Form No. 10-300 (Rev. 10-74)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY
RECEIVED
DATE ENTERED

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC Courthouses in North Carolina (a thematic nomination)

AND/OR COMMON

2 LOCATION

STREET & NUMBER see inventory sheets

__NOT FOR PUBLICATION

CITY, TOWN various

__ VICINITY OF

CONGRESSIONAL DISTRICT various

STATE North Carolina

CODE

COUNTY various

CODE

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE	
__DISTRICT	X PUBLIC	X OCCUPIED	__AGRICULTURE	__MUSEUM
X BUILDING(S)	__PRIVATE	X UNOCCUPIED	__COMMERCIAL	__PARK
__STRUCTURE	__BOTH	X WORK IN PROGRESS	__EDUCATIONAL	__PRIVATE RESIDENCE
__SITE	**PUBLIC ACQUISITION**	**ACCESSIBLE**	__ENTERTAINMENT	__RELIGIOUS
__OBJECT	__IN PROCESS	X YES: RESTRICTED	X GOVERNMENT	__SCIENTIFIC
	__BEING CONSIDERED	__YES: UNRESTRICTED	__INDUSTRIAL	__TRANSPORTATION
		__NO	__MILITARY	__OTHER:

4 OWNER OF PROPERTY

NAME see attached list

STREET & NUMBER

CITY, TOWN

STATE

__ VICINITY OF

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC. various

STREET & NUMBER

CITY, TOWN

STATE

6 REPRESENTATION IN EXISTING SURVEYS

TITLE

DATE

__FEDERAL __STATE __COUNTY __LOCAL

DEPOSITORY FOR SURVEY RECORDS

CITY, TOWN

STATE

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
X EXCELLENT	__ DETERIORATED	X UNALTERED	X ORIGINAL SITE
X GOOD	__ RUINS	X ALTERED	__ MOVED DATE_____
X FAIR	__ UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The Survey and Planning Branch of the Division of Archives and history conducted a historical and architectural survey of North Carolina's county courthouses during the winter of 1976-77. These buildings, ranging in date from 1767 to 1976, form one of the most important groups of structures in the state, as they illustrate two centuries of architectural evolution and the formation and development of North Carolina's county seats. The survey was done in two parts: (1) historical data was gleaned from county records, histories, and newspapers, and (2) the buildings were recorded during the field work. All surviving courthouses were studied; thus, a total of one-hundred and fourteen structures were inventoried. Of the one-hundred and fourteen buildings, two are eighteent century (one in use as a courthouse); fourteen courthouses (seven in use) were built between 1800 and 1865, while ten (seven in use) date from the post-bellum era, 1865 to 1890. The majority of North Carolina's courthouses were constructed between 1890 and 1930. Fifty-five courthouses belong to this group, with only two no longer functioning. The 1920s alone produced sixteen. From 1930 until the present thirty-three facilities have been built, fifteen in the past seven years.

Twenty-five of North Carolina's county courthouses are already listed in the National Register: fourteen are individual entries while eleven are included in historic districts These buildings are among the state's most outstanding examples of eighteenth and nineteenth century public architecture. They are not the subject of this nomination, though they are important to the total group. The fifty-eight buildings (not previously listed in the Register) included in this nomination range in date from 1824 to 1939. Five of the fifty-eight courthouses are antebellum, three Italianate, forty-eight Neo-Classical Revival, and two Colonial Revival. Of the thirty-one courthouses not included, twenty-five have been constructed in the past thirty years, while six have been drastically modernized.

North Carolina's first courthouses were small frame or log structures which literally housed the court. These temporary buildings, none of which survives, were erected in the designated site of the county seat, and were often the only structure of the newly created town. Clustered around the modest courthouse were ancillary buildings, such as the jail, sheriff's office and clerk's office. The Halifax County courthouse square still retains its old clerk's office as does the Northampton County square. (N.R.) Maps of the late seventeenth and early eighteenth centuries indicate that many county seats were merely called "courthouse," as the seat of government was the raison d'etre of the town.

The threat of fire or theft of important records necessitated the eventual replacement of these frame buildings by more permanent structures, often of masonry construction Our oldest county courthouse, the Chowan County Courthouse, is a brick building erected in 1767. A National Historic Landmark, it is the earliest surviving public building in the State, and among the finest Georgian style public buildings in the South.

A product of one of the most prosperous and important colonial counties, the Chowan County Courthouse epitomizes early courthouses in its use of brick, conservative classical design, and almost domestic scale. These characteristics, along with the courthouse's impressive siting on the town green and its three-stage cupola, also establishes a precedent for courthouse design in North Carolina that persisted throughout the nineteent and early twentieth centuries.

Of considerable later date and different stylistic detail, the neighboring Perquimans County Courthouse (1825) is somewhat akin in appearance and plan to that of Chowan. The brick, two-story building has a three-part facade with center pediment. The Perquimans County and Gates County (1836) (NR) courthouses are the only surviving Federal style courthouses in the state.

The Greek Revival style was popular in North Carolina courthouse architecture, as it vividly reflected the temple of justice concept. The temple-form, modestly expressed in the Brunswick County Courthouse (1844), was the dominant and most forcefully classical type in Greek Revival courthouse design during the late 1830s, 1840s, and 1850s; however, other formulae were employed. The Granville County Courthouse (1838) is a two-story T-plan Greek Revival building with a projecting square tower on the main facade. The Hyde County Courthouse (ca. 1850), although extensively remodeled, is a two-story L-shaped Greek Revival structure.

In reaction against the formality of the Greek Revival, more varied outlets were sought in historical and romantic architectural styles in courthouse architecture as well as domestic during the mid-nineteenth century. Gothic, Romanesque, Italian and even Egyptian styles were revived and sometimes combined in an eclectic manner. First demonstrated in the Caswell County Courthouse (1858-1861) (NR), these romantic styles began to exert a wide influence on North Carolina courthouses during the late 1800s. The Martin County (1885) and the Transylvania County (1873) courthouses feature the arched windows and central square towers of the Italianate style. A pronounced use of surface ornament is evident in the decorative brickwork of the exteriors, however, the plans are still symmetrical and the scale conservative.

Concurrent with--and finally outlasting--the extravagances of High Victorianism was the persistent classical strain. Buildings such as the 1881 Chatham County Courthouse reveal a strong reliance on classical models for public institutions. The Bertie County Courthouse (1889) is characterized by a return to the simple rectangular form and dominant portico of its temple-form predecessors.

By the early twentieth century, the Neo-Classical Revival expressed a renaissance of classicism, which was to be the uncontested courthouse style for over forty years. The reemergence of a conservative classical vocabulary in architecture was the result of a reaction against the extravagances of Victorian styles and a reassertion of the "temple of justice" concept. Exuberant Victorian courthouses include those in Wilmington and New Bern historic district, plus many that have been lost, as in Winston-Salem.

The courthouses of the Neo-Classical Revival are larger in scale and usually richer in interior detail than earlier ones. While brick was the predominant building material of the nineteenth century courthouses, stone was used as a facing material during the early twentieth century, and the buildings in general are broader and less complex in massing than Victorian counterparts. A standard floor plan--consisting of ground floor

offices separated by cross halls or a central hall and a large second floor courtroom spanning the width of the building--is common throughout the period.

Within the Neo-Classical Revival a clear progression can be perceived. The early Neo-Classical Revival style is characterized by a vernacular interpretation of classical forms and by a retention of Victorian elements. The Tyrrell County Courthouse (1903) displays a pronounced Victorian Italianate character in its gabled dormers, decorative brick work, and arched windows. The Tyrrell County Courthouse is one of the few surviving buildings constructed by the B. F. Smith Fireproof Building Company, designers of several courthouses of similar design in the eastern part of the state.

Another notable group of Early Neo-Classical Revival courthouses was designed by Charlotteans Oliver Wheeler and his associates Runge, Stern, and Schwenn. Between 1899 and 1913 they planned nine courthouses, mainly in the western counties. These buildings reveal little variation upon a standard theme, and the repetition within the region established a strong and uniform concept of what a courthouse's appearance should be. The Wilkes County Courthouse (1902) is characteristic of the Wheeler style. Its complex brick facade is fronted by an Ionic portico and an oblong mansard cupola crowns the roof. The Randolph County (1909) and the Iredell County (1899) courthouses are two of the most ornate Wheeler buildings, employing ornament and massing characteristic of this vernacular Beaux-Arts phase of the Neo-Classical Revival. The Stokes County (1904), Avery County (1904), and the Ashe County (1904) courthouses are more conservative representatives of the Wheeler style, while the Anson County (1913) and Halifax County (1909) courthouses display a more academic handling of the Neo-Classical Revival in their less active skylines and dominant porticoes.

In the Lee County Courthouse (1908), designed by Charles McMillan, the large scale, dome, and matching porticoes anticipate the most popular features of mature Neo-Classicism, here forcefully but awkwardly integrated into the overall design.

Toward the end of the first decade of the twentieth century a more mature and assured handling of the style emerged, as seen in the 1907 Madison County and 1914 Jackson County courthouses' well-proportioned pediments and dramatically scaled cupolas. The buildings were designed by the architectural firm of Smith and Carrier of Asheville, N.C. R. S. Smith had been associated with R. M. Hunt at Biltmore. The cupolas are crowned by statues of Blind Justice, powerful symbols of the judicial function of the building.

The architectural firm of Milburn and Heister of Washington, D.C. exerted a great influence on courthouse design from the 1890s to the 1920s in North Carolina by directing courthouse architecture toward an increasingly academic character. The beginning of this quality is demonstrated in Milburn and Heister's Rockingham County Courthouse (1907), a two-story red brick building with quiet massing and restrained classical detail. The Henderson County Courthouse (1904) and the Pitt County Courthouse (1910) typify Milburn

and Heister's mature courthouse style, distinguished by tan brick skin, heroic porticoes and authoritative classical cupolas. The Wayne County (1913) and the Hoke County (1911) courthouses are also representatives of Milburn and Heister's familiar style: the wall surfaces are quiet, the form simple, and monumentality is achieved through heroic Ionic porticoes sheltering principal entrances in a park-like setting. This prolific architectural firm designed more than sixteen county courthouses in North Carolina during the early twentieth century.

The prosperous decade of the 1920s produced sixteen North Carolina county courthouses which embody the formal and academic character of the mature Neo-Classical Revival style. Overall, courthouses of this period are characterized by quiet facades, strict symmetry, lavishly decorated interiors, and simple skylines. Cupolas are generally absent, with the conspicuous exception of the Cherokee County Courthouse.

A leading architect of the period was Harry Barton (1876-1936) of Greensboro. Barton influenced courthouse design in the 1920s as Milburn and Heister did in the 1900s and 1910s. His courthouses, such as the 1924 Alamance County, 1921 Johnston County, 1924 Cumberland County, and 1918 Guilford County courthouses display an elegant use of stone and wood, simplicity of form, and thorough integration of classical motifs in handsome wood and plaster work.

In general, the courthouses of this period combine Roman and Greek forms and often the courtrooms borrow French and Italian motifs. The courtrooms of late Neo-Classicism are particularly noteworthy; they are the most handsome of any era. Harry Barton's Guilford County Courthouse, Catawba County Courthouse (1924), and the Haywood County Courthouse (1932), both designed by Willard G. Rogers of Charlotte, have courtrooms sumptuously decorated with plaster and woodwork employing many allegorical symbols of justice and elegant classical motifs. The courtroom, the largest chamber of the courthouse, is the focus of interior detailing. The layout with minor exceptions, is standard throughout the evolution of the building: judge's bench, jury box, and court officials are separated from the spectators by a simple balustrade. The wall opposite the bench contains public exits while the side walls are pierced by tall windows. The practice of marking the standards of the courtroom public seats with the initials of the county began in 1748. The Craven County court ordered that the new courthouse benches be "branded with appropriate identification."[1] Fine materials are employed in the decoration of the courtroom, and frequently the solemn nature is heightened by the display of the Ten Commandments, or Blind Justice, and the use of architectonic classical elements.

The Nash County Courthouse of 1921, designed by J. C. Stout, stands out as the only example of Colonial Revival style architecture in courthouses of this period. This style, based on America's own architectural heritage, was very popular in institutional and residential architecture in the 1910s and 1920s. The Nash County Courthouse design is inspired by the Federal style, and it exhibits delicate Roman and Adamesque ornament typical of the early nineteenth century style.

Frank Milburn's Buncombe County Courthouse (1927) is a radical departure from the conventional courthouse of this period. It is the first multistory courthouse, rising seventeen stories above Asheville's Pack Square. The building is an interesting solution to the design of highrise buildings, using setbacks and an overlay of classical ornament to enliven the vertical composition. Inside, the characteristic liberal use of fine materials and classical motifs is evident. This was Milburn's last courthouse in North Carolina, completed a year after his death in 1926, and its distinction as the loftiest North Carolina courthouse is unrivalled.

By the end of the 1920s there was a growing reaction to the historical eclecticism of architectural design. A trend toward modern theories of abstraction and functionalism began to be manifested in the reduction of form and ornament, although still in the classical tradition. The Caldwell County Courthouse, remodeled in 1929, exemplifies the flattening and restriction of ornament and the simplicity of form influenced by contemporary progressive architecture.

The 1930 Person County Courthouse, designed by Greensboro architect Charles C. Hartmann, combines the Neo-Classical Revival and modernistic styles. The form and ornament are classical, but the vertical emphasis, rectilinear and geometric ornament indicates a transition to contemporary principles of basics of shape, plane, and texture.

The modern aesthetic is more pronounced in the 1939 Lenoir County Courthouse, which is still classical in form, yet nearly devoid of traditional ornament. Instead, a modicum of flattened, geometric detail is used in this rare and important example of the sleek modernistic style. The interior is also of a streamlined design. The conventional cross hall plan is used, but fluid lines and strictly geometric details create a dramatic modern appearance. The Greene County Courthouse, built in 1935, is characteristic of the architecture of the Works Project Administration in its severe classical appearance. The building achieves a sense of monumentality through its straight forward design and sparse classical detail. The 1933 Alleghany County Courthouse, designed by Harry Barton, also conveys a monumental impact through its simplicity. While the Alleghany County Courthouse is not a Works Project Administration building, it is typical of the era in its conservative plan and lack of ornamentation.

"Colonial" styled courthouses became popular in the 1930s. The Pender County (1938) courthouse exhibits Georgian Revival proportions and detail. The Pender County Courthouse interior features handsome raised paneled wainscots and broken pedimented overdoors. In general, the scale and interpretation of colonial forms is academic.

Colonial styles continued into the 1950s, but a return to modern design was more popular. Along with the acceptance of modern styles, the courthouse lost its distinct and readily acknowledgeable identity as the county hall of justice. The familiar

porticoes and cupolas of the past two centuries were absent and often the new facility was located away from the traditional center square. The shift away from the courthouse square and the use of formats common to industrial and commercial buildings has produced, with few exceptions, from the 1950s onward, modern courthouses which are clearly modern but not so clearly courthouse.

A SIGNIFICANT FOCUS OF THE URBAN TOWNSCAPE

The establishment of counties as units of government in North Carolina and the erection of a courthouse resulted in the county seat becoming the political, social, and economic center of the county. The courthouse was a magnet that attracted people and business. When court was in session, the courthouse and surrounding area was a hubbub of activity. The courthouse square was the common ground on which town and county met, and the area around the courthouse naturally developed and was oriented towards it.

The most common townscape in North Carolina's county seats is the courthouse set in a square and surrounded by one and two-story late nineteenth and early twentieth century commercial buildings. Originally small wooden buildings irregularly set around the courthouse, these were replaced by the larger, more ornate stores which are crowded together along the street, facing the courthouse, and usually reflecting the period in which the town experienced its greatest economic growth.

Traditionally, as witnessed by Edenton's town green in front of North Carolina's oldest courthouse (Chowan County, 1767), courthouses have been placed so as to face or be in a special open area.[2] Today, the courthouse is often the only building in the urban center which still maintains a landscaped area--be it a large shaded square, grassy hillside, or a postage-stamp size lawn with simple foundations plantings. In some of the most recent buildings this historic precedent has been followed with terraced plazas an integral part of the courthouse's design. In sharp contrast with the surrounding man-made environment, the trees and landscaping often distinguish the courthouse from other nearby buildings and serve to focus attention on the site, sometimes more than the size or architectural character of the courthouse may warrant.

The placement of courthouses has followed three different patterns in North Carolina. In the earliest counties the courthouse was usually set on one of the corners of the town's main intersection. Since the town was already formed, this prominent siting signified the building's importance to all who passed through the precinct. Literally at the crossroads of the county, this type placement is still evident in Granville County. Later as new counties were formed and county seats were laid out in a grid pattern, the county commissioners would generally reserve the central square for the courthouse and other public buildings such as the clerk's office and jail. Such squares are the most common setting for courthouses in North Carolina. Some are heavily planted and have a park-like character as in Catawba, Cleveland, and Pender counties, while others have been reduced in area by the increase in the size of each new building

or additions to the old and by the encroachment of street and parking requirements as in Pitt County and Gaston County. In some cases the courthouse as the focus of the townscape is dramatized by placing the courthouse and its landscaped area so as to block vision along the town's main street or the roads leading into the county seat. The effect of such placement is strikingly illustrated by the siting of the Jackson County Courthouse with its ceremonial flight of steps leading up the hillside from the end of Sylva's main street. By placing the courthouse so as to block the view along the main roads leading into the county seat, the planners were able to create the impression that the traveler had arrived at the end of his journey, that this building was what the county's seat of government and justice was all about. This kind of siting is used in Chatham, Columbus, and Lincoln counties. In rural and thinly populated counties such as Currituck, Avery, Stokes, and Rockingham the courthouse was set along the main highway and supporting structures grew up across the road or were irregularly sited to the rear and sides of the courthouse. The courthouse, clearly the most important building in the county seat, is the key to the existence of these towns. Without it, they would only be a collection of buildings at the side of the road to somewhere else.

The present trend in courthouse siting, however, is away from the historical placement of the courthouse in a special open place. Governed by a combination of economics and convenience, commissioners are selecting new and larger sites outside the center of town for their new county courthouses. As county services are increased, demands for space grow, and users of the courthouse require convenient parking for their automobiles, the commissioners are abandoning the older buildings and downtown locations and following the lead of businesses out beyond the central business district to build contemporary, low-profile county government complexes. This removal of the courthouse as the focus of the urban townscape represents a diminution of the town's historic character and the negation of its raison d'etre.

Alamance County Courthouse (1924)
Alleghany County Courthouse (1933)
Ashe County Courthouse (1904)
Avery County Courthouse (1912)
Bertie County Courthouse (1899)
Brunswick County Courthouse (1844)
Buncombe County Courthouse (1927-28)
Caldwell County Courthouse (1904, 1929)
Catawba County Courthouse (1924)
Chatham County Courthouse (1881)
Cherokee County Courthouse (1926-27)
Cleveland County Courthouse (1905)
Columbus County Courthouse (1914-15)
Cumberland County Courthouse (1924)
Currituck County Courthouse (pre-1869, 1897)
Davie County Courthouse (1909)
Gaston County Courthouse (1910)
Granville County Courthouse (1839)
Greene County Courthouse (1935)
Guilford County Courthouse (1920)
Halifax County Courthouse (1909)
Haywood County Courthouse (1932)
Henderson County Courthouse (1904)
Hoke County Courthouse (1911)
Hyde County Courthouse (late 1850s)
Iredell County Courthouse (1899)
Jackson County Courthouse (1914)
Johnston County Courthouse (1921)
Lee County Courthouse (1907)
Lenoir County Courthouse (1939)
Lincoln County Courthouse (1921-23)
Madison County Courthouse (1907)
Martin County Courthouse (1885)
McDowell County Courthouse (1922-23)
Mecklenburg County Courthouse (1926)
Mitchell County Courthouse (1907)

Montgomery County Courthouse (1921)
Moore County Courthouse (1922-23)
Nash County Courthouse (1921)
Pender County Courthouse (1936)
Perquimans County Courthouse (1824)
Person County Courthouse (1930)
Pitt County Courthouse (1910)
Randolph County Courthouse (1909)
Rockingham County Courthouse (1907)
Richmond County Courthouse (1922-23)
Rutherford County Courthouse (1925-26)
Stokes County Courthouse (1904)
Surry County Courthouse (1916)
Swain County Courthouse (1908)
Transylvania Co. Courthouse (1873)
Tyrrell County Courthouse (1903)
Vance County Courthouse (1884,1908)
Washington Co. Courthouse (1918-1919)
~~Wayne County Courthouse (1913)~~ Deleted
Wilkes County Courthouse (1902)
Wilson County Courthouse (1924-25)
Yancey County Courthouse (1908)

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
__PREHISTORIC	__ARCHEOLOGY-PREHISTORIC	X COMMUNITY PLANNING	X LANDSCAPE ARCHITECTURE	__RELIGION
__1400-1499	__ARCHEOLOGY-HISTORIC	__CONSERVATION	X LAW	__SCIENCE
__1500-1599	__AGRICULTURE	__ECONOMICS	__LITERATURE	__SCULPTURE
__1600-1699	X ARCHITECTURE	__EDUCATION	__MILITARY	X SOCIAL/HUMANITARIAN
X 1700-1799	__ART	__ENGINEERING	__MUSIC	__THEATER
X 1800-1899	__COMMERCE	__EXPLORATION/SETTLEMENT	__PHILOSOPHY	__TRANSPORTATION
X 1900-	__COMMUNICATIONS	__INDUSTRY	X POLITICS/GOVERNMENT	__OTHER (SPECIFY)
		__INVENTION		

SPECIFIC DATES see inventory forms BUILDER/ARCHITECT see inventory forms

STATEMENT OF SIGNIFICANCE

The county courthouse in North Carolina is perhaps the most significant single governmental building; throughout most of the state's history, North Carolina has been an overwhelmingly rural place, where the county, not the town, is a dominant center of power and law. The county seat town is nearly always the major town, with its focus the courthouse. As a symbolic force and a functional center for community activity, the courthouse is without peer in North Carolina. The architecture of county courthouses reflects this importance, and in all but a few urban counties, the courthouse is often the grandest, most architectonic, and largest building from the county's history. Centrally located, often distinguished by a cupola or dome and imposing portico, the courthouse expressed in forceful terms its pivotal role in the community. Viewed as a group, the courthouses of North Carolina from the pre-Revolutionary period to the 1930s display remarkable continuity; the significance of each is enhanced by its context in the group as a whole. Throughout the entire group runs a unifying thread of classicism, restraint, and dignity appropriate to the role of the courthouse as a "temple of justice." This character undergoes various permutations from period to period, region to region, and architect to architect, creating identifiable clusters of related buildings. The temple-form buildings of the mid-nineteenth century for example, such as the already-nominated Northampton and Orange County courthouses were the most literal versions of this concept. In the late nineteenth and early twentieth centuries, certain architects enjoyed the favors of county building committees and produced notable bodies of work. The B. F. Smith Fireproof Building Company worked in an unpretentiously picturesque Italianate mode; the firm of Milburn and Heister of Washington, D.C. worked for decades in an increasingly sophisticated Beaux-Arts Neo-Classical vocabulary; Greensboro architect Harry Barton worked in a suave Beaux-Arts character; and Wheeler and various associates of Charlotte produced a number of distinctive Neo-Classical courthouses in western counties. In the 1930s, classicism continued in the tradition-based Neo-Colonial mode and in a modernized version as well. Each of the courthouses nominated is significant architecturally and historically in its own right; beyond this, as recognized in the nomination of the entire group of North Carolina courthouses eligible for the National Register, these buildings are a totality of great architectural, symbolic, and historical importance to the state.

Criteria assessment: (A) The courthouse in each county has been associated for however long it has stood with the broad patterns of county life, as the center of the local county political process, the administration of justice, and a social and cultural focal point. On a statewide basis, the courthouses have been the subsidiary outlets of political processes and the law.

(B) The courthouses are associated with the political leaders and outstanding as well as undistinguished lawyers, judges, county officials of each county. Typically, when important people visit the county they visit the courthouse. Most courthouses were designed by well-known architects or builders of the period. Specific information on inventory sheets.

(C) The courthouse nearly always represents the most ambitious architectural undertaking of its period and place, and in sequence represent the conservative interpretations of the successive styles popular in the nation and region, thus embodying distinctive characteristics of types, periods, and methods of construction.

In addition, the courthouses individually vary from having great architectural merit and historical significance to being relatively undistinguished. However, they do as a group "represent a significant and distinguishable entity," as vital in their totality to the architectural and political history of the state.

Almost from the time of its inception, the county has functioned as the chief unit of local government in North Carolina, and the county courthouse has been the physical and symbolic embodiment of local government and justice. In 1663 King Charles II of England granted to eight lords proprietors a portion of land which included what is now the state of North Carolina. In 1669 these men adopted the Fundamental Constitutions prepared by the philosopher John Locke which established a plan for the government of the provice. Although the Fundamental Constitutions were not a success in proprietary North Carolina, they did provide the basis for the later county court system by creating precinct courts which were responsible for the judicial and governmental functions of precincts throughout the colony. Under the precinct system there were no courthouses for many years. Rather the courts usually met in a private home, often in the home of a litigant. Then in 1722, the colonial assembly passed an act that established the precinct courts at definite places and authorized the justices of each precinct to purchase an acre of land and build a courthouse.

In 1728 seven of the eight lords proprietors sold their interests in North Carolina to the king, but local government still remained in the hands of precinct officials. In 1738, however, the assembly passed an act by which the precincts became counties and the precinct courts became county courts.[3]

From Colonial times until 1868, the main power of county government rested with the justices of the county courts. As one authority on county government has pointed out, "when sitting as a county court the justices not only exercised judicial functions, but performed the services now performed by the board of county commissioners, and, in addition, certain duties which grew out of the conditions of the time." Among the duties assumed by the justices was the responsibility for insuring the construction and maintenance of public buildings, mainly jails and courthouses. The new state constitution of 1868 created a new plan for county government known as the township and County Commissioner Plan. Under this scheme the governmental and administrative powers and duties which had been the function of the county court then passed to a board of five county commissioners who were elected by the voters of the county. Thus the responsibility for building and maintaining courthouses and jails was transferred to the county commissioners who still bear that responsibility.[4]

Early courthouses in North Carolina were usually small buildings which contained a courthouse, jury room, and sometimes the jail. As the responsibilities and population of the counties increased, the buildings were enlarged to include the offices of administrative officials and to provide storage for the increasing volume of county records.

The location of the county seat has always been a major consideration among county inhabitants. For the most part, the county seats have been located near the geographical center of the county and usually near an important road crossing.

Courthouses have not, however, always been located in a county's largest town. This may have been because the change in transportation systems (such as the transition to railroads) or economic conditions drew trade to rival towns. Also the type of people who attached themselves to county seats, lawyers, politicians, officeholders, and ex-officeholders--some of whom drew their sustenance from the public purse and were not interested in industrial development--frequently were not devoted to the physical and economic growth of a community. But in most cases, towns have sought the establishment of the county seat as a way of increasing prosperity and drawing trade and recognition. Rivalries have often developed between towns seeking to have the county choose their location as the site for a courthouse. In the early twentieth century, in fact, the merchants and leaders of a few towns made sizeable financial contributions to the building of courthouses in order to have them placed in their communities.[5]

Today it is left to the discretion of the county commissioners as to whether an existing building should be repaired or a new one built, but they frequently accept the advice of an architect. They are subject to indictment by the county grand jury if they fail to insure the existence of a courthouse that is sufficient for conducting the business of the county. The commissioners also decide what the cost and dimensions of a new structure may be, and they are empowered to raise taxes in order to finance its construction. But the state legislature may prescribe the limits of expenditure or impose other specifications or restrictions, and the commissioners must abide by these instructions.

In order to encourage the construction of new and better courthouses the legislature in 1923 passed a supplementary act authorizing county commissioners "to issue bonds or notes for the purpose of borrowing money with which to erect, build, construct, alter, and repair and improve courthouses and jails, and to purchase the necessary equipment and furniture to be sued therein."[6] This stimulated courthouse construction, as witnessed in the many built in the 1920s. Since that time many counties have used this means to finance new courthouses, and presently they may also apply for federal aid in construction

Throughout North Carolina's history the county courthouse has been more than a seat for dispensing local justice. Traditionally it has housed the records of the citizens and the offices of the agencies which carry out the day-to-day duties of running the county. In the past it has also been a gathering place for social functions, political meetings, and a place to come in time of an emergency. It has stood for many years as a symbol of local government, an institution which, according to some authorities, is vital to the welfare of a state's inhabitants. As one authority, Paul Woodford Wager, has written, "there ought to be some unit of local government small enough to permit acquaintance among the citizens." He further points out that "in naming the counties and county seats, the state has honored many of its 'favorite sons'" and "to read the list of counties is to read the names of the men in North Carolina's Hall of Fame. . . ."[7] For these reasons the residents of North Carolina have always identified with the county courthouse both as a part of their everyday lives and a symbol of their heritage.

Footnotes

[1]McCain, Paul M., "The County Court in North Carolina Before 1750," Historical Papers of the Trinity College Historical Society, Vol. 31 (Durham: Duke University Press, 1954), p. 38.

[2]Price, "The Central Courthouse Square," p. 31.

[3]Paul Woodford Wager, County Government and Administration in North Carolina (Chapel Hill: The University of North Carolina Press, 1928), pp. 2-4.

[4]Wager, County Government and Administration, p. 7.

[5]Wager, County Government and Administration, p. 42.

[6]Public Laws of North Carolina, 1923, c. 143.

[7]Wager, County Government and Administration, pp. 40-41.

9 MAJOR BIBLIOGRAPHICAL REFERENCES

McCain, Paul M. "The County Court in North Carolina Before 1750." Historical Papers of the Trinity College Historical Society. Vol. 31. Durham: Duke University Press, 1954.

Price, Edward T. "The Central Courthouse Square in the American County Seat." Geographical Review. 1968.

Public Laws of North Carolina. 1923.

10 GEOGRAPHICAL DATA

(Unless otherwise noted, the courthouse and its square or lot are nominated.)

ACREAGE OF NOMINATED PROPERTY see inventory sheets

UTM REFERENCES

	ZONE	EASTING	NORTHING		ZONE	EASTING	NORTHING
A				B			
C				D			

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME / TITLE Description prepared by Mary Ann Lee, Survey Consultant
Significance prepared by Joe Mobley, Researcher

ORGANIZATION Division of Archives and History

DATE

STREET & NUMBER 109 East Jones Street

TELEPHONE 919-733-4763

CITY OR TOWN Raleigh

STATE North Carolina 27611

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL ___ STATE X LOCAL ___

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

TITLE State Historic Preservation Officer

DATE December 6, 1978

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE

DIRECTOR, OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION

ATTEST: DATE

KEEPER OF THE NATIONAL REGISTER

YANCEY COUNTY COURTHOUSE

Historical Sketch

In 1833 an act of the state legislature created Yancey County from Burke and Buncombe, and the following year the first county court was held in Cane River Church. The clerk of court was the first man convicted of a crime in the county. In April, 1834, Burnsville became the county seat and a temporary wooden structure was built to serve as the county headquarters until the first permanent courthouse was constructed of brick in 1836.[1]

In 1907 workmen demolished the building and converted the site into a "shady grass square." Work began on a new courthouse which was completed in 1908. Because of the difficulty of transporting building supplies in the mountains, many of the materials of the old structure were used in the new two-story concrete block building. All the old bricks were used, and the concrete for the molded blocks is said to have been "pulverized by hand." One authority on the courthouse has described conditions in the courtroom when court was in session:

> . . . the clamour was so loud that testimony could hardly be heard. The reek of chewing tobacco and whiskey, seasoned in the early spring with that of fresh ramps, and intensified in the winter when a little wood stove glowed red hot and the temperature in the unventilated room grew stifling hot, was disconcerting and offensive to the tender sensitivities of young lawyers whose circuits included Burnsville.

According to local tradition North Carolina author, Thomas Wolfe, once testified in the Yancey County Courthouse about a street shooting he supposedly witnessed while visiting Burnsville. The 1908 structure was replaced by a new building in 1965.[2]

Architectural Description

The former Yancey County Courthouse, erected in 1908, is a two-story early Neo-Classical Revival style building. It has served as the headquarters of Burnsville's police department since 1965, when a new courthouse was constructed on the opposite end of the town green. The building is constructed of stuccoed cement blocks and features a central pedimented entrance pavilion surmounted by a blocky cupola. The corners of the main facade contain unusual polygonal projections similar to those found on the 1907 Mitchell County Courthouse. The five center bays of the main facade are divided by Corinthian pilasters, and the windows are replacements.

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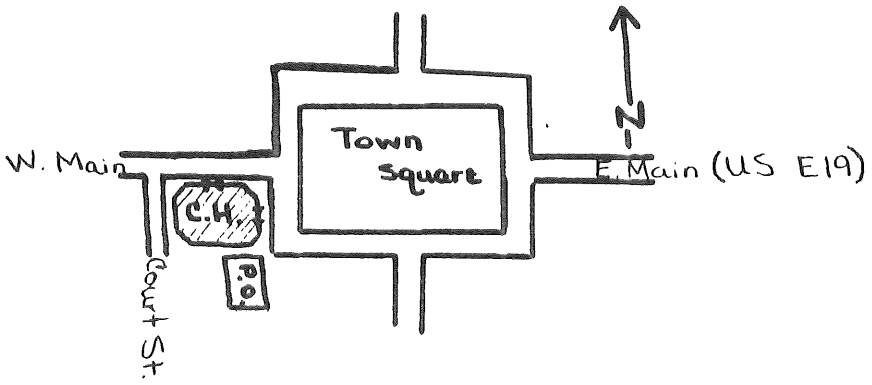
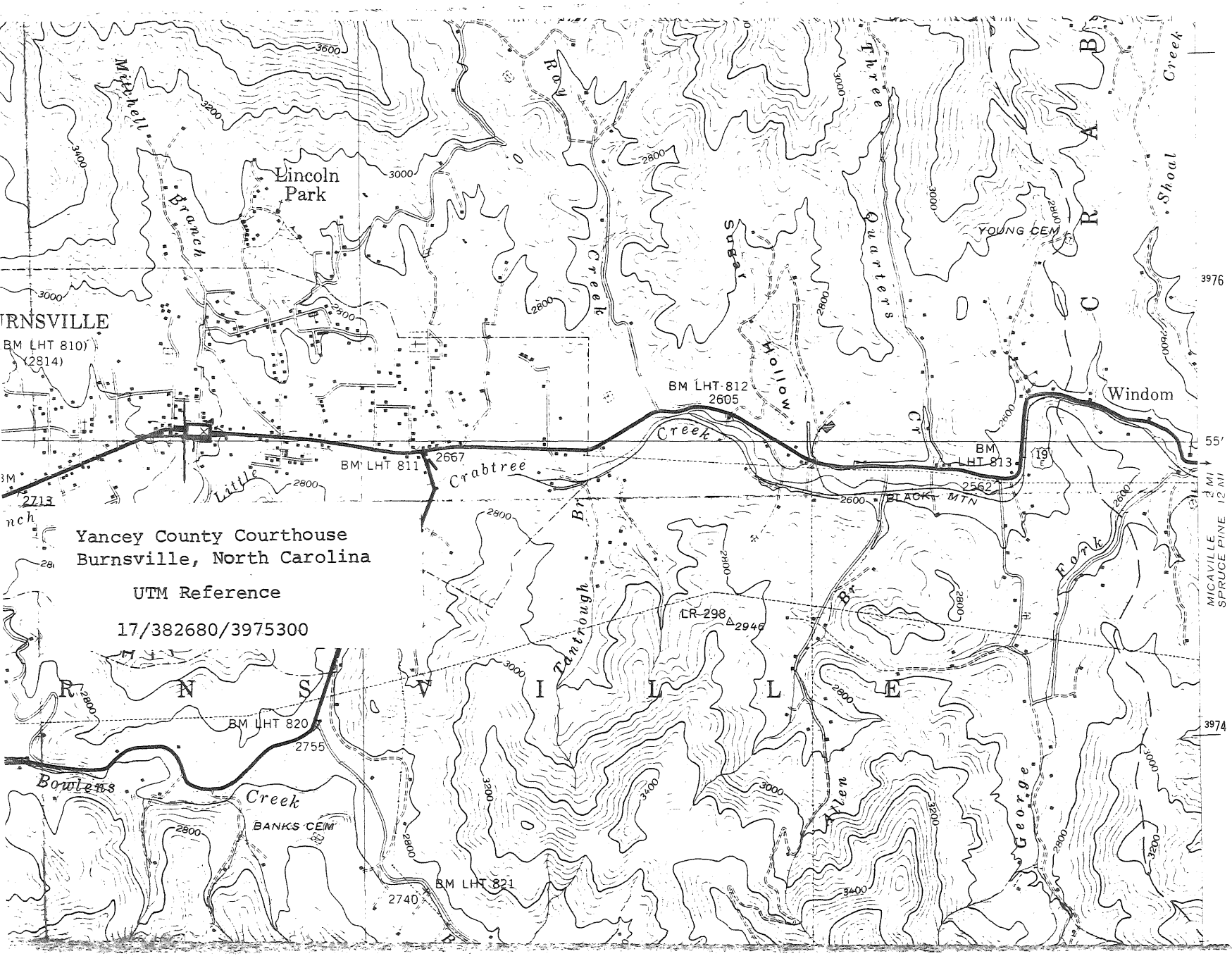
[1] Olds, Story of the Counties, p. 64.

[2] Mrs. Donald Burhoe, Yancey County Courthouse, an unpublished research paper, in An Historical Survey of the Courthouses of North Carolina, compiled by the National Society of the Colonial Dames of America in the State of North Carolina, October, 1966.

Address: Mark Bennett, Mayor, Town of Burnsville, PO Box 97,
Burnsville, NC 28714
Acreage: less than one acre
UTM reference: 17/382680/3975300
Verbal Boundary Description: The courthouse is bounded to the south by the Post Office building, to the east by Main St., to the north by W. Main St., and to the west by Court St.




Yancey County Courthouse
Burnsville, North Carolina
UTM Reference
17/382680/3975300
Lincoln Park
Mitchell Branch
Raw Creek
Sugar Hollow
Three Quarters Cr
Shoal Creek
YOUNG CEM
Windom
BM LHT 812
2605
BM LHT 811
2667
BM LHT 813
2562
Crabtree Creek
Little
BLACK MTN
Tantrough Br
LR 298
2946
Allen Br
George Fork
BM LHT 820
2755
Bowlens Creek
BANKS CEM
BM LHT 821
2740
3976
3974
55'
MICAVILLE
SPRUCE PINE
12 MI