



An old photograph from the Callahan collection from the Eastern Shore Public Library shows the historic Northampton Circuit Court Clerk's office and the former county jail in the background.

The missing jail of Eastville

A search for a structure that no longer exists on the courthouse green

Northampton County is known for its ancient court records and its lovely courthouse green. With its old courthouses, debtor's prison, twentieth-century jails, and clerk's little office, this small patch of ground enchants the his-

tory-minded visitor.

Tourists, school groups, and nostalgic locals pause here to imagine the footsteps of lives gone before. For more than 300 years, uncountable life-altering decisions have been brought to and

from this ground by folks just like us.

This court green at Eastville has been here since before the birth of George Washington, although it was probably just a mess of paths, horse troughs, and scraggly grass in those

days. Now it is a well-studied plat of land.

The first courthouse to stand here, the one that made this land a public lot, was built in 1715. That courthouse was made of wood and had an earthen floor except where the judges sat; they were on a raised platform of pine planks.

That wooden house of justice was used for 16 years until the construction of a brick courthouse in 1731. For 64 years that first brick courthouse served the county, and then a new brick courthouse was built about 30 yards to its west.

The older brick courthouse was then sold for as long as it survived, but the ground beneath it remained the property of the county. The new courthouse of 1795 served the county for a good hundred years and then was replaced in 1899 by a two-story brick courthouse that still stands and looks to be of mixed Colonial Revival and Federal design. You can be the judge of that.

Every court must have a clerk, and Northampton is well-known for the work of its clerks. From 1632 to today, their records are preserved intact. No other county in the country can truthfully make that claim.

In the very early years of our history, it was the custom for the most senior justice to keep the records in his home, but in 1696, before the court came to this field now known as Eastville, we hear of the records being stolen out of the courthouse by Samuel French who was, apparently, trying to make a point. Perhaps the point was made, as the books were then again kept by a justice, but in 1706, John Custis of Hungars told the court that he would keep the records only until the clerk could find a convenient and

The writer of this piece, Jenean Hall, is a retired school psychologist. She lives near Onancock and is writing a history of the Eastern Shore in early colonial days. For contributions to support the protection of resources such as the Callahan photographs, contact Eastern Shore of Virginia Library Foundation, P. O. Box 554, Accomac, VA 23301. For more information about the Eastville jails and courthouse green, contact Northampton Historic Preservation Society, P.O. Box 501, Eastville, VA 23347.

CONTINUED NEXT PAGE

The missing jail of Eastville

FROM PREVIOUS PAGE

safe place for those books, a place that allowed accessibility to the public.

Surveyors' plats show the earliest courthouses and jails on the Eastville green, but they don't show a clerk's office. As far back as 1710, the General Assembly ordered the county clerks to preserve papers and file them "in the office," so it is thought that a place for filing did indeed exist.

In 1792, the Assembly instructed that each county's next clerk's office was to be constructed of brick and roofed with tile, lead, or slate. In Northampton, a small brick building, known as the little clerk's office, has survived to this day. Its plain exterior belies the dark, paneled cabinets and white plaster of its interior.

Those who estimate its age are not in agreement. The informative exhibit inside the 1899 courthouse suggests that the little office was built after the 1792 law; however, others, (such as myself) suggest that Northampton County people didn't wait for the mainlanders to tell them what to do and how to do it.

With nothing more than a guess based on countless hours of reading the records, I suggest that the little office was built between the time of the first and second brick courthouses of Eastville, and I believe it was built at the private expense of one of the clerks with the help of, perhaps, a wealthy and highly influential brother-in-law. Getting those heavy flagstones of the floor into place took money and manpower. That no record has yet surfaced to account for those stones seems odd, yet those stones are indeed there. It is a story waiting to be told.

And then we have the jails. Two jails still stand upon this green. One was built in 1907, but quickly proved too small for the needs of the county, so in 1914, another new jail was built. The first of these jails looks like a brick utility shed, and the other resembles an old two-story high school.

I hate to admit this — considering that I've been painting myself as a sort of historian — but these jails don't really interest me. It's a personal bias; none of my ancestors who may have been arrested and confined ever served any time in these twentieth century structures. I did have a great-grandmother who would exclaim, "I wish I was in Eastville Jail!" It was her expression of supreme annoyance.

It's possible my great-grandmother was referring to the 1907 jail or the 1914 jail, but I'm pretty sure she was invoking an earlier jail, the one she would have known for the first 30 years of her life, the one that was present when she and my great grandfather came to Eastville from Bridgetown to inquire of a marriage license.

On that happy day, she may have pointed to the jail and said, "That's where my great uncle spent three months during the war." My great grandfather could have added, "My grandpa spent a few days there when my grandma had him arrested."

More than likely, that promenade didn't happen. The courthouse square was not then conducive to a stroll: it was not yet green and lush. Scruffy, dusty, and well worn paths crisscrossed the yard. To get to the clerk's office, one had to walk between the courthouse and the store that had been a courthouse, or climb a fence from the path sloping toward Sugar Run, or gather one's skirt to chance the narrow steps east of the jail wall. No doubt, my great-grandparents took the unob-

CONTINUED NEXT PAGE



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The missing jail of Eastville

FROM PREVIOUS PAGE

structed walk in front of the courthouse. From there, as from all those paths, the old jail was partially visible.

That jail where my fourth great-uncle spent three months in the summer of 1861 for having stated that "owners have no property rights in their slaves," that jail where my third great-grandfather spent at least a night for finally having reached his wife's breaking point, is missing.

Missing is, perhaps, the wrong word. We know it existed. We know it was dismantled in 1913. What we don't know for certain is where it stood.

In a letter to the editor of the Eastern Shore Herald on Oct. 31, 1913, the president of the local chapter of the venerable Association for the Preservation of Virginia Antiquities, Mrs. William Bullitt Fitzhugh — venerable herself — reported to the public that her organization had been tearing down "the old jail and walls adjoining these buildings so as to use the old bricks in the foundation of the new jail."

She said "the walls and part of the jail had been torn down" when the supervisors of the county "sold the remaining portion of the old jail to the contractor of the new jail, thus relieving the ladies from any further responsibility in the matter."

In 1913, a building called the "new clerk's office" was still on the green; it was to be removed to make way for Mrs. Fitzhugh's organization to preserve the 1731 courthouse. Their plan for preservation included moving the old courthouse a bit to the north and west to stand upon what was then the northern boundary of the green, the south side of the alley.

According to the Northampton Supervisors' minutes of December 1913, Mr. Henry W. Roberts Sr. removed and cleared away the debris of the "Old Clerk's Office." Three years earlier, a newspaper article titled "A Quaint Town" described the historical buildings of Eastville. The older old clerk's office was said to be "well built and well preserved," the debtor's prison was noted to adjoin "the criminal jail," and the 1731 courthouse was called a "quaint and unpretentious structure." No mention was made of the newer old clerk's office; apparently, it was uninspiring. Certainly no one was inspired to save it.

It's perplexing and interesting that no definitive



A photograph of the historic Northampton Circuit Clerk's office today. Photo courtesy Jenean Hall.

photograph of the old jail has surfaced, but three photographs exist that show a suspicious building; or, perhaps I should say, a suspect building.

Two of these three photographs are in the Doran S. Callahan Collection housed in the archives at the Eastern Shore Public Library. One of these is labeled "Jail," but its center is the oldest old clerk's office. To the left behind this clerk's office is the well-known debtor's prison. To the right is a white-painted brick wall with door and the narrow steps between this wall and the newer old clerk's office.

In the back, behind all this, is a two-story structure, its front wall painted white to a level that probably matched or exceeded the wall of twelve and a half feet coming off the back of the debtor's prison.

In December 1906, the game warden of Northampton, S. Thomas Nottingham, captured two men and about 60 illegally taken ducks. One man was fined, and the other was fined and jailed at Eastville. (The ducks were sold to several people in town.) That night, in the midst of a howling rain storm, the errant hunter and another man escaped from the jail.

From the newspaper report, we learn this about

that jail: It had bare walls, at least one second story window, heavy iron bars at the windows, a yard, and a back wall tall enough to warrant two blankets to make the rope for its scaling.

A couple months later, two more men flew the coop. From this escape we learn that the "very old building" had a 28-inch foundation of "exceedingly soft" bricks. The men pulled up a floor board, then pried through the bricks with an iron bar they'd torn from a window.

Two stories. Crumbling brick. Walls adjoining.

In 1865, a correspondent from the Philadelphia Inquirer described the Eastville jail as "a two-story brick building." A newspaper article of the late nineteenth century told of a "lunatic" who locked himself inside the jail; the door had to be broken to get him out. In 1900, the Virginian-Pilot said the jail was "a small one."

After the escapes of 1906, the county decided to build a new jail. The local newspaper reported that the new jail was "to be located in the rear of the present one."

CONTINUED NEXT PAGE

The missing jail of Eastville

FROM PREVIOUS PAGE

Shuffling through the known buildings, we rule out the courthouses because they aren't lost and, anyway, they didn't adjoin the wall. We rule out the debtor's prison, because it was never torn down. We rule out the old clerk's office, because it was never torn down. We rule out the other clerk's office because it never adjoined the wall, didn't have two stories, and was torn down under a separate contract. What's left?

What's left is the two-story brick structure in the background of the old photo. No other building is possible. No other structure had two stories, was adjoined to the wall, and was to the front of the 1907 jail. That's it.

That's where Northampton County sequestered Uncle David for his stunning words about slavery. That's where Grandpapa James learned a lesson too late to save his marriage. And when Mama D got mad enough, that's the jail she invoked. The Eastville Jail!

Indeed, once we realize what we've been seeing in this photograph, more questions surface. When was it built? Was it the first two-story jail? What was its design? Did that rear wall — twelve and a half feet high off the back of the debtor's prison — stretch across the back yard and connect to the old jail as it did to the clerk's office? Did its only door face the back of the clerk's of-

ice? Was the jail a companion building to the clerk's office? Was it built within what was then the bounds of the public lot?

In 1920, a deed between father and son for "the Wescott Lot," answers the question about what land that jail stood upon. The deed notes the south boundary of the lot as being "a certain alley extending along the northern edge of the County Courthouse property, known as 'Jail Alley.'"

It took a long time to be convinced that the two-story building in those old pictures could possibly be squeezed into what seems a small space between the back of the clerk's office and the northern edge of that alley. Knowing all I'd learned, I took a good copy of the old Callahan photograph to the near-exact spot from where it was taken over a hundred years ago. Astonishing! Clarity into the past can take your breath away.

The research awaits you. The court

records, the microfilm, the collection of books, photos, and papers can be found in places such as our own Eastern Shore Public Library. This repository is supported and protected by the foresight of citizens who appreciate the value of our family and community stories, and — right now — they need our financial contributions to build a new archive for protecting such treasures as the old Callahan photos of the Eastville Jail. (Believe me, I had to have it in my hands to discover nuances that escape the current copies available on the internet.) And with that thought in mind, maybe those two jails still standing on the Eastville green are worth saving in some shape or form. Jails are never first on anyone's list unless, perhaps, like my great grandmother, you're highly annoyed and in search of what looks to be a better place.

WRITTEN BY JENEAN HALL

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