

Jail History is Tied Closely With Courthouse Construction

By F. C. SALISBURY

(Editor's Note: Completed this summer was the new county jail. This marks the end of a phase in county history. The events preceding this "new era" are reviewed in the following article.)

Following the establishing of Carteret precinct or county from Craven in 1722, the General Assembly proceeded to appoint the necessary officials to carry out the official business of law and order for the new county.

As in other counties of the colony, the administrative powers were in the hands of the justices of the peace, duly appointed by the governor for life. First named to fill these important offices in Carteret County government were John Nelson, Richard Rustuff, Enoch Ward, Joseph Bell and Richard Whitehurst.

These men constituted the county court as well as having control of almost every aspect of local government and administration. The court appointed, or nominated to the governor for appointment, the sheriff, constables, overseers of roads, searchers, patrolmen, inspectors, town commissioners and almost all local officers except the clerk of court. The county court not only tried cases but levied taxes and exercised wide administrative powers and social and economic control.

The sheriff, the major executive official of the court and chief administrative officer of the county, was appointed by the governor for a two-year term, from a list of three names sent in by the county court. But the persons thus nominated had to be justices of the peace at the time of their nomination, though they were not allowed to serve as justices and sheriff at the same time.

The election machinery was in the hands of the "courthouse ring" the sheriff being the chief elective official. Though the sheriff and clerk of the court were elected by the people after 1832, the people had little voice in, or control over, their own county government, which was in the hands of the county court.

Building Goes Up

Setting up the county government called for a place in which to conduct court as well as to record legal documents. To meet this need, a frame structure is said to have been built on Craven Street, about on the present site of Purvis Chapel.

The only record of such a building is mentioned in a deed given by Richard Rustuff and Ross Bell in 1724 to St. John's Parish for a lot, the description of which appears in one of the early recorded deeds in the county.

The deed, in substance reads: "Richard Rustuff of the Precinct of Carteret, County of Bath and Ross Bell, know ye that we the said Richard Rustuff and Ross Bell, commissioners authorized and empowered to put in execution an act of the Assembly entitled an act for incorporating the seaport of Beaufort in Carteret Precinct into a township by the name of Port Beaufort, for and in consideration of the sum of ten pounds in hand paid to Richard Rustuff by Joseph Bell and Richard Williamson, Church Wardens of the Parish of St. John's and the rest of the Vestrymen of the said Parish the receipt whereof is hereby acknowledged do hereby in pursuance of the said act give, grant, bargain, sell... unto the said church wardens and vestrymen and their successors all that half acre or lot of land lying and being in Beaufort Town in the precinct of Carteret aforesaid together with the house now erected thereon, it being at present the house appointed for a courthouse for the said precinct, which said

house and half acre or lot of land as shown and distinguished in the plan of said town as number (000). To have and to hold... Dated June 2, 1724

Richard Rustuff—Ross Bell" On the basis of this entry, this building has been accepted as the first seat of justice in Carteret County.

Either this building, or another, erected by the Episcopal society following the Revolution, was purchased by James T. White shortly before the Civil War and moved down on Front Street and used as a store. It was destroyed in the great storm of August 1879.

There is no record stating where court was held after the sale of the Craven Street property to St. John's Parish until some 25 years later. It could have been that the first building served both as a seat of justice as well as a house of worship. Then again court might have been conducted in one of the homes of the justices.

Prison Authorized

To keep law and order in the new town and punish offenders by jail imprisonment, the court authorities ordered the building of a prison in 1736. Records under date of that period read: "The occasion of the institution of a prison at Beaufort, in 1736, was the temper of Captain Ebenezer Harker who came into the home of James Salter of Beaufort Town, and there in a contumacious and insulting manner, in the face and presence of His Majesty's justices of the peace and divers other, did call Thomas Lovick, chairman of this court, several abominous and scandalous names, and indulged in profanely abusive language.

"Therefore the court decided at once to erect a prison for the good and benefit of the precinct on lot number seven, now part of Queen Street, converging on Front."

One-story Courthouse

In the early part of 1750 a second building was erected to serve for the next 85 years as a courthouse. This was a one story structure, located at the intersection of present-day Ann and Turner streets. After the building of the third courthouse on the public square, this small structure was moved to a lot on the corner of Ann and Turner Streets, where through the years it has been serving as a dwelling known as the Cramer-Carrow-Thomas house.

The purchaser of the small wooden courthouse is thought to have been Edward Denbey who moved it where it now stands. Under date of March 19, 1849, Denbey deeded the house and fence to James Hunt. It was from Hunt that Dr. William Cramer bought



Photo by F. C. Salisbury

No picture can be found of the brick courthouse in use during the early 20th century. This, however, is a picture of a group of pupils taken in front of that building. The courthouse had a brick foundation and was of stucco. The small-pane windows had wooden shutters. If anyone can identify some or all of the persons in the above picture, THE NEWS-TIMES would be happy to hear from you.

well as by divers acts of the General Assembly and having been set aside by the authorities of said town for the purpose. Deed signed by W. J. Bushall, Mayor, William Alexander, Jacob L. Gibbs, W. S. Robinson, James B. Noe, John E. Henry."

Simplicity Marked the Style

of the third building known for many years as the Colonial Courthouse, which was erected on the southeast corner of the Public Square, surrounded by many of the beautiful oak trees standing today. It was of brick construction, some 50 x 60 feet, two stories and a "jump" high.

The main entrance faced Broad Street. No pillared porch graced the front nor cupola surmounted the roof. After sixty years of exposure to the weather, the red bricks of both the courthouse and jail were covered with stucco.

From the main entrance a wide stairway led to the court room above. To the right was the office of the Register of Deeds. Two rooms at the rear served as office of the Clerk of the Court and the clerk's library. There was no office space for the sheriff in this building.

Until recent years it was left for the sheriff to maintain his own quarters. At one time the office of sheriff was on the second floor of a building at the corner of Front and Turner Streets.

Court Room

The entire second floor was given over for a court room. The judge's bench at the north end with space for lawyers and witnesses was enclosed with a railing, as was the jury box along the west wall. Long benches served the spectators. A narrow stairway lead to the "jump" which was used by grand and trial juries.

About the entire square was a fence of palings which was kept whitewashed. Court was called by the bailiff or court crier from the front door by a large hand bell.

When first constructed, the white stucco jail house still standing on the courthouse square provided living quarters for the jailer and family on the first floor with the cells above for prisoners. In later years a house adjoining the jail was erected for the jailer. Through the years interior changes were made to the jail.

Steel cell blocks replaced the old heavy wooden doors and crude locks. A small addition was built to care for women prisoners. Otherwise the ancient structure has changed but little in its 100 years or more of housing wrongdoers.

Among the jailers of past years was Bill Piver. During his term of office three hangings took place, the only executions ever to occur in Carteret County. These hangings were in the 1870's. Mrs. Piver made the black hoods that covered the heads of each criminal.

The first execution took place Feb. 3, 1871 when Dummer Harget was found guilty of the murder of Absolon Fisher. This hanging took place in the jail yard. Sent from Onslow County for trial was the case of Lawyer Bryan for the mur-

der of Michael P. Langley. For some unknown reason this hanging took place within the jail.

The third man "to be hanged by his neck until he was dead" was Edward Foy, guilty of the crime of rape. This event is said to have been a gala day for spectators who flocked from far and near to witness Foy pay for his crime. The scaffold for this hanging was out on the Public Square. John D. Davis was serving as sheriff at the time of these three executions.

Family Occupation

Following the death of Piver, his wife married Nath Chapman. They became the parents of R. M. Chapman who died the past year after serving as jailer and deputy for 31 years.

Math Chapman, serving as jailer and tipstaff of the court, is described as being a regular major dcmo in his court duties. He enjoyed announcing that court was about to come to order, with his cry of, "Oyez, Oyez, the honorable court of Carteret County..."

He is said to have been a man with a sense of humor and a smiling countenance. Along with his court duties he conducted a small store near the jail. This store was the mecca for school children, after the building of a public school on the Square in 1885. One cent would buy a stick of candy or a pickle.

Another jailer who had a long term of office was David B. Congleton, serving for 32 years. While acting as jailer under Sheriff Alvin Willis in 1899, a lynching mob from Bogue came to the jail at night and at gun point demanded Lewis Patrick who was being held for the murder of Elijah Weeks of Bogue.

After the capture of Patrick he was taken to Beaufort before Thomas Parkins, a magistrate, who after asking him if he wanted to be tried before God or the law, ordered him jailed and to be shackled to a ring in the floor of his cell to await trial. Lynch law settled his case. Upon urging of the mob, Congleton assisted in removing the shackles from the prisoner.

William H. Congleton, son of the jailer, recalls seeing the mob, coming and going to their boat, passing his house on Moore Street. The boat that brought the men from Bogue tied up near the end of Ann Street. During one year while Congleton served as jailer there were no prisoners confined in the jail.

In the center of the square, about where the present courthouse stands, was the baseball diamond, where many a hard-fought game took place between teams from Morehead City and New Bern against the Beaufort team.

Frequently the teams took time out to "kill the umpire" or settle arguments among themselves. Often the battles were not over until the boat carrying the visiting team left the dock.

After many years of discussion, the need for a new courthouse was admitted by the citizens of the county. The old courthouse was too small to meet the requirements of public business of the county, and moreover, the public records that had accumulated for more than one hundred years were subject to loss by fire at any time, as the old courthouse had no fireproof vault of any description.

Bonds Issued

Twenty-five thousand dollars in bonds were issued for the construction of a new building. Work was started in 1907 and completed the following year. The first session of court in the new building was held Oct. 19, 1908.

For several years following the erection of the new building the old courthouse was used mostly for storage and offices of minor county officials. In June 1915 a notice appeared in the Morehead City Coaster stating that the old courthouse would be sold to the highest bidder, to be moved within 90 days after date of sale. The building was purchased by Ike Ramsey of Beaufort and torn down for the material it contained.

Law enforcement in the early days of the precincts or counties was administered by a provost marshal. He was the executive officer of the county by appointment of the governor. In 1738 the title of his office was changed to sheriff.

Diligent search among the early records of the county fails to bring to light the names of those men serving Carteret County as provost marshals up to the time of the change over to that of sheriff. Rated as the major executive official of the court and chief administrative officer of the county, sheriffs of early days in the county bear the names of some of the most prominent men of their time.

First Sheriff

First mentioned, following the abolishing of the office of provost marshal and creating that of sheriff in 1737, is the name of Samuel Chadwick. The term of office as established by the assembly was for two years, remaining so for 209 years, when in 1946 the term was changed to four years.

Appointments of sheriffs by the assembly were very irregular. For that reason the names of two sheriffs often appear as serving during the same year.

Joseph Bell Sr., and Joseph Jr., according to the records, held the office for 15 years following Chadwick. Distinction is not always made in the records between senior or junior so it is difficult to assign the term of office to each.

Following the Bells, were Daniel Rees, 1756; Joseph Fulford, 1758;

Refugees Co-operate

Nanaimo, B. C. (AP)—A house-building co-operative has been formed here by 25 refugees from Hungary. All are qualified journeymen, and they aim to build about 20 brick homes.

Robert Read, 1763; Thomas Chadwick, 1769; Solomon Shepard, 1775; John West, 1777; William Dennis, 1784; David Cooper, 1792; Richard Whitehurst, 1794; William Thompson, 1796; Elijah Bell, 1800; Joseph C. Bell, 1801; Mathew Norris, 1802; John H. Hill, 1806; John Fulford, 1809; David Ward, 1810; George Dill, 1839 to 1848.

After the Civil War, John D. Davis was elected sheriff in April 1868, serving for 11 years. He might have served longer, but it is said that that the last of the three hangings that took place during his term of office so unnerved him that he resigned the office. Records show that he served until the last term of court in 1879.

J. F. Jones Appointed

Julius F. Jones was appointed to serve out the balance of Davis' term. He was elected to the office in 1880 and 1882. Jones either died in office or resigned after serving three years and nine months. M. A. Hill filled out the balance of Jones' second term.

Either Hill did not run for office in the election of 1884, or was defeated, for John B. Russell came into office to serve for four years. The election of 1888 brought M. A. Hill the office which he held for 10 years.

Alvin Willis held the office for only one term, being elected in 1898. His term is said to have been one of strife and trouble. The only lynching ever to occur in the county took place while he was in office. No arrests were ever made of any of the lynching party.

One of the most popular sheriffs 50 years ago was S. P. Hancock, holding the office for 16 years, from 1900 to 1916. He was followed by T. Murray Thomas Jr., who held the office for six years. The election of 1922 brought into office T. C. Wade, who gave the county efficient service for six years.

Republicans Take Over

Political upheaval in the county election of 1928 gave the office of sheriff to the Republican candidate, John H. Davis. He served only one term in office for at the 1930 election E. M. Chadwick came into office to be re-elected to serve eight terms.

Had C. G. Holland served out his full term following his election in 1938, he would have established the same record of service as S. P. Hancock, that of 16 years. Holland resigned November 1953 to accept the office of state fisheries commissioner.

Hugh Salter, the present sheriff, was appointed to fill the vacancy. He was duly elected to the office in 1954. It was during the term of office of C. G. Holland in 1946 that the term of office of sheriff was changed from two to four years.

In the shadow of the courthouse stands the jailhouse that has served the county well over a century with its black-barred windows contrasting against its white walls. Within these walls and cells, over the years, have been confined a host of prisoners who ran the gauntlet of the law in punishment for their crimes.

Upon the record books of the court can be found charges against offenders of about every crime, felony or misdemeanor. When first built, at the time of the building of the third courthouse, the lower floor was occupied by the family of the jailer. Cells on the second floor were of thick timber construction, equipped with ironbound doors. Much of the woodwork of these cells and walls today bear the initials and other carvings of former offenders.

Passing years brought an increase in the number of offenders. To meet this need a jailer's house was built nearby. This move gave over the lower floor for more cell blocks. Later an addition was made to the west end of the building for the housing of women prisoners.

Escapes Frequent

At several times prisoners have made their escape by sawing or breaking their way out of the crude wooden cells. A block of steel cells was installed a few years ago in which were confined prisoners charged with serious crimes.

Although it was originally planned to tear down the old jail, current plans are to use it as a storage place or any other need which may arise.

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Newport Principal Lists Faculty for Current Year

E. B. Comer, principal of Newport School, has released the names of faculty members for the 1957-58 school year. They are as follows:

- First grade—Mrs. Jamie Garner, Mrs. Mary Catherine Millis.
- Second grade—Mrs. Irma Quinn, Mrs. Florida Garner.
- Third grade—Mrs. Geraldine Garner, Mrs. Audrey Edwards.
- Fourth—Mrs. Dorothy Heath, Miss Velna Chitty.
- Fifth—Mrs. Hester Mason, Mrs. Eldith May, Mrs. Molly Henderson.
- Sixth—J. D. Thompson, Mrs. J. D. Thompson.
- Seventh—Mrs. Barbara Patrick.
- Eighth—Frank Gillikin, Mrs. Iris Womble.
- Ninth—Mrs. Margaret Mana, Mrs. Ruby Simmons.
- Tenth—Otis Adams; eleventh, Mrs. Betty Mizelel; twelfth, R. E. King and C. S. Long, agriculture instructor.

Mrs. Ruby Woodruff, piano and glee club, and Melvin Edwards, band director.

Mr. Comer announces that 19 instruments have been purchased for the band. The instruments will be rented to band members.

Beaufort

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Tuesday -- Wednesday FIRST SHOWING IN THIS AREA

She's seen "THE CURSE OF FRANKENSTEIN" Have You? PLEASE TRY NOT TO FAINT

Starts Wednesday He's going to bust loose tonight!

the Unknown

Thursday -- Friday Not Recommended for Children

GARY COOPER AUDREY HEPBURN MAURICE CHEVALIER

LOVE IN THE AFTERNOON

the Bachelor Party

Produced and Directed by BILLY WILDER

Morehead "TRULY CARTERET'S FINEST THEATRE"

Box Office Opens Daily at 12:45 P.M. Last Two Days -- Tuesday -- Wednesday

GARY GRANT DEBORAH KERR

AN AFFAIR TO REMEMBER

STARTS THURSDAY

TONY ROCKS 'EM!!

VERA ROLLS 'EM!!

LET'S BE HAPPY

TONY MARTIN-VERA ELLEN

"I WAS A TEEN-AGE WEREWOLF"

"INVASION OF THE SAUCER MEN"

PLUS COLOR CARTOON



Photo by F. C. Salisbury

The house to the right was the residence of the jailer for many years. It was sold and moved across Craven Street to the east, to make way for the new jail. Before this house was built the jailer lived on the lower floor of the jail. The old jail is the white building in the left background.

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