots and buildings of James B. Wager that were to be offered for sale at public auction, which was published in the Virginia Free Press, on April 7, 1836, p. 4, c. 1. supplemented by data drawn from the two following sets of railroad maps:

1. "Map of Harper's Ferry Shewing the Location of the Winchester and Potomac Railroad, Drawn by Lieuts. White, Allen, and R. . Smith, U.S. Army, under the direction of James Kearney, Lt. Col. and T.E.-Map No. 2. Approved by President Andrew Jackson, 27th January 1835. Scale 100 feet to one inch. Prepared in 1834, this map is included in the Harpers Ferry National Monument Master Plan as Drawing No. NM-HF - 3002.

2. "Map Shewing the routes surveyed for the Balt. & Ohio Rail Road along the public grounds on the Potomac at & above HARPER'S FERRY upon which the Company have applied to Government for permission to locate and construct their road. Scale 400 feet to one inch." Signed Benjamin H. Latrobe, Engineer of location & construction, Balt. & Ohio R. Rd. (no date, but prepared in 1837 and agreements based on this map with U.S. signed by the Secretary of War and President of the B & O, on November 3, 1838), Sheet No. 3; and "No. 2- Sketch Shewing two practicable locations for the Balto. & Ohio R. Rd. through the village of Harper's Ferry. Scale 100 feet to one inch." Ordnance Office, Drawer No. 3, Portfolio 1, No. 5 and 6. (National Archives Record Group No. 121, Public Buildings Service, Washington, D.C.)

Buildings colored red are brick; Buildings colored blue are stone; and buildings colored yellow are frame. Materials of buildings have been determined by Historian Snell.



Plat by James M. Brown, Surveyor
of Jefferson County, Virginia,
July 17, 1846, for
William Anderson.

Deed Book 28, p.174.

DEED BOOK
JEFFERSON

Map No. 2

"Sketch No. 2, Shewing two practicable locations for the Balto. & Ohio R. Rd. through the village of Harper's Ferry. Scale 100 feet to one inch."

No date, but prepared in 1837 as part of a study and agreement that was signed by the Secretary of War and President of the Baltimore and Ohio Railroad for a right of way through the U.S. Musket Factory grounds on November 3, 1838. (Ordnance Office, Drawer 5, Portfolio No. 5) National Archives Record Group 121, Public Buildings Service.

This map, drawn in 1837-38, shows that the the future site of Bldg. No. 7 was vacant in 1837.

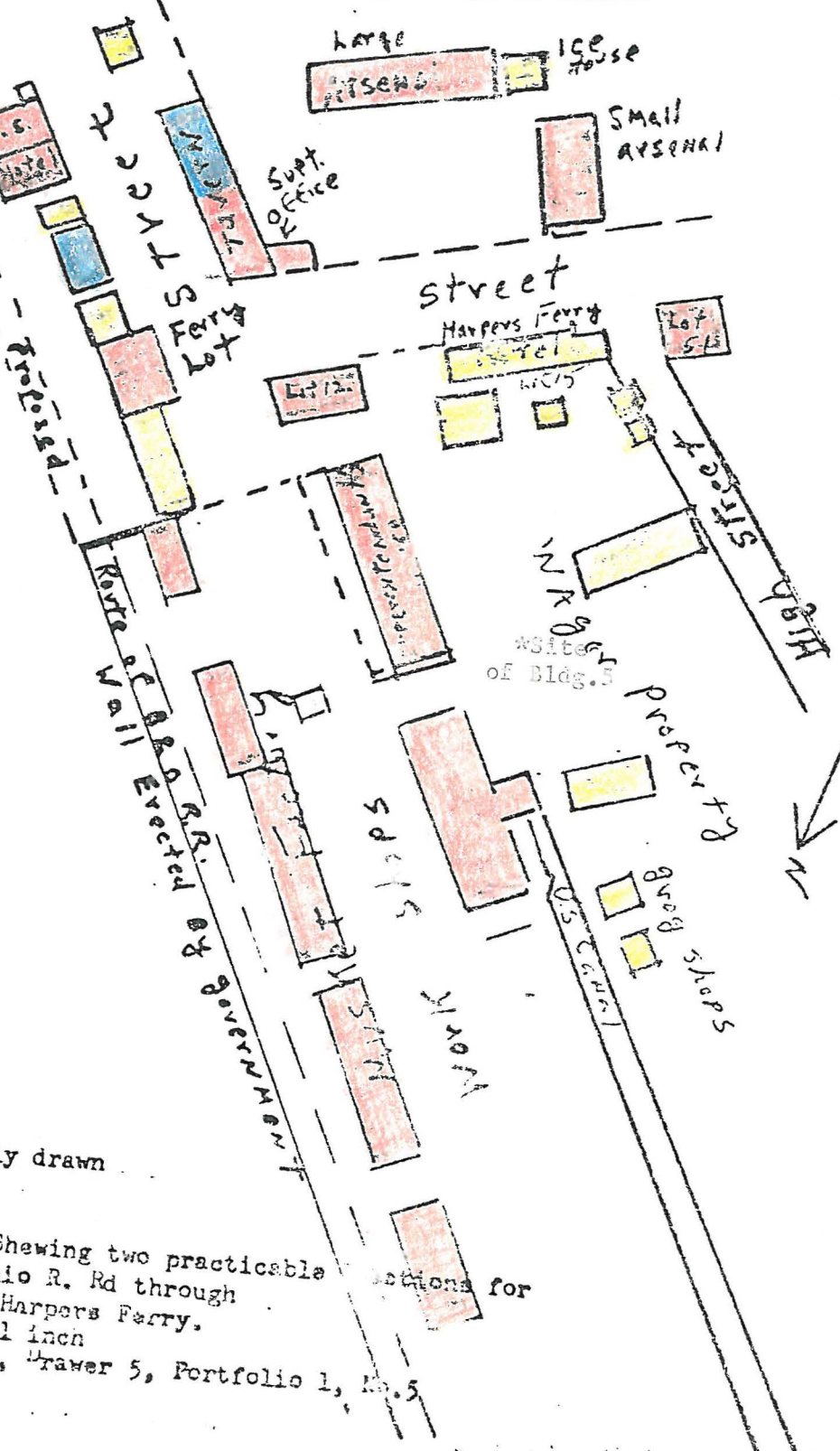
Brick
 Stone
 Frame

← Shenandoah River

W & P. RR Bridge

Wager Bridge

River →
 Potomac



Sketch probably drawn 1837-38.
 Traced From:
 No. 2, Sketch. Shewing two practicable sections for
 the Balto. & Ohio R. Rd through the village of Harpers Ferry.
 Scale 100 ft = 1 inch
 Ordnance Office, Tower 5, Portfolio 1, No. 5

Map No. 3

"MAP of the Relative Position of the Reserved (Wager Six Acre Reservation) Land & Public Works at HARPERS FERRY, VA.
1844

(Copy- H. Ferry Armory 22 March 1847- Prepared by Major John Symington - Ordnance Department, Drawer 5, Portfolio No. 1).
(National Archives Record Group No. 121- Public Buildings Service, Washington, D.C. Map has been reduced to about one-quarter of its original).

Symington prepared the original of this map in color to accompany his letter of December 12, 1844 to Lt. Col. George Talcott of the Ordnance Department, with Schedules A and B, requesting Congress to appropriate \$ 50,261.00 to purchase the enclosed areas from Wager Lot No. 16 west to 32, 33, and 34, as well as Wager Lots 11 and 12 at the entrance of the Musket Factory Yard. Symington shows the locations of all buildings on the lots he wished to acquire. By purchasing this land, Symington planned to demolish all of the building fronting on the south side of the 15-foot wide alley and widen it into a 40 foot wide street, thus creating an effective firebreak or lane between the Armory workshops and the structures on Six Acre Reservation Land. Symington also hoped to demolish the large three-story brick buildings on Wager Lots 11 and 12, so that he could widen and develop a formal entrance to the U.S. Musket Factory Yard.

Symington's Letter of December 12, 1844, with Schedules A and B, describing the improvements on each lot, with the price of land and buildings, is published in Serial No. 464, Document No. 43, 28th Congress 2nd Session, 1844-45, House of Representatives Executive Documents, Vol. 2, Document No. 43.



Map No. 4

Section of The Sanborn Perris Maps

of Harpers Ferry, Jefferson County, West Virginia,
November 1894. Scale 50 feet to one inch.

A set of original plates from this atlas are in the
Park Library at Harpers Ferry National Historical Park.

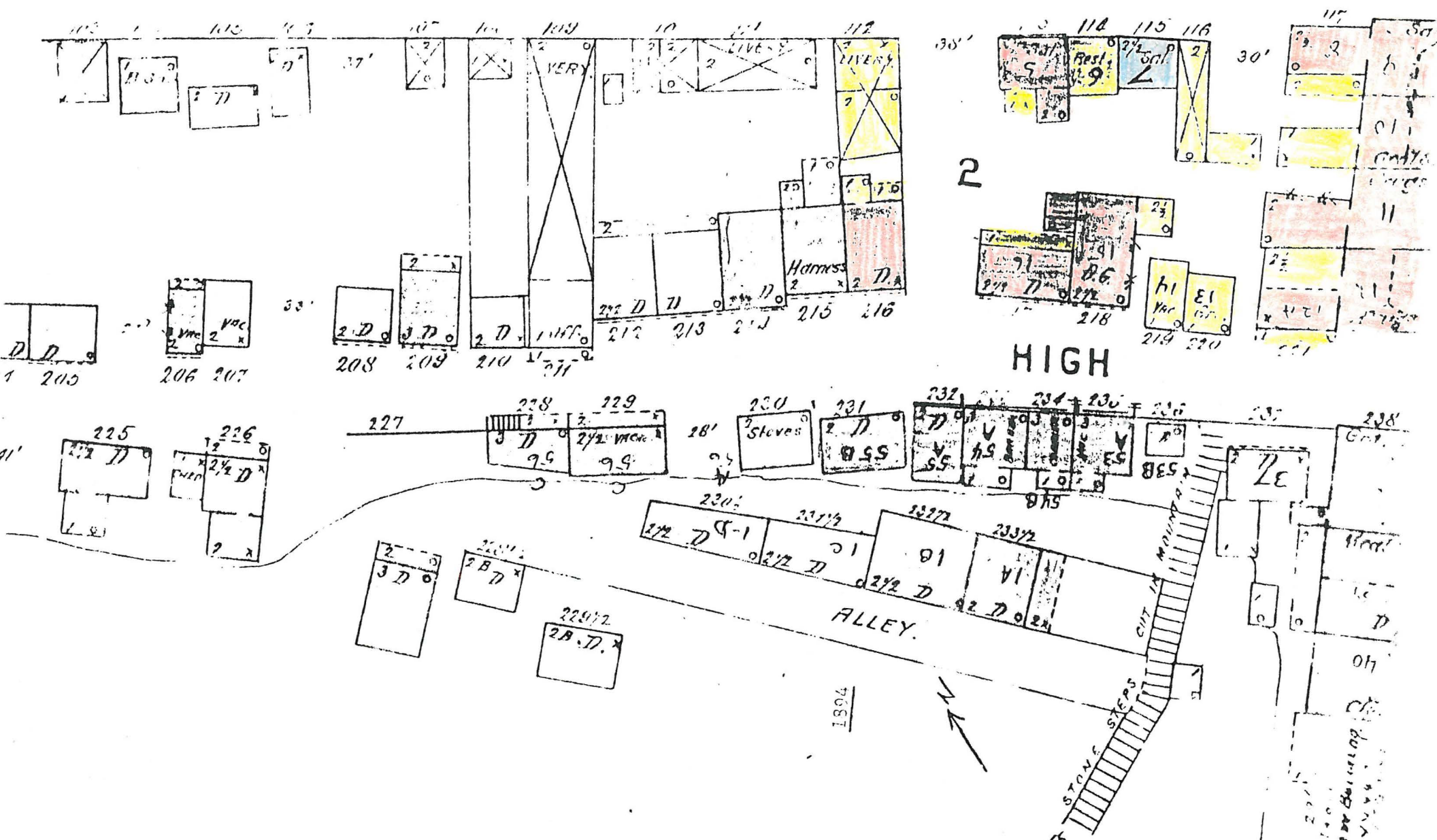
Buildings colored red are of brick construction.

Buildings colored blue are of stone construction

Buildings colored yellow are of frame construction.

These materials as given on this copy of the map are taken
from data shown on the 1894 insurance maps.

POTOMAC



Map No. 5

Sanborn Company Map of Harpers Ferry
Jefferson County, West Virginia, September 1907
Scale 50 feet to the inch.

A set of plats from this atlas are available in the library of Harpers Ferry National Historical Park.

Buildings colored red are brick.

Buildings colored ~~blue~~ are stone.

Buildings colored yellow are frame.

Information on materials used in the construction of the buildings based on data shown on the 1907 insurance maps.

Map No 6

B & O. R.R. Main Line District
Shenandoah Division - Main Line

PLAN SHOWING RIGHT OF WAY, BUILDINGS AND TRACK
HARPERS FERRY, W. VA.

Office of Dist. Engr. M of W., Baltimore, Md.
February 19, 1913, Note Books C- 31 & 35, 1-7-5.
Scale one inch equals 50 feet.

Map from part of Harpers Ferry National Monument Master
Plan - Drawing No. NM- HF 9003.

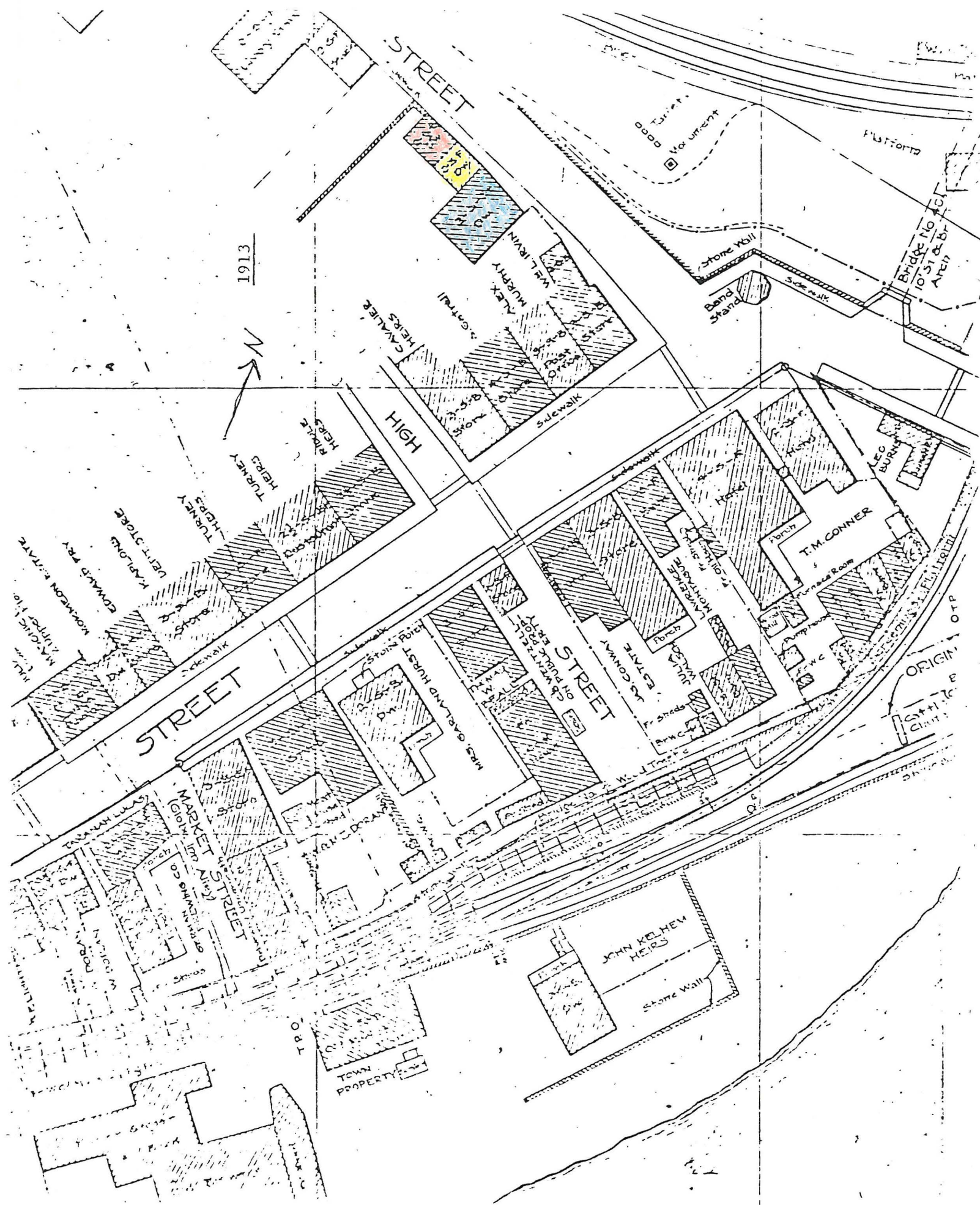


PHOTO NO. 7

Bldg. No. 5 in 1957, North(front) elevation.

Harpers Ferry NHP Negative No. NHF - 182.
Photo by Archie W. Franzen,
August 6, 1957

Bldg. No. 5 after ~~stabilization~~ work had been completed on the structure. To the left can be seen the north(rear) elevation of Bldg. 15. Bldg. No. 6, erected ca. 1890, which stood to the left of Bldg. No.5, occupying fully the ground between Bldgs. No. 5 and 7, was demolished by the National Park Service in 1956 because the structure intruded heavily on a major historic scene.

The connecting street, to the right of Bldg. 5, running from Potomac Street south up the hill to High Street, is former Wager Lot 17 and was made into a street by the U.S. Armory in 1856-57.

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PHOTO NO. 8

Bldg. No. 5- Roeder's Store, in 1956

Harpers Ferry Negative No. NHF - 181.

This photograph, taken in 1956, prior to any stabilization work, shows the west(side) and south(rear) elevations of Bldg. No. 5 and its rear two-story brick wing. The main house, erected in 1856-57, has the stone walls of its first story painted white, as the north or front elevation was in the earliest photographs. The large chimney in the south gable wall, which served a fireplace in the first story of the rear wing, was probably added to the original house when the wing was erected, prior to 1861, and after 1857. The street or alley, in the left corner of the picture, running north to Potomac Street, was created in 1856, when former Wager Lot 17 was purchased by the United States Government from Roeder, and the large wooden stable on the lot demolished in order to make the land into a street.

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PHOTO NO. 1

John Brown Fort, Harper's Ferry, ca. 1873-75

Harper's Ferry NHP Negative No. HF- 55.

Bldgs., from left to right: North gable end wall of Bldg. No. 9, then Bldg. No. 8; next and located on its original(1848) site in the U.S. Musket Factory Yard, with the wooden cupola on its roof, is the "John Brown Fort," or Armory Fire Engine House. Moving to the right and also located in the Musket Factory Yard, is a small portion of east gable end of the Armory Office Bldg. Visible between the Fort and the Office, is the north or front elevation of Bldg. 7. The first story, the stone portion of the facade, is painted white. The brick walls of the second and third story of this same elevation appear to be unpainted. The north or front elevation is divided into three bays. Note the center door in the center bay of the first story, Windows with six over six lights, the slate covered gable roof, with small end chimneys at the north and south gable ends, and the single centered window at the third floor level.

Bldg. No. 5, Roeder's Store, is not visible in this photograph, but Bldg. No. 5, as it appears in Photo HF-100, taken in 1889, so so closely matches the appearance of Bldg. 7 in 1873 that the north or front elevations of the two structures must also have been almost identical in their fenestration in 1873.

PHOTO NO. 2

JOHN BROWN's FORT, Ca. 1882-1886

Harpers Ferry NHP Negative No. HF- 379.

Bldgs, - Left to right: Portion of Bldg. 9, then Bldg. No. 8, John Brown Fort, or Armory Fire Engine House, with cupola on roof, in its original location in the U.S. Musket Factory yard; next, and also located in the Musket Factory Yard, the eastern portion of the Armory Office building, - (the one-story brick structure with the words "Iron" painted on the north walls.) Between the Fort and the Office can be seen the north or front elevation of Bldg. No. 7- White Hall, with the entire facade painted white,. To the right of Bldg. 7 and raising above the chimney of the Armory Office is visible the unpainted north or front brick facade of Bldg. No. 5 at the third story level. Bldg. 5, like Bldg. 7, has a slated covered gable roof, small end chimneys located in the north and south gable walls, and a window with six over six lights entered in the third story level of the north gable end.

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PHOTO NO. 3

THE JOHN BROWN FORT IN THE 1889 FLOOD

Harpers Ferry NHP Negative No. 100

Bldg~~3~~., from left to right: The north elevation of Bldg. No. 8, next the John Brown Fort, or Armory Fire Engine House, with the cupola on its roof, still in its original position in the U.S. ~~Musket~~ Factory Yard. At the right (west) end of the fort, the white-painted north third-story of Bldg. No. 7 rises above the roof of the fort. To the right of the fort, and still in the U.S. Musket Factory Yard, can be seen a few remains of the Amory Office Bldg. The demolition of the Office thus affords us an excellent view of the east side wall and north or front elevation of Bldg. 5, which rises above the Armory wall. The first ~~stone~~ story, on the north elevation, is painted white. The upper and half stories, built of brick, are unpainted. The north elevation of Bldg. 5 is divided into three bays. A ~~door~~ door can be seen in the center bay of the first story, with a window located in the left or east bay. The ~~exterior~~ shutters, which adorn this window, are closed tight. The center bay of the second story has a door with a small transom above, that opens out on the small wooden balcony on which ~~the~~ a woman is standing. The window ~~in~~ in the second floor east bay and also the window located in the third story level, above the door, both have six over six lights. The slate covered gable roof has small chimneys located in the north and south gable walls. Compare this photo with Photo HF-55 of Bldg. No. 7, taken in 1865. Except for the second story balcony on Bldg. 5, the two structures are otherwise identical.

PHOTO NO.4

JOHN BROWN'S FORT, 1890-92

Harpers Ferry NHP Negative No. 190

The Armory Fire Engine House, or John Brown Fort, still stands on its original site in the U.S. Musket Factory Yard, and the Armory Office Building which once stood to the right of the Fort has been demolished, thus indicating that this photograph was taken in the period 1889-1892. Above the Armory Wall, and to the right of the Fort, rises Bldg. 5, affording an excellent view of the three²-bay-wide north or front elevation of the second and third stories. The stone first story, a small portion of which can be seen above the armory wall, is painted white. The brick upper stories are not painted. The second story still has its center door with a small transom above and opens out on the small wooden balcony. The flanking windows have six over six lights. The third story window, centered over the door, appears to be boarded up. This view, when compared with Photos. HF- 100, taken in 1889, HF- 55, taken of Bldg. 7 in 1865, would appear to help fill in^{most} of the missing details for both Bldgs. No. 5 and 7, that are not always visible in any one picture.

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PHOTO NO. 5 -HARPERS FERRY FROM MARYLAND HEIGHTS, 1896-1901.

Harpers Ferry NHP Negative No. HF- 96.

This photo was taken after 1896, because the remodelling work which began on the Catholic Church in that year is well underway, and prior to 1902, because Park Bldg. No. 3 has not yet been constructed on High Street.

To the right of Park Bldgs. No. 9 and 8, and ~~the~~ fronting on Potomac Street and ~~the~~ relocated B & O Railroad tracks, can be seen Bldg. No. 7, Bldg. No. 6(the two-story frame structure, erected about 1890), and to the right of Six, Bldg. No. 5.

The first story of Bldg. No. 5 is still painted white, but the color has faded badly, suggesting that it has not been ^{ev}repainted for a number of years. Note that neither Bldg. No. 7 or Bldg. No. 5 yet have the one-story covered frame porches that were to be added to their north facades in the 20th century. Sanborn Company Insurance Map for 1907 indicates that the porches were erected after the year ^{in which} that map was prepared.

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PHOTO NO. 6

PARK BLDGS. NO. 5, 6, and 7 in 1955

From left to right: The north or front elevations of Bldgs. No. 7, Bldg. No. 6, erected ca. 1890, and Bldg. 5. The one-story frame porch that was added to the front of Bldg. 7 ~~at~~ some undetermined date after 1907 is still standing in this view. A similar porch added to the front of Bldg. No. 5 after 1907 is no longer standing, but the structural evidence visible on the facade documents its former existence. The glass is missing from the windows of Bldg. No. 5, and the structure appears empty and in poor condition, suggesting that it had not be used for a number of years.

Harpers Ferry NHP Negative No. NHF- 843.

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