



## Randolph County Historic Landmark Preservation Commission

204 East Academy St. ♦ P.O. Box 771 ♦ Asheboro, North Carolina 27204

September 28, 2011

The Randolph County Historic Landmark Preservation Commission (HLPC) met in the Meeting Room of the 1909 Historic Courthouse at 145 Worth Street, Asheboro, NC, and the meeting was called to order by Chairman Johnson at 2:05 p.m.

Members present were Hal Johnson, Mac Whatley, Bill Johnson, Warren Dixon, Lynne Qualls, Marsha Haithcock and Bill Ivey. Fran Andrews entered the meeting where so noted in these minutes. Nan Kemp and Robyn Hankins were absent.

### **Approval of Minutes**

*On motion of Qualls, seconded by Dixon, the Commission voted unanimously to approve the minutes of the regular meetings of April 27, 2011 and June 22, 2011, as presented.*

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*At 2:09 p.m., Fran Andrews entered the meeting.*

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### **Presentation/Public Hearing--Marmaduke Swaim Robins Law Office ca. 1860--Landmark Designation**

Commission member Mac Whatley narrated a pictorial presentation of the Marmaduke Swaim Robins Law Office, providing the following information:

The Marmaduke Swaim Robins Law Office, located at 131 North Main Street, Asheboro, NC, is a 14 x 28 foot, two-room wooden building, built around 1860, and is the last surviving building on Asheboro's nineteenth century courthouse square. Sash saw markings on the mortise-and-tenon structural members indicate a construction date prior to the Civil War; extensive ca. 1910 alterations, which gutted the building to produce a woodshed and garage, make more exact dating difficult. A wall that separated the office from a combination law library/consulting room, where bookcases and filing shelves were built around the walls, was torn down during the 1910 renovation. Inside, markings can still be seen where the dividing wall and bookcases were located. The office originally fronted the street at its present location perched about six feet above the street. Paired come-and-go steps led up to a small porch sheltering the entrance into the office itself. The original building had a fireplace and six windows.



When Marmaduke Swaim Robins purchased the office lot on August 21, 1874, he had been seeking new quarters since dissolving his 14-year partnership with Samuel S. Jackson on August 1 of that same year. Jackson's father-in-law, Jonathan Worth, gave the partners his clients and caseload upon leaving Asheboro in 1862 to serve in state government. Also in 1862, Robins was elected to the House of Commons from Randolph County and served for a short period during the term as Speaker of the House. He subsequently served four more terms in the state legislature. Robins was quite active during the Civil War years, as private secretary to Governor Vance, as treasurer of the State Literary Fund (roughly comparable to Commissioner of Education), as a Captain in the Home Guards, and as Editor of a newspaper, *The Raleigh Conservative*. This last position provided experience that he put to good use when he founded and edited *The Randolph Regulator* in Asheboro in 1876. The name of this newspaper was later changed to *The Courier* and is still published today as *The Courier Tribune*.

After the death of Marmaduke Robins in 1905, the office housed the law practice of his son, Henry Moring Robins, until completion of the new courthouse and the adjacent Lawyer's Row offices in 1909. From 1907 to May 1909, Henry Robins served as mayor of Asheboro, and the office was the site of the town commissioners' meetings, the Mayor's Court, and the transaction of municipal business. In 2010, the building was recognized as a Cultural Heritage Site by the County Historic Landmark Preservation Commission.

The building sits on a 2.1-acre site owned by the City of Asheboro. The Asheboro/Randolph County Public Library, parking lot, and landscaped water fountains, are also located on this site.

The Marmaduke Swaim Robins Law Office meets local historic landmark criteria as it represents identification with a person who significantly contributed to the cultural, historic, law, educational, and economic development of the City of Asheboro and Randolph County. The unique location of the law building represents an established and familiar visual feature of the City of Asheboro and Randolph County.

The trying days of the Reconstruction era following the Civil War may have been even more difficult had it not been for the wisdom and fearless outspoken talk and writings of Marmaduke Swaim Robins of Asheboro. For 50 years, Marmaduke Robins was the most outstanding lawyer in Asheboro and an outspoken chronicler of the times. A history of the Robins family, written by Sidney S. Robins, states two reasons why Marmaduke Robins was the leading lawyer in Randolph and Moore Counties: Foremost, because of his intimate knowledge of the law; and secondly, because his fees were so small it was hard on the other lawyers. Robins also served as Clerk of Court.

There were many editorial tributes to Marmaduke S. Robins upon his death on June 27, 1905. "Plain, outspoken, and fearless" was the description in one obituary. Another stated: "He stood for what he believed to be right at all times and denounced dishonesty and corruption in office and elsewhere at all times." The Raleigh News and Observer stated: "No honest man ever lived in North Carolina than Marmaduke Robins."

Sustained efforts to maintain the architectural integrity of the Marmaduke Robins Law Office began in 1979. At this time, the Randolph County Historical Society obtained the assistance of John C. Larson, Director of Restoration, Old Salem, Inc. Mr. Larson inspected the building and provided the Historical Society with a detailed letter expressing his opinion of the architectural wealth of the existing building. Mr. Larson's comments included his amazement that the building has survived and is in remarkably good condition. Offices, shops, and other free standing outbuildings are usually demolished. Mr. Larson emphasized that this particular office

building, the last of its type in Asheboro, could make a significant statement on the architecture activities of this time period. Although some new clapboard had been added, restoration of the original windows and door locations was found to be feasible in 1979. Mr. Larson made note that not only did it appear that the exterior of the building could be accurately restored, but the interior was also in such good condition that the location of doors, partition walls, and bookcases could also be established with great confidence. It appeared that, with the exception of the baseboard samples, all of the architectural details were still in place somewhere in the office building. Particularly important was the one original window and the two-paneled door located on the east side of the office. Mr. Larson concluded that accurate restoration of the highest order should be very possible.

At some point in the law office building's history, it was moved 40 feet from its original location on Main Street. In 1989, the Randolph County Bar Association adopted the restoration of the Robins Law Office as a community service project that would focus attention on the neglected legal and governmental heritage of the Old Courthouse Square in Asheboro. To maintain the architectural integrity, the Bar Association contracted with building contractor Brian Provancha for work necessary in order to relocate the building to its original site. The work included stabilizing the building as required for moving; installing a 2" X 10" X 16" on-center floor system; installation of plywood subflooring; closing in and securing building for controlled access; installing concrete footing and foundation; steps; and finish grade for proper drainage. On June 12, 1991, the building was moved to its present original location. This relocation and stabilization was performed in a professional manner and all the alterations were recorded with measurements, drawings, and photographs currently maintained by the Randolph County Planning Department; Randolph County Historical Landmark Commission; and the City of Asheboro Planning Department.

The following is a summary of some of the historical research performed to insure architectural integrity and accurate historical function:

In 1971, Sidney Swaim Robins, son of Marmaduke Robins, wrote an autobiographical book entitled Sketches of My Asheboro. In the book, Sidney wrote about his father's law practice, and mentioned in passing that his father's office was currently serving as a garage. Local historian Mac Whatley was in the process of making a model of Civil War Asheboro as part of a school project at Harvard. Whatley wrote to Sidney Robins and asked for more information about the law office. In January 1973, Sidney Robins wrote a letter back to Whatley, which is now maintained in the records of the Randolph County Planning Department, Randolph County Historic Preservation Commission, and the City of Asheboro Planning Department. Sidney Robins also included with the letter a sketch layout of the law office building as he remembered it. In 1973, Whatley took pictures of the building. Sidney Robins wrote in his letter that the building had originally sat "high up" above the street. The building had been altered to make it into a Model-T garage, with the south end opened up. Originally, the south end was a windowless bookshelf wall. The outline shadow of that bookshelf can still be seen on either side of the wall. The original wall had been opened and a header put up for a set of double doors. The floor joist system had been removed and concrete poured for the garage floor. The single interior partition had been removed at that time, but the shadow of it was very visible. It was not a structural partition, but just one board thick, as was done in many structures of that period. The fireplace mantel had been removed and the fireplace opening boarded up; new weatherboards on the north side covered where the chimney and windows had been. One original exterior door remained on the west side; a door opening on the east side had also been boarded up but was visible. There was some indication of a porch roof over the west side door that had been attached to the roof rafter system. In 1991, the building was moved to its original location, and, to insure

structural integrity, the western sill, which had been cut out for the garage, was restored. The new sill was cut to the same size and dovetailed in place to match the original. One original cross brace on that end was restored and another was reconstructed to match. Weatherboard was used to match east and west sides, which still had original weatherboards. The interior floor system was reconstructed for stability, cutting tenons on each joist to fit into the original pockets. A plywood floor was installed over this for stability. The interior partition was not restored, but temporary braces were installed for stability. A crane was used to lift the entire building from the garage site, which was about 40 feet west, to the new concrete block foundation. A cedar shake roof was installed, which largely matches the original shakes that survived under the later 5-V metal roofing. New windows were milled to match the one surviving old window, and were installed in original interior trim locations. The interior was paneled with wide horizontal flat tongue-and-groove boards and painted a Prussian blue color. Door and window trim was simple unmolded 1" thick lumber. Several pieces of 5¼" pine floor boards about ¾" thick were found during the reconstruction work and are believed to be the original floor boards. None of the interior trim was reproduced, nor were the fireplace or the porches.

It is difficult to know with any assurance what this building looked like prior to its purchase by Marmaduke Robins in 1874. Since it was within 150 feet of the courthouse, it may have always been a law office. Marmaduke went into partnership in 1874 with Samuel Jackson. It is possible that this building was Jackson's office and previously Worth's law office. It is also possible that this building was originally built to be Dr. John Milton Worth's medical office. Dr. Worth lived at the northeast corner of Worth and Cox Streets, which is now the location of the public library. Doctors' offices of the time were raised up from the ground to provide privacy and to make the buildings cooler. None of the other offices or outbuildings on this property were raised above the ground. The existing law office has very similar open eave rafter framing used in the Dr. John Worth residence, ca. 1854. This may provide a good indication of the original date of construction being ca. 1855.

At 2:34, Chairman Johnson opened the public hearing. Hearing no comments, the public hearing was closed. He asked the Commission to consider a resolution recommending to the Asheboro City Council that Marmaduke Swaim Robins be designated as a Local Historic landmark. He said that the City Council would likely consider this designation at their December meeting.

*On motion of Ivey, seconded by Andrews, the Commission voted unanimously to adopt a Resolution Recommending Local Historic Landmark Designation--Marmaduke Swaim Robins Law Office, ca. 1860, as follows:*

**WHEREAS**, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of local historic landmarks; and

**WHEREAS**, the Randolph County Board of Commissioners has appointed the Randolph County Historic Landmark Preservation Commission, having the authority to exercise, all powers and duties given it by the Randolph County Historic Preservation Ordinance; and

**WHEREAS**, the Randolph County Historic Landmark Preservation Commission has taken into consideration all information contained in the Historic Landmark Designation Application for the for the Marmaduke Swaim Robins Law Office, ca. 1860; and

**WHEREAS**, the North Carolina Department of Cultural Resources, State Historic Preservation Office, has been given the opportunity to review the Local Landmark designation report which contains the historical information necessary for the Randolph County Historic Landmark Commission to determine special historical significance and integrity; and

**WHEREAS**, the Randolph County Historic Landmark Preservation Commission conducted the required public hearing, having published legal notices with mailings to adjoining property owners; and

*WHEREAS, the Randolph County Historic Landmark Preservation Commission finds that the Marmaduke Swaim Robins Law Office, ca. 1860, meets the following specific criteria outlined in the adopting Ordinance establishing the Commission: (1) Critical part of the City of Asheboro's and Randolph County's heritage by having value as an example of the cultural, historic, and social heritage of the City of Asheboro and Randolph County; (2) The location of the Marmaduke Swaim Robins Law Office, ca. 1860 represents a unique and distinctive site representing an established and familiar visual presence in the City of Asheboro and Randolph County; and*

*WHEREAS, the property is more specifically described as follows:*

*The Marmaduke Swaim Robins Law Office is located on approximately 2.1 acres, 131 North Main Street, PIN# 7751933090, Asheboro Township, Asheboro, N.C*

**NOW, THEREFORE, BE IT RESOLVED**, this 28<sup>th</sup> day of September, 2011, that the Randolph County Historic Landmark Preservation Commission approves the application for local landmark designation, and recommends to the Randolph County Board of Commissioners that the Marmaduke Swaim Robins Law Office, ca. 1860 be designated as a Local Historic Landmark.

### **Presentation/Public Hearing—John Wesley's Stand --Landmark Designation**

Chairman Johnson presented a summary of the historical significance of John Wesley's Stand.



John Wesley's Stand, located at 2921 Old County Farm Rd., Sophia, NC, is Randolph County's last remaining example of a once familiar sight: the open-air tabernacle or brush arbor. A tradition handed down through the years, is that John Wesley, the renowned English clergyman and founder of the Methodist Church, passed through the area while on his way to Charlotte from Pennsylvania. His goal was to spread the gospel to the early settlers, and Native Americans. As he traveled, he followed the old Indian trading path known as the Occaneechi Trail (translated as "where people gather"). He supposedly stopped and preached at the site, which was said to be popular as a deer stand and used by hunters on their deer drives from Back Creek to Caraway Mountain in the 1700s. This combination of activity and events provided the inspiration for the name John Wesley's Stand. Religious services continued at the site following the reputed visit of John Wesley, and a brush arbor was built first, followed by a log church. This church became a circuit under the auspices of the Methodist Episcopal Church. Services were discontinued during the Civil War.

John Wesley's Stand was revived in 1903 by the Rev. J.F. Burkhead of Asheboro. Worship was first held under a brush arbor after which a small frame church building was erected in 1906. The 40 x 40 foot tabernacle was built in 1921 for a cost of around \$3,000. Surrounding the church and tabernacle was a campground with a complex of outbuildings including a kitchen, dining room and dormitories to house preachers and workers during the annual camp meeting period. The quartz rock pillars of the tabernacle are an echo of the popular Bungalow style of that time. Wooden lattice-work originally filled the space between the pillars. Such a recent example of antique religious form is unusual.

Rev. Burkhead served as pastor at John Wesley's Stand for 34 years. Some of the time he walked the 14-mile distance to and from his home in Asheboro. At the age of 78, in the final years of his ministry, Rev. Burkhead re-enacted the worship services of the circuit rider days. The aged minister, dressed in the attire of a clergyman of earlier years, rode a horse to the service while members of the congregation were also dressed in the old-fashioned attire. There were three thousand people waiting to hear his sermon, with the men in one corner, and the women in the other corner. Rev. Burkhead's ministry at John Wesley's Stand ended in 1938. His death occurred on August 18, 1944, and he is buried across the road in the Robbins Graveyard. John Wesley's Stand was no longer used as a worship site and was occasionally used for the storage of hay and farm equipment.

The Robbins Graveyard existed many years before either the church or the tabernacle were built. The earliest date on any grave marker is 1851. But many graves, marked only by rocks placed upright, some that have fallen to the ground, appear to have been there prior to the burial of 1851. The last person to be buried in the cemetery was Daniel Clark Robbins, who died January 25, 1979. The cemetery also contains the graves of his parents, Thomas F. Robbins Sr. and Emma Millikan Robbins. Also buried in this cemetery is Christen D. Hedgecock, donor of the land for the tabernacle, who died in 1940. Martha Harris Burkhead, mother of Rev. J. F. Burkhead, the founder of John Wesley's Stand, is buried in the cemetery along with three of her children; Julius, William, and George, according to names listed on one of the monuments.

Records in the Randolph Room of the Randolph Public Library lists a Methodist Episcopal Meeting at Moss's Schoolhouse about a mile away from John Wesley's Stand on what is now the City Lake Road. Available records in 1843 lists Sunday school class members. On the class roll for 1863-64, B.W. Burkhead was listed as "now in the Army." Since the Rev. J.F. Burkhead's parents, Lorenzo D. Burkhead and Martha Burkhead, were listed as members of the Moss' Schoolhouse, it is believed that Rev. J.F. Burkhead's ministry at John Wesley's Stand was a resumption of the ministry which followed the reputed visit of John Wesley to the site which later became John Wesley's Stand.

The land and building has since reverted to the Thomas F. Robbins heirs, and it is no longer used for religious purposes.

The 1921 John Wesley's Stand meets local historic landmark criteria as it represents identification with the cultural and historic development of Randolph County. The unique location of John Wesley's Stand represents an established and visual feature in Randolph County.

At 2:47 p.m., Chairman Johnson opened the public hearing.

**Xantippie Robbins Cheek** spoke in support of the designation, explaining the significance of the old deer stand in the 1700s. She said that the entire community gathered at this place to slaughter deer and to process the venison for food and the tallow for soap and candles in preparation for the upcoming winter. She said that she believes this is the biggest significance of the old deer stand known as John Wesley's Stand. Ms. Cheek said that the church and grounds were given to the Wesleyan church with the stipulation that the property would revert to the Robbins family if the site was no longer used for worship services. She further stated that she and her sister have plans to sell the stand property, but the potential buyer has indicated that he plans to restore the stand.

**Daniel E. LeRoy**, District Superintendent for the NC East District of Wesleyan Churches, said that he was in attendance because he was interested in the history of John Wesley's Stand. He spoke in support of the designation.

**Tommy Sykes**, adjoining property owner of John Wesley's Stand, inquired about the implications of the landmark designation.

Chairman Johnson said that the designation would have no impact upon Mr. Sykes' property.

Commission member Bill Johnson said that his wife, Emily, is a church historian. He said that according to his wife, there is no proof that John Wesley was ever at John Wesley's Stand. He suggested that the significance of John Wesley's Stand be that it is the last example of an open-air tabernacle, noting that he is not aware of another one anywhere in the state.

Commission member Lynne Qualls agreed that the significance of the stand was more about it being an example of an open-air tabernacle that was used as a deer stand by the entire community.

Chairman Johnson said the historical report submitted reflects that John Wesley, having preached at this location, is a tradition that has been handed down through the years and has not been authenticated.

Hearing no further comments, Chairman Johnson closed the public hearing at 3:23 p.m. Chairman Johnson asked the Commission to consider a resolution recommending to the Randolph County Board of Commissioners that the John Wesley Stand be designated as a Local Historic Landmark. He said that the County Commissioners would likely consider this designation at their November 7<sup>th</sup> meeting.

*On motion of Whatley, seconded by Dixon, the Commission voted unanimously to adopt a Resolution Recommending Local Historic Landmark Designation--John Wesley's Stand, as follows:*

**WHEREAS**, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of local historic landmarks; and

**WHEREAS**, the Randolph County Board of Commissioners has appointed the Randolph County Historic Landmark Preservation Commission, having the authority to exercise, all powers and duties given it by the Randolph County Historic Preservation Ordinance; and

**WHEREAS**, the Randolph County Historic Landmark Preservation Commission has taken into consideration all information contained in the Historic Landmark Designation Application for the for the John Wesley's Stand; and

**WHEREAS**, the North Carolina Department of Cultural Resources, State Historic Preservation Office, has been given the opportunity to review and make comments on the proposed local landmark designation; and

**WHEREAS**, the Randolph County Historic Landmark Preservation Commission conducted the required public hearing, having published legal notices with mailings to adjoining property owners; and

**WHEREAS**, the Randolph County Historic Landmark Preservation Commission finds that the John Wesley's Stand, meets the following specific criteria outlined in the adopting Ordinance establishing the Commission: (1) Critical Part of the County's heritage by having value as an example of the cultural, historic, and social heritage of Randolph County; (2) The location of the John Wesley's Stand represents a unique and distinctive site representing an established and familiar visual presence in Randolph County; and

**WHEREAS**, the property is more specifically described as follows:

*The John Wesley's Stand is a 40 ft. x 40 ft. open air bungalow located on approximately one acre at 2921 Old County Farm Road, Back Creek Township, Sophia, N.C., PIN# 7743276414, Randolph County, N.C.*

***NOW, THEREFORE, BE IT RESOLVED,** this 28<sup>th</sup> day of September, 2011, that the Randolph County Historic Landmark Preservation Commission approves the application for local landmark designation, and recommends to the Randolph County Board of Commissioners that the John Wesley's Stand be designated as a Local Historic Landmark.*

**Adjournment**

*At 3:24 p.m., on motion of Ivey, seconded by B. Johnson, the Commission voted unanimously to adjourn.*

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Hal Johnson, Chairman

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Cheryl A. Ivey, Acting Clerk to the HLPC