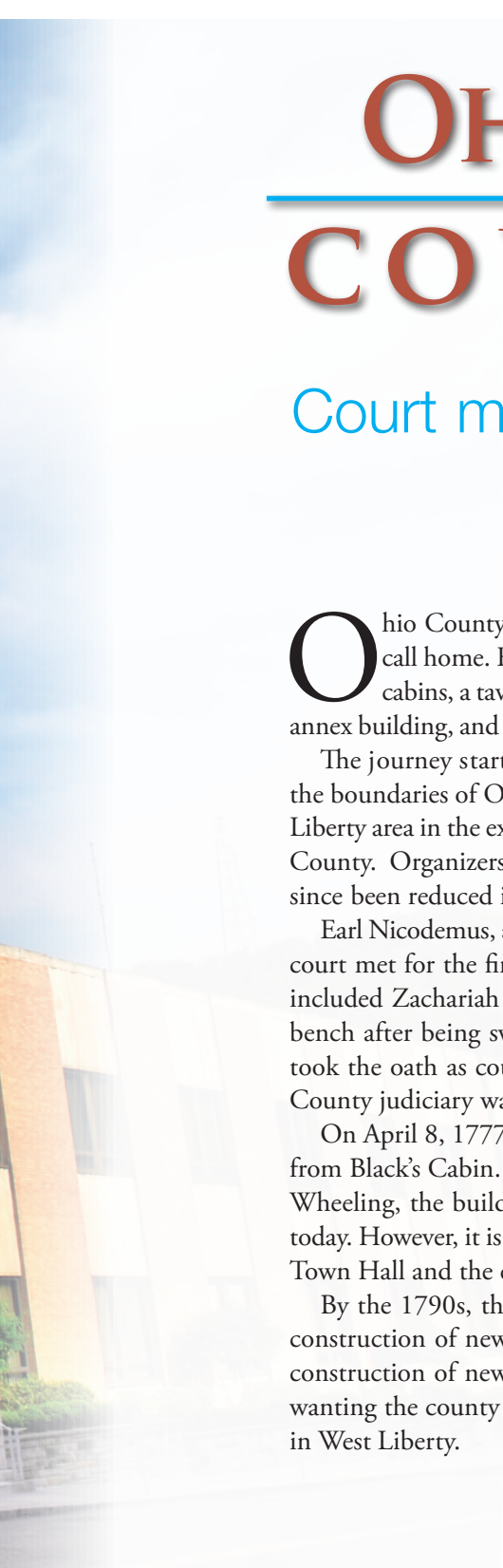


Photo courtesy of the
Supreme Court of Appeals of West Virginia.
Photo by Jeff Gentner.





OHIO COUNTY COURTHOUSE

Court may have found forever home.

Ohio County's wheels of justice have a nomadic history in their search of a place to call home. For the past 240 years, judges have pounded their gavels in makeshift log cabins, a tavern, three purposed courthouses, a former state capital building, a church annex building, and finally, in its current location — the City-County Building in Wheeling.

The journey started in late 1776 after the Virginia Assembly passed a bill establishing the boundaries of Ohio County to encompass 1,432 square miles extending from the West Liberty area in the extreme northern end of the county to modern-day St. Mary's in Pleasants County. Organizers selected Black's Cabin as the first county seat. Ohio County has since been reduced in size to 109 square miles.

Earl Nicodemus, a self-described storyteller of West Liberty folklore, said the Ohio County court met for the first time on Jan. 6, 1777, at Black's Cabin in West Liberty. The docket included Zachariah Sprigg, Thomas Waller and Daniel McClain taking their seats on the bench after being sworn in as justices of the peace by David Shepherd. John McCulloch took the oath as county sheriff, and James McMechen became clerk of courts. The Ohio County judiciary was born.

On April 8, 1777, the court approved specifications for a new courthouse and jail across from Black's Cabin. Located on rolling State Route 88 a little more than 12 miles north of Wheeling, the building, with its log walls wrapped in wood clapboard siding, still stands today. However, it is severely deteriorated and for sale. It can be found just past West Liberty's Town Hall and the community's only store.

By the 1790s, the county had outgrown its courthouse and jail. The court authorized construction of new facilities, but some irregularities in the sale of the old buildings and construction of new buildings came to light. That, coupled with many influential people wanting the county seat moved to a more populous Wheeling, spelled an end to the court in West Liberty.

By Fred Connors



With its log walls wrapped in wood clapboard, the original Ohio County Courthouse still stands about 12 miles north of Wheeling. It was constructed in 1778 - 1779 but is severely deteriorated and for sale. Photo by Earl Nicodemus.

On Dec. 7, 1797, the Virginia Assembly ordered “the town of Wheeling be henceforth the place for holding courts in the county.” The court convened for the first time in Wheeling on May 7, 1798, at a house owned by Henry Smith, where John Gooding ran a tavern called Gooding’s Inn. Local historians are unable to pinpoint an exact location for the building.

Within one month of relocating from West Liberty, the court authorized construction of the county’s second courthouse, complete with a jail and whipping post, in the middle of present-day 10th Street between Main and Market Streets. Workers built a two-story, stone building measuring about 30 square feet and topped with a sort of chicken coup belfry. Details of the building are sketchy. There are no known pictures.

“It must have been an odd-looking building,” said Historian Joe Roxby, who serves as an Ohio County magistrate. “An early visitor through Wheeling remarked, ‘folks here must be awfully fond of ham. Why else would they build such a large smokehouse?’”

A wrecking ball swiped the ugly duckling from Wheeling’s skyline sometime after March 17, 1836, when the state assembly authorized a new courthouse.

Built where the Board of Trade Building now stands at the corner of 12th and Chapline Streets, the new courthouse measured 125 by 80 feet and sported a Doric-style architectural design. It served as the seat of justice from 1839 until 1895.

Even after demolition, the court’s legacy remained at the sight in the form of the Court Theatre, located on the first floor of the Board of Trade’s fancy new six-story office building. The theatre hosted vaudeville shows

and live plays in the 1930s before being converted into a movie house. It closed in 1982.

The courthouse went away quietly, but not without leaving a little-known piece of crime and punishment trivia. According to Roxby, the county carried out its last execution by hanging in 1893 in the jail at the rear of that building.

The court shared its next temporary home with the City of Wheeling government at the former West Virginia State Capitol Building on the east side of Chapline Street, between 15th and 16th Streets. Built in 1875-76, the building served as both Wheeling City Hall and Ohio County courthouse.

The new city-county building was a massive red brick structure of Romanesque design, trimmed with gray limestone. A square three-story bell and clock tower rose above a central unit, and each of the four corners featured domed towers. A granite monument to Civil War soldiers and sailors stood on the southwest corner of the grounds. On the northeast corner, a Trades and Labor monument (which now stands at Heritage Port) honored Augustus Pollack, one of the first tobacco manufacturers in Wheeling and a supporter of organized labor. The Paxton Fountain greeted visitors at the main entrance. James Paxton, one of the principle advocates for West Virginia statehood, gave the fountain to the city in 1878. Unfortunately, the fountain would later fall apart as it was being moved.

The old statehouse was eventually deemed archaic and was torn down in 1956 in favor of a more modern building built upon the same site. During the three-year demolition and new construction process, Ohio County’s wheels of justice were once again on the move. The court set up shop in the Hellenic Center connected to the Greek Orthodox Church of St. John the Divine at 2215 Chaplain Street. State and local dignitaries, led by Governor Cecil H. Underwood, laid the cornerstone for the new building on Aug. 17, 1958. They returned to dedicate the facility on Jan. 30, 1960.

The building’s era-specific modern design beckoned a boxy structure void of castellated elements found in earlier courthouse and church structures, but what it lacks in architectural splendor, it recoups in utilitarian purpose. The City of Wheeling government occupies the first and third floors while Ohio County administrative offices share the second floor with the county prosecutor and one courtroom. The circuit clerk’s offices and former law library room fill the fourth floor, and First Judicial Circuit judges hold court in either of the

two fifth floor courtrooms. A city police department training room and Ohio County's 911 system utilize spaces in the basement. The library room is now used to store Ohio County voting machines. A once-popular lunch counter near the first-floor main entrance has been closed.

Like other courthouses around the state, the City-County building is fitted with elaborate security measures, including a walkthrough scanner at the main entrance, cameras throughout, panic buttons in some rooms, and fortified areas to protect court officials and staff.

Ohio County commissioners recently spent more than a million dollars for an additional enclosed fire escape system, new sprinklers and fire alarms.

"Over the past four years, we have installed backup generators for critical operations and all new energy saving lighting devices throughout," Commissioner Orphy

Klempa said. "We will replace the elevators within the next year, and we plan to remodel the circuit court rooms."

In 2000, commissioners purchased the former American Electric Power building on 16th Street for a courthouse annex.

"We remodeled the second floor for use by the family law court and the first floor to be headquarters for the Ohio County Sheriff's Department," Klempa added.

In addition to housing the magistrate offices, the Spillers Annex holds the former Ohio County jail, which was used until 1994 when the West Virginia Divisions of Corrections opened the Northern Region Jail in Moundsville. Commissioners began leasing the facility to WVDOC in 1998 for use as an adult female detention facility. In March 2003, after the opening of the Lakin Correctional Center for Women, the Ohio County Correctional Center began housing male inmates



Nearly six years before West Virginia became a state, construction began on the Wheeling Custom House, headquarters for federal offices for the Western District of Virginia. Today it is known as West Virginia Independence Hall and houses a museum where visitors may take a self-guided tour of the building. The architecture of the building's interiors has been authentically restored, and a permanent exhibition, located on the first floor of the museum, features dramatic displays with period artifacts. Photo by Steve Brightwell, West Virginia Division of Culture and History.

being held on parole violations.

If Klempa's vision for the main courthouse is correct, the Ohio County Court may finally be in its forever home.

"This building is like a fortress with solid masonry and plaster walls," he said. "I'm sure it will be here long after every person living on earth today is gone."

Notable monuments and other points of interest

In the absence of any bronze or granite statues, the building had, at least for a while, a unique monument worth remembering.

Traveling sculptor Peter Toth carved a 14-foot Indian head out of a fallen tree, unknowingly inflicted with Dutch Elm disease, in the Clator neighborhood of Wheeling in 1973. He donated it to the city of Wheeling in honor of an American Indian named Kanououara. It stood in a small grassy area in front of the City-County Building for 15 years before decaying beyond repair. The late Phillip Vercellotti, who owned the Cherokee Indian Post near Dallas Pike, tried to save Kanououara, but the frail old monument crumbled during the unloading process at its prospective new home.

Not unlike the court itself, one of the monuments originally placed at the West Virginia statehouse has been looking for a permanent home. The Civil War monument features a soldier and sailor seated on either side of a lower pedestal at the feet of a Lady Liberty figure. Rebekah Karelis, historian for the Wheeling National Heritage Area Corporation, said the monument went from its original location in the spring of 1956 to an area known as the Leatherwood cloverleaf. From there, it was moved to the former Linsly Military Institute's Thedah Place, an area now occupied by a Kroger store. In 1958, the 20-foot tall, 25-ton monument was relocated to Wheeling Park where it now stands, pending its final planned-relocation back to downtown on the grounds



The restored Capitol Theatre in Wheeling is home to the Wheeling Jamboree, one of the United States' oldest live country music radio programs. The Capitol Theatre has hosted stars like Johnny Cash, The Osborne Brothers, Loretta Lynn and Brad Paisley. The Wheeling Jamboree even inspired the creation of Jamboree in the Hills, a four-day outdoor country music festival in Belmont County, Ohio. Photo by Thorney Lieberman.

of Independence Hall at Market and 16th Streets. At some point during the relocation efforts, the soldier and sailor changed places on the monument, and Lady Liberty's sword became broken off. The position reversal is possible because the backsides of the figures are the same, having been carved to fit against the same design profile of the monument's base.

In addition to the hallowed monuments found around town honoring former business leaders, early political figures and different military conflicts, Wheeling has much to offer tourists.

Oglebay Park is the city's most popular destination spot. The 1,500-acre municipal park offers with a hotel, a petting zoo, swimming pools, a planetarium and museums, two great golf courses, rustic lodges and a whole lot more. Its Festival of Lights event during the Christmas season is nationally known.

If Oglebay is the city's crown jewel, the Wheeling Island Hotel-Casino-Racetrack is its diamond in the rough. The venue's greyhound dog racing, gaming machines, live shows and fine dining are epic.

Visitors to downtown will also not want to miss the majestic Capitol Theatre, current home of Broadway at the Capitol series and the Wheeling Symphony Orchestra.

With so much to see and do in Wheeling, tourists should keep an eye out for the unexpected. Who is to say they won't stumble across a gently used whipping post somewhere down around 10th Street? **WVL**

Fred Connors is a retired investigative/courts and legal issues reporter for *The Intelligencer/News-Register* newspapers in Wheeling, West Virginia. He holds multiple West Virginia Press Association awards in several categories and was honored for "Best Local Story" by the Southern Newspaper Publishers Association.