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BROOKE COUNTY COURTHOUSE

The History of Brooke County and Its Courthouse

The mighty Ohio River is and always has been a major factor in the economic and social wellbeing of Brooke County, West Virginia. Perhaps that's why the county's courthouse faces not the rest of the town, but the river and the endless possibilities the country's early settlers saw in the American West beyond its banks.

What began as the hunting grounds of Native Americans would later attract European settlers, who saw the area's landscape and proximity to the river as a benefit for trade and quality of life.

The first European settlers in this area were three brothers by the name of Cox – Jonathon, Israel and Friend. After building a simple shelter near what is now Wellsburg, the brothers began surveying and laid claim to 1,200 acres of property. The Coxes were among many former Englishmen to make this their new homeland.

The area's new residents flourished in fur trading and agricultural pursuits, until the turmoil of the Revolutionary War (1776-1783). They were now at odds not only with the British, but also with the region's Indian tribes, who saw the settlers as invaders on their hunting grounds and were now reinforced with British armaments.

At the war's end, new life came into the area when veterans were given land in exchange for military service. The new settlers began working in grain production, distilleries, glassmaking and even shipbuilding.

In 1788, Charles Prather would purchase 481 acres from a Cox heir for the sum of \$3,000. In early 1791, Prather incorporated that land under the name of Charlestown, Va., the seat of Brooke County at its creation in 1797.

The original court of Brooke County convened that same year in a log cabin at what is today the corner of 10th Street and Main Street in Wellsburg. The cabin was built by Patrick Gass, the last surviving member of the Lewis and Clark Expedition, who retired to Brooke County and is buried in the county cemetery.

By Kristine Roberts
Photos by Jeff Gentner and Steve J. Shaluta



Today's visitors of Brooke County can see glimpses of its cherished past in the architecture.

Among the initial items of business conducted within the courthouse was the recording of deeds from Prather for the establishment of public facilities. Another gentleman was also permitted by the new court to open the county's first hotel, with lodging rates at 5 cents per night.

The first true courthouse building would be constructed in 1799 but was demolished and replaced by the current courthouse in 1849.

Due to confusion with other towns of the same name within Virginia, Charlestown became Wellsburg, Va., in 1816, named after Prather's son-in-law Alexander Wells.

Ironically, Wells would become one of the first people indicted by the Grand Jury at the new courthouse for "profane swearing." For his misdeed, he was ordered to pay 83 cents and court costs.

For the sum of \$265.76, Brooke County court records indicate that a 19-year-old slave was sold by

Sam Wheeler to Richard Wells in June of 1800. However, most county residents and businesses did not rely on slave labor and sided with the North during the Civil War. In 1863, the northwestern part of Virginia, including Brooke County, would become the new state of West Virginia.

After the Civil War, Brooke County became an industrial economy center. It would soon be the home of paper mills, iron foundries, leather-making businesses and, later, the steel industry which still functions today.

Today's visitors to Brooke County can see glimpses of its cherished past in the architecture of buildings like the courthouse. Current Brooke County Commissioner Bernie Kazienko said that the building got a facelift last year when the original brick was refurbished and a new roof was added. Kazienko said that plans are also in the works to renovate the courtroom itself.

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Another historic Brooke County building famous for its many years of service is the Drover's Inn. Just one year after the courthouse was built, Drover's opened as a respite for tired travelers along the toll road from Washington, Penn. It has been enhanced with modern amenities but is still a charming restaurant and tavern to this day.

Not far from Drover's Inn is Brooke Hills Park, which sports a golf course, a driving range, mini-golf, a swimming pool, a small lake, picnic shelters and is home to the Brooke Hills Playhouse. The City of Follansbee to the north of Wellsburg also maintains its own city park, complete with a community house, picnic shelters, a swimming pool, walking trails, a skateboard park and a new ice skating rink.

Other local places of interest can be found by a visit to the Brooke County Visitor's Center, located within the Brooke County Public Library. Situated across 10th Street from the original court site on Main, the library also houses the world's only dedicated World War II American Defenders of Bataan and Corregidor Museum, for which the construction of an addition is planned behind the library along the banks of the river.

Cyclists, walkers and joggers can enjoy a close-up view of the Ohio River on the former railroad tracks now converted to the Brooke Pioneer Trail and the smaller Yankee Trail which runs through town. Shoppers can take advantage of shops in and around Town Square – located to the left of the courthouse. It features a brick-lined plaza, complemented by benches and picnic tables.

In short, Brooke County, West Virginia represents small-town America with the comfortable feel of times past in our modern age. And today, as in days past, the mighty Ohio River adds to its charm. **WVL**

Kristine Roberts is a freelance writer and photographer who has been published in *Wonderful, West Virginia* magazine and *Guidepost's "Angels on Earth"* magazine. She is a columnist and feature writer for the *Brooke County Review* newspaper in Wellsburg.

Help Requested For Court History

Forest “Jack” Bowman is writing a history of the U.S. District Court for Northern West Virginia and would appreciate receiving reminiscences and anecdotes from former clerks of the judges of that court as well as from lawyers who have interesting stories to tell about trying cases before the judges in that district. He is also interested in lawyers' opinions regarding what they believe are the most important cases heard in this court over the years. **Send your stories and reminiscences to: Jack Bowman, 28 Vintner Place, Morgantown, WV 26505 or fjbowman@comcast.net.**

