

# PHASE I ARCHAEOLOGY REPORT:

## WALLTOWN PARK, DURHAM, NORTH CAROLINA

PREPARED BY

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PREPARED FOR

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**Phase I Archaeology Report:  
Walltown Park, Durham North Carolina**

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## PROJECT DESCRIPTION

This is a Phase I Archaeology Report for Walltown Park in Durham, North Carolina, in anticipation of the construction of a community center, gymnasium, and swim center. Walltown Park, a 6.69-acre park tucked into a residential neighborhood in central Durham, has been a city park since the 1950s, although it has been enlarged and slightly improved since then. The city of Durham occupies the central part of Durham County in North Carolina's Piedmont.

## SITE DESCRIPTION

Walltown Park lies at the north edge of the early-twentieth-century Walltown neighborhood, which itself is situated northwest of downtown Durham, about a block south of the combined US 70/I-85.

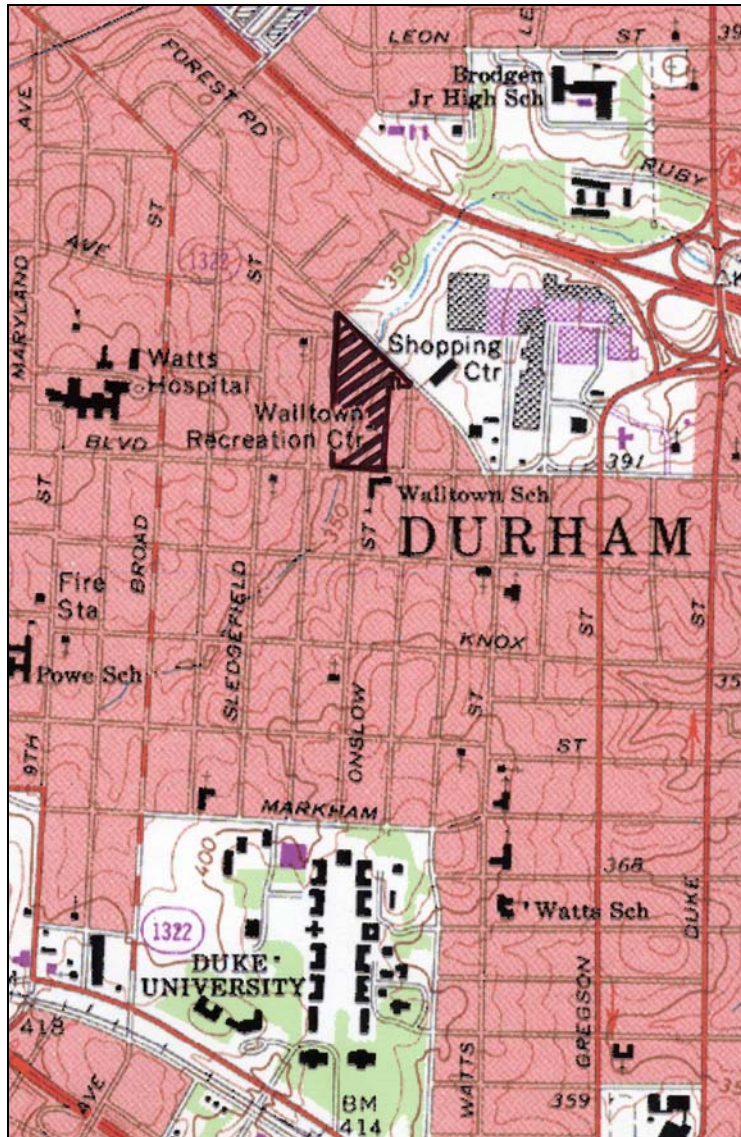


Figure 1. Detail of USGS map, NW Durham Quadrangle, showing location of Walltown Park with hatch marking.

The park's boundaries are Guess Road on the north, W. Club Boulevard on the south, and the rear lot lines of houses facing Lancaster Street on the east and Berkeley Street on the west. Today, the park features a basketball court, a baseball field with bleachers and a small shelter, a playground, a ca. 1955 community center building, a picnic shelter, open space, and wooded buffer areas. The topography is hilly, with the highest elevation at the southeast corner of the park and along the east side. The land slopes down towards the west side of the park, where a branch of the Ellerbee Creek runs south-southwest through in a deep ravine. A few mature hardwoods stand on the east side of the park and younger trees have grown up as well, particularly along the creek ravine, along the east side of the park and in the picnic area in the southeast corner, and particularly in a half-acre area the northeast corner. Concrete paths meander through open grassy fields, and a concrete bridge carries one path over the creek bed to the basketball court and baseball field in the northwest quadrant of the park.

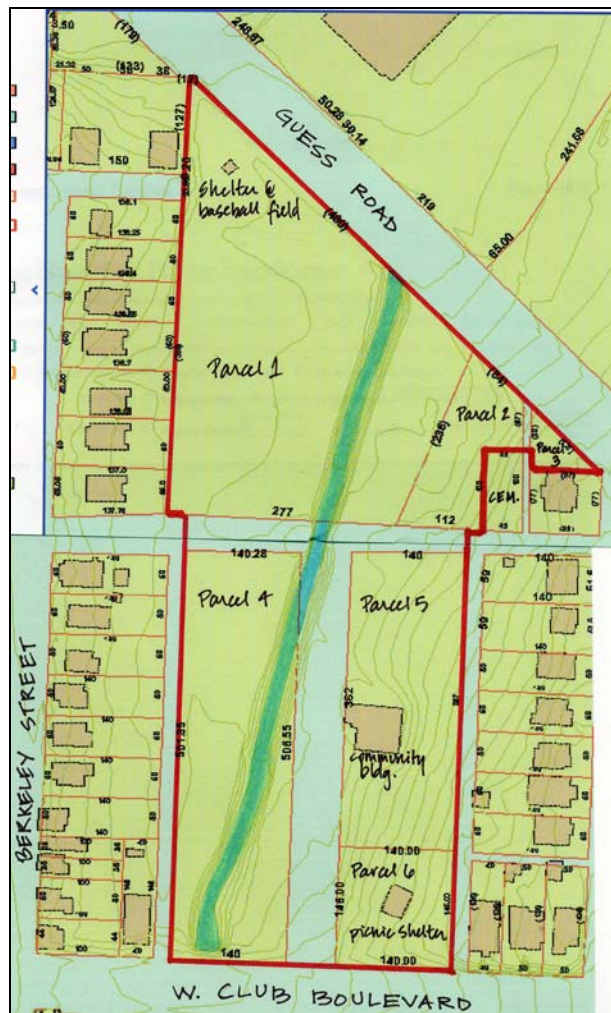


Figure 2. Plan of Walltown Park, showing creek, building footprints, and individual parcels. From Durham Spatial Data Explorer at City of Durham website.

As the map in Figure 2 shows, the park comprises six individual parcels. The parcel division results from the ownership history of the land beginning in the last quarter of the nineteenth-century.

Soil surveys from 1924 and 1971 reported on soil conditions in the project area. The 1924 report characterized the soil as White Store fine sandy loam, shallow phase. The report refers to such



soil as “agriculturally of little importance.” Similarly, in the 1971 report, the soil in the project area was characterized as “poorly drained” Cartecay and Chewacla soils in flood plains or as much-disturbed urban land.<sup>1</sup>

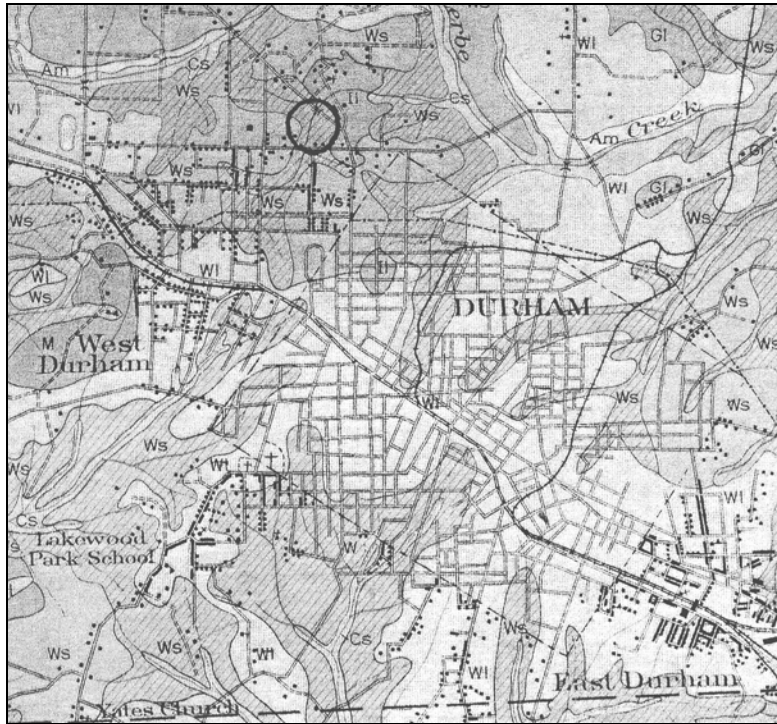


Figure 3. Detail of map from 1924 Soil Survey for Durham County. General location of Walltown Park indicated by the circle in the central northwestern portion of the map.

Photographs of the park are included in the Appendix to this report.

## PURPOSE OF INVESTIGATION AND REPORT

The purpose of this Phase I Investigation and Report is to determine the potential for archaeological remains at the site in anticipation of the construction of a 50,000 square-foot community center building at the park.

## METHODOLOGY

Edwards-Pitman Environmental, Inc. (EPE) conducted documentary research in the North Carolina Room of the Durham County Library; the North Carolina Collection in Wilson Library at the University of North Carolina at Chapel Hill; the Register of Deeds Office at the Durham County Courthouse; the North Carolina Office of State Archaeology; and online at the Durham Spatial Data Explorer, the GIS website of the City of Durham.<sup>2</sup>

EPE also made site visits on January 31 and February 10, 2006, to examine and photograph the site.

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<sup>1</sup>United States Department of Agriculture, Bureau of Soils, *Soil Survey of Durham, County, North Carolina* (Washington: Government Printing Office, 1924), 1362; United States Department of Agriculture, Soil Conservation Service, *Soil Survey of Durham County, North Carolina* (n.p., 197-), 8, 25.

<sup>2</sup> The GIS website for the City of Durham is at <http://gisweb2.ci.durham.nc.us/scripts/esrimap.dll?Name=sdx1&Cmd=Start>.

## SUMMARY FINDINGS & RECOMMENDATIONS

The Office of State Archaeology has no record of studies completed in the project area and no record of sites determined eligible for or listed in the National Register of Historic Places in the project area.

EPE concludes that, due to soil conditions and early- through mid-twentieth-century development at the site, there is little likelihood of finding prehistoric archaeological remains that would be eligible for the National Register of Historic Places.

There may be historic archaeological remains in the northeast corner of the park. Such remains would be related to African American landowner, farmer, and shoemaker Anderson Leathers and his family, whose family burying ground is adjacent to the park. See the full description of the project findings at the end of the report for more information.

EPE recommends that the boundary of the Anderson Leathers's burial grounds be delineated to confirm that there are no graves outside the cemetery parcel or on park land before any construction or earth-moving work is undertaken in the northeast corner of the park. Such delineation would help ensure compliance with North Carolina's Unmarked Human Burial and Human Skeletal Remains Protection Act and with North Carolina's Cemetery Protection Act.

### *History of Land Use in the Project Area*

#### Preshitory

The land contained in Durham County results from volcanic action that occurred between two hundred and six hundred million years ago. The land may have been underwater at the far end of that range. Indians occupied the area for many centuries before European settlers; archaeological studies in the county have found evidence of Indian cultures dating from the Paleolithic (12,000-8,000 B.C.), Archaic (8,000-500 B.C.) and Woodland (500 B.C. to A.D.1700) periods.<sup>3</sup>

Evidence of these native groups is plentiful in Durham County; Indians traversed the area frequently thanks to the trading path and the rivers and creeks that cut through the land. However, no archaeological investigations have been conducted along Ellerbe Creek or its branches in the general vicinity of the project area of this report.<sup>4</sup>

By the Woodland period, Indians in present-day Durham County were more settled than earlier nomadic peoples, establishing villages and adding agriculture to hunting for sustenance. Still, war and growing populations sometimes prompted migration in the late period. The Eno Indians were recorded in the Durham County area by settlers in the eighteenth century. Jean Bradley Anderson's county history characterized the tenure of Indian settlement as a "long period of undisturbed possession" that was coming to an end in the eighteenth century, adding that the landscape remained "almost unchanged since before even the Indians' arrival."<sup>5</sup>

Anderson's description of the landscape at this time is compelling.

[Early settlers] found ample rivers and streams flowing through sometimes steep gorges and sometimes flat marsh and meadowland. But the overwhelming presence was the forest—endless, dark, filled with bird and beast and deep soil and huge timber. The aboriginal forest up to early historic times when the first settlers knew it

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<sup>3</sup> Jean Anderson, *Durham County* (Durham: Duke University Press, 1990), 3, 12-13; Jim Wise, *Durham: A Bull City Story* (Charleston: Arcadia Publishing, 2002), 12-13.

<sup>4</sup> Anderson, 13.

<sup>5</sup> William S. Powell, *North Carolina Through Four Centuries* (Chapel Hill: University of North Carolina Press, 1989), 20-23; Anderson, 7.

provided a richer, more varied forest cover with far more edible fruits and nuts and more species of game animals than are found in the Piedmont today....Hardwoods and some conifers were the original tree cover of Durham County, the hardwoods along the streams and the conifers on the ridges. Longleaf pines originally grew in the county and were still to be found in the southeastern section in 1915. While a mixture of hardwoods and pines still covers 67 percent of the county...much of it is scrub growth lacking the luxuriousness of the primeval forest the settlers found.<sup>6</sup>

According to Anderson, the few changes the Indians made in this forest were limited to blazing trails, including the ancient trail the Europeans called the Indian Trading Path and the Occaneechi Trail. The five hundred-mile trail passed through present-day Durham county, about half a mile north of the area that would eventually be developed into the early-twentieth-century neighborhood known as Walltown.<sup>7</sup>

#### Eighteenth through Mid-Nineteenth Centuries

The Eno Indians, possibly members of the Eastern Sioux, were recorded in Durham County by John Lederer in 1760. Lederer was an agent for the governor of Virginia, and he was in search of the Eno, who had been described as early as 1654 by an earlier Virginia governor. Contrary to FAnderson's characterization as the Indian's impact on the land as minimal, Lederer found the Eno living in a village with circular wattle-and-daub houses and fields cleared for corn crops. They grew more than they needed and "supply all the adjacent parts" according to Lederer and also hired themselves out "as Carriers or Porters."<sup>8</sup>

European settlers began coming into present-day Durham county in the middle of the eighteenth century, generally from eastern North Carolina or over the Great Trading Path from Virginia. This was considered backcountry, and it was sparsely settled. In 1753, a massive new county, Orange County, was delineated in the west portion of the Granville District. Its boundaries changed frequently over many decades, as several present-day counties, including Durham, were separated from the original Orange County. In 1753, however, the new and very large Orange County only held 724 households. Nine percent of them owned slaves, and none had more than ten slaves. Most were subsistence farms.<sup>9</sup>

From the mid-eighteenth-century through the second-quarter of the nineteenth century, the sparsely settled backcountry that would become Durham County remained populated mainly by such subsistence farmers, who lived and worked on farms ranging from a few dozen to a few hundred acres. Three wars were fought in this period—the French and Indian War (1754-1763), the Revolutionary War (1775-1783), and the Civil War (1861-1864). The Civil War's largest troop surrender took place about four miles from the project area at Bennett Place in northwest Durham County. Significant events from any of the wars are not, however, associated with the project area.<sup>10</sup>

In the middle decades of the nineteenth century, the construction and operation of the North Carolina Railroad sparked some new settlements in Orange County, including tiny Durhamville Station, established in 1854 at the present-day corner of Corcoran and Pettigrew Streets in downtown Durham, a few miles southeast of the project area. After the Civil War, the small settlement at the railroad depot grew into a thriving industrial city with cigarette factories,

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<sup>6</sup> Anderson, 7.

<sup>7</sup> Ibid.

<sup>8</sup> John Lederer quoted in Anderson, 7-8.

<sup>9</sup> Anderson, 17-25.

<sup>10</sup> Anderson, 25, 35, and 115.



tobacco warehouses, and cotton mills. In 1881, Durham County was cut from Orange and was named for the industrial city at the center of the new county.<sup>11</sup>

#### Late Nineteenth Century through Present

Deeds for the project area are difficult to trace farther back than the early 1880s, but a picture of the project area emerges from that time. The land was about a mile outside the city limits, which, in 1888, still centered on what is considered downtown Durham today. By the 1890s, real estate development was in full swing in and around Durham, filling in the undeveloped spaces between the city and surrounding mill villages. In 1892, Trinity College relocated from Randolph County to an old racetrack between the City of Durham and the Erwin Mill Village to its west. Throughout that decade, the Durham Consolidated Land & Improvement Company bought land south of Ellerbee Creek and immediately north of the new Trinity College campus. Once subdivided, the company's holdings totaled fifty-eight blocks, roughly encompassing the area between today's Markham, Ninth, and Watts Streets and Club Boulevard. The plat map shows branches of South Ellerbee Creek flowing through it. The east half of block 50 and the west half of block 51 from that plat would later become the southern half of Walltown Park.<sup>12</sup>



Figure 4. Detail of plat, showing area that became part of Walltown Park. Map filed in Plat Book 5, page 58, at the Old Durham County Courthouse, Durham, NC.

This platted area had a slightly irregular north border, but it stretched as far north as F Street between Fifth and First Streets (present-day Sedgefield and Buchanan Streets). The land above F Street that became Walltown Park belonged to A. A. Sears and Anderson Leathers in the 1880s. A. A. Sears, a white livery stable owner, lived on Morris Street in the city proper with his wife Mary; his land is Parcel 1 in Figure 2 above. Perhaps Sears used this land to keep horses or perhaps he leased it to farmers, but Sears clearly did not live on it.<sup>13</sup>

<sup>11</sup> Claudia P. Roberts, Diane E. Lea, and Robert M. Leary, *The Durham Architectural and Historic Inventory* (Durham: City of Durham, 1982), 305; Anderson, 113.

<sup>12</sup> Sanborn map of Durham, April 1888, viewed online at [www.nclive.org](http://www.nclive.org); Wise, 97; H. A. Foushee & F. L. Fuller to Edmonson & Carrington, July 15, 1898, Durham County Deeds Book 18, pages 428-431, Old Durham County Courthouse, Durham.

<sup>13</sup> Foushee & Fuller to Edmonson & Carrington; Anderson Turner to A. A. Sears, August 9, 1884, Durham County Deeds Book 3, page 43; Levi Branson, *Directory of the Businesses and Citizens of Durham City for 1887* (Raleigh: Levi Branson, 1887).

Anderson Leathers was an African American shoemaker who had been living on this land since at least the 1870s, when census takers recorded him as head of his household of nine. Leathers owned Parcels 2 and 3 from the map in Figure 2, as well as the rectangular cemetery parcel and several parcels on the northwest side of Guess Road. Deeds chronicling Leathers's acquisition of much of the land were not located, but in 1908, E. C. Belvin made a survey of Leathers's lands for the purpose of subdividing it among his children; the map shows the extent of Leathers's holdings in the early twentieth century (see Figure 5). One deed from 1880 has been located; it records the purchase of 4-1/2 acres on the northeast side of Guess Road that adjoined land Leathers already owned. While it appears likely that Leathers owned the land he was living on at the time of the 1870 census, he is listed as a "farm laborer" rather than a farmer, and no dollar amount is entered under the columns for the value of real estate and value of personal estate. This may indicate that Leathers lived on the land for some time before he acquired title to it, but it is also possible that the recorded information reflects assumptions made by the census taker. Also in 1870s, two sons, aged twelve and fourteen, are listed as "working on farm." Following the pattern shown by Leathers and Sears, deed and census research reveals that the land in the general vicinity was owned by both African Americans and whites but the information suggests that African Americans were more likely to live on the land than whites, who tended to have in-town residences.<sup>14</sup>

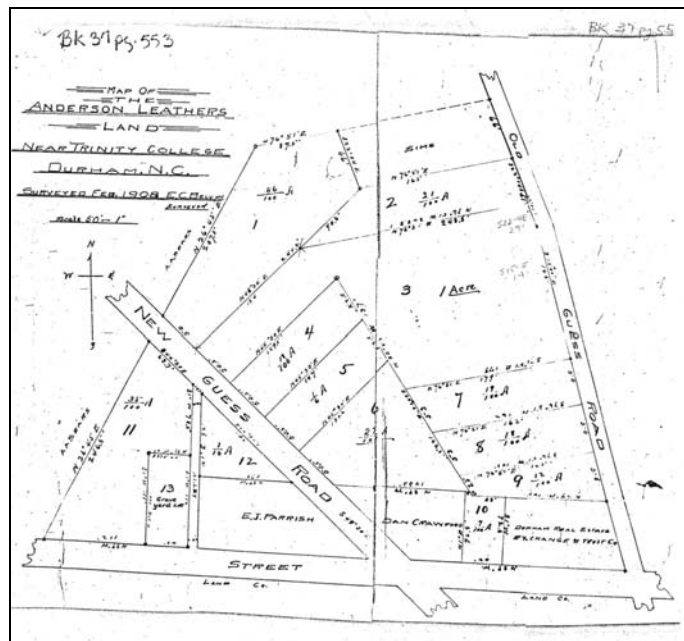


Figure 5. Belvin's 1908 Map Dividing Anderson Leathers's land

The 1880 census records Leathers as a shoemaker and his nineteen- and twenty-two-year-old sons as workers in tobacco factories. The deed accompanying the 1908 map reveals that Anderson's house was north of Guess Road, in the area that is now Northgate Mall, on the large parcel

<sup>14</sup> Jno. Leathers & others vs. Jennie Hicks & others, May 25, 1908, Durham County Deed Book 37, page 552-553; William and Sallie Kilgore to Anderson Leathers, February 23, 1880, Durham County Deed Book 6, page 10; and Wright Real Estate Company to City of Durham, May 5, 1960, Durham County Deeds Book 267, page 290, all at the Old Durham County Courthouse, Durham; Ninth Census of the United States, 1870: Durham Township, Orange County, North Carolina (microfilm, Durham County Library, Durham).

numbered “3” (see Figure 5). This house and others, also mentioned in the 1908 deed, appear on the 1937 Sanborn map of the area (see Figure 6).<sup>15</sup>

The 1937 Sanborn map shows no buildings on Leathers’s land south of Guess Road (part of Block 6 of the 1937 Sanborn map in Figure 6). Given the concentration of residential and other buildings north of Guess Road and the comparatively small pieces of land owned by Leathers south of Guess Road, it seems unlikely there were buildings on Parcels 2 or 3. The land was likely used for agriculture or remained unimproved. Later deeds do refer to the rectangular parcel south and east of Parcel 2 on the map in Figure 2 as “Anderson Leathers graveyard lot.” Belvin’s map in Figure 5 likewise identifies the parcel as “graveyard lot.”

Before the end of the 1890s, the Durham Consolidated Land & Improvement Company defaulted on a loan with the West Durham Land Company. Settlement of a lawsuit related to default resulted in the land being sold at auction on July 4, 1898. Edmonson and Carrington of South Boston, Virginia, bought nearly three hundred acres at the auction for \$12,300. This generally included the platted area of fifty-eight blocks referred to above, but excluded individual lots and small acreages already sold by the Durham Consolidated Land & Improvement Company.<sup>16</sup>

Durham continued to grow at will, with real estate developments butting up against agricultural land, as in the project area, until 1925. At that time, the city council appointed a Planning Commission and hired Herbert Swan, a planner from New York, to formulate a growth plan. Published in 1927, “The Durham Plan” made recommendations for traffic flow, facilities improvements, and plans for parks and parkways, among other things. Regarding parks, the plan urged Durham—which at the time had no public parks—to begin acquiring land and planning parks in undeveloped areas. The plan recommended a linear park and parkway along Ellerbee Creek and some of its branches, but did not include the land in the project area in its recommendation for a circular park system that would embrace the city.<sup>17</sup>

The city did acquire some land in the project area in 1925, though not for the purpose of building a park. The city bought a parcel at 1210 Third Street (later renamed Onslow Street) that consisted of two of the platted lots; the parcel would become the site of a city incinerator that existed in 1937 but was gone by the 1950s, according to Sanborn maps. Meanwhile, the blocks east, west, and south of the project area developed in the 1920s and 1930s as a modest African American neighborhood, with duplexes and some single-family homes. Many residents worked in tobacco factories. The immediate project area, however, did not develop as the rest of the platted area, due largely to the creek and the incinerator. The two small parcels north of the city incinerator site—part of the Anderson Leathers land—were bought by the Durham Real Estate Company in 1924, but it apparently remained unplatted and undeveloped. A 1960 quitclaim deed transferred the parcels from the company to the City of Durham.<sup>18</sup>

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<sup>15</sup> Population Schedule and Tenth Census of the United States, 1880: Durham Township, Orange County, North Carolina (microfilm, Durham County Library, Durham); Jno. Leathers & others vs. Jennie Hicks & others, May 25, 1908, Durham County Deed Book 37, page 552-553 and Wright Real Estate Company to City of Durham, May 5, 1960, Durham County Deeds Book 267, page 290, both at the Old Durham County Courthouse, Durham.

<sup>16</sup> Foushee and Fuller to Edmonson & Carrington.

<sup>17</sup> Durham Planning Department, *Master Plan Report: Land Use Plan 1960-1980* (Durham: n.p., 1960), 4; Herbert S. Swan, *The Durham Plan* (Durham: City Planning Commission, 1927), 68-70.

<sup>18</sup> W. J. & Nora Young and H. L. and Emma Carver to the City of Durham, April 27, 1925, Durham County Deeds Book 137, page 420 and T. D. Wright et al to Wright Real Estate Company, June 14, 1924, Durham County Deeds Book 112, page 288 and Wright Real Estate Company to City of Durham, May 5, 1960,

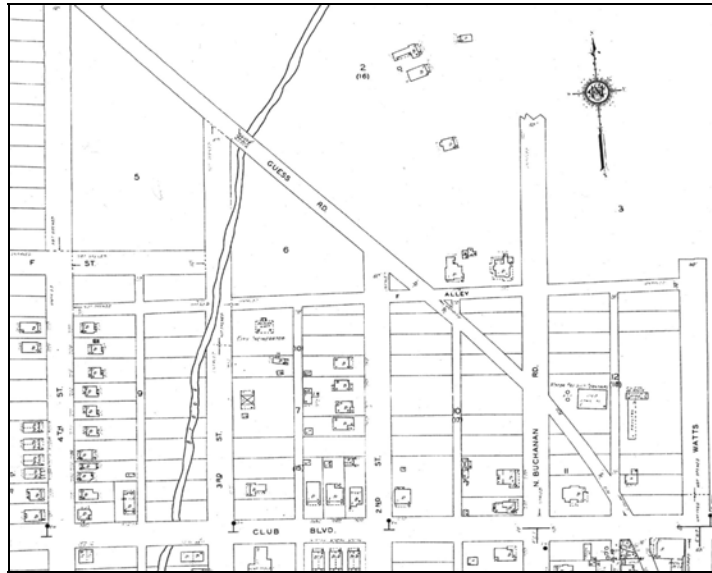


Figure 6. Detail from 1937 Sanborn map.

The 1937 Sanborn also shows a house centered on the three platted parcels at the south end of the west side of Third Street, a small unidentified building at the middle of the block, and a house near the north end of the block, facing the alley. No buildings appear on the west side of Third Street in this block, likely due to the deep ravine of the branch of Ellerbee Creek that bisects that part of the block. In 1937, the City of Durham purchased the largest of the three Guess Road parcels in the project area at a court-ordered auction; this was the land that had belonged to A. A. Sears in the 1880s and later to J. B. Warren.<sup>19</sup>

By 1950, the updated Sanborn map shows that the incinerator is gone; other buildings on the west side of the 1200 block of Third Street remain, and nothing has been built on the west side or on the Sears or Leathers land in the project area. A playground was established by 1953, and a bond issue funded construction of the community center that stands toward the center of the east side of the Onslow Street block. A 1960 description of the park reveals that an athletic field with bleachers, a basketball court, and a playground also occupy the 4.5-acre park. At this point, the city owned the Sears/Warren parcel and the Anderson Leathers parcels south of Guess Road (excluding the cemetery parcel), and the north two-thirds of the east side of the 1200 block of Onslow Street. Excluding the .1-acre Leathers family cemetery, these parcels add up to roughly 4.5 acres.<sup>20</sup>

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Durham County Deeds Book 267, page 290, Old Durham County Courthouse, Durham; Roberts, Lea, and Leary, 193-195.

<sup>19</sup> C. V. Jones to City of Durham, June 7, 1937, Durham County Deeds Book 124, page 197, Old Durham County Courthouse, Durham.

<sup>20</sup> City of Durham, *New Horizons in Recreation* (Durham: City of Durham, 1955), 4, in the Parks and Recreation Vertical File, North Carolina Room, Durham County Library; "Where to Play in Durham," 1953 recreation map, in the Durham Maps Vertical File, North Carolina Room, Durham County Library; Durham Planning Department, *Master Plan Report: Community Facilities* (Durham: City of Durham, 1960), 30.

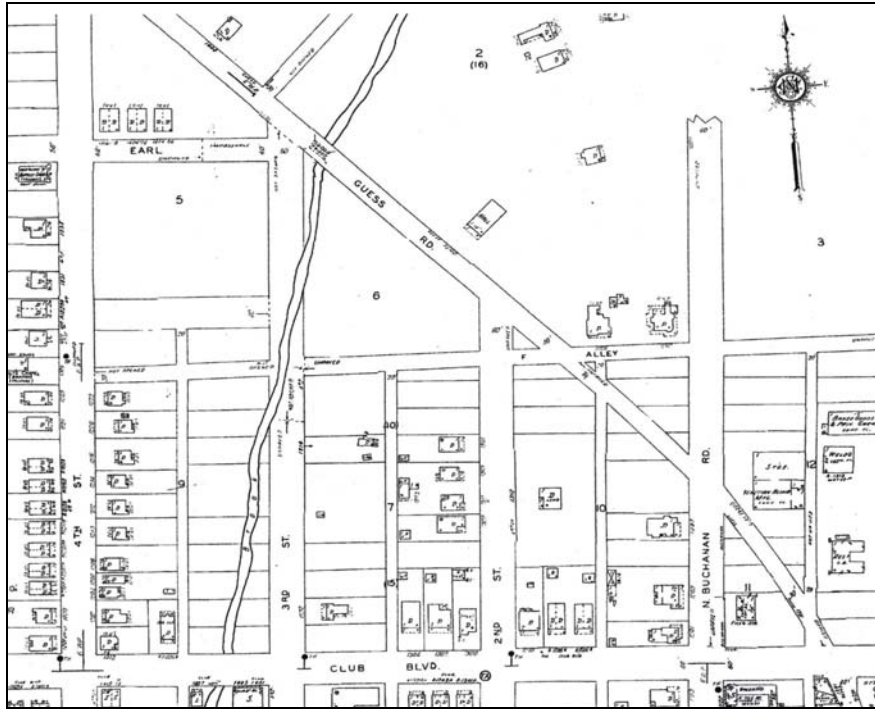


Figure 7. Detail of 1937 Sanborn map, updated through 1950.

Durham finally acquired the south end of the east side of Onslow Street in 1974, after suing heirs of owner Adolphus Davis, who purchased the house and land in 1954 from Victor Bryant. The purpose of the city's lawsuit was "to appropriate to the public use a tract of land for public park and recreational purposes and to determine just compensation for property taken." The taking was finalized in 1974 and the compensation set at \$9,000. This study could not determine when the city acquired the west side of the 1200 block of Onslow Street, but it is clear from Sanborn maps that there was never residential development on that block.<sup>21</sup>

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<sup>21</sup> Victor Bryant to Adolphus Davis, Feb 9, 1955, Durham County Deeds Book 223, page 541-2; Victor Bryant to Adolphus Davis, Sept 28, 1954, Book 221, page 103; and City of Durham v. Jeannette Davis Fleetwood and others, November 18, 1974, Deed book 421, page 122-126, all at Old Durham County Courthouse, Durham.

## FINDINGS OF THE PHASE I INVESTIGATION

Based on the research outlined above, EPE concludes that, due to soil conditions and early-through mid-twentieth-century development at the site, there is little likelihood of finding prehistoric archaeological remains that would be eligible for the National Register of Historic Places.

There may, however, be historic archaeological remains related to African American landowner, farmer, and shoemaker Anderson Leathers and his family. Parcels 2 and 3, as shown on the map in Figure 2, and the adjacent rectangular parcel marked "CEM." are part of Leathers's holdings from the late nineteenth century. Leathers also owned land north of Guess Road, where his house, other houses, and other buildings stood. No documentary evidence could be found to indicate that there were buildings on Parcels 2 or 3. The cemetery parcel, which is not part of the park, was historically the Leathers family burying ground. The entire cemetery parcel is overgrown and headstones or graves could not be found during site visits. According to Beth Timson of the Durham Parks and Recreation Department, the city has identified depressions on the parcel that could indicate graves, but likewise has found no headstones. Parcels 2 and 3 are also overgrown and serve as buffers between the park and the cemetery parcel and residential area to the east.

## RECOMMENDATION

EPE recommends that the boundary of the Anderson Leathers's burial grounds be delineated to confirm that there are no unmarked graves on Parcels 2 and 3, or elsewhere outside the cemetery parcel, before any construction or earth-moving work is undertaken in the vicinity of those parcels. Such delineation would help ensure compliance with North Carolina's Unmarked Human Burial and Human Skeletal Remains Protection Act and with North Carolina's Cemetery Protection Act.



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