

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

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JUN 28 1979

AUG 29 1979

DATE ENTERED

**NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY -- NOMINATION FORM**

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

**1 NAME**

HISTORIC

McDowell County Courthouse

AND/OR COMMON

**2 LOCATION**

STREET & NUMBER

Wyoming Street

\_\_NOT FOR PUBLICATION

CITY, TOWN

Welch

\_\_ VICINITY OF

CONGRESSIONAL DISTRICT  
Fourth

STATE

West Virginia

CODE

54

COUNTY

McDowell

CODE

047

**3 CLASSIFICATION**

**CATEGORY**

\_\_DISTRICT

BUILDING(S)

\_\_STRUCTURE

\_\_SITE

\_\_OBJECT

**OWNERSHIP**

PUBLIC

\_\_PRIVATE

\_\_BOTH

**PUBLIC ACQUISITION**

\_\_IN PROCESS

\_\_BEING CONSIDERED

**STATUS**

OCCUPIED

\_\_UNOCCUPIED

\_\_WORK IN PROGRESS

**ACCESSIBLE**

\_\_YES: RESTRICTED

YES: UNRESTRICTED

\_\_NO

**PRESENT USE**

\_\_AGRICULTURE

\_\_COMMERCIAL

\_\_EDUCATIONAL

\_\_ENTERTAINMENT

GOVERNMENT

\_\_INDUSTRIAL

\_\_MILITARY

\_\_MUSEUM

\_\_PARK

\_\_PRIVATE RESIDENCE

\_\_RELIGIOUS

\_\_SCIENTIFIC

\_\_TRANSPORTATION

\_\_OTHER:

**4 OWNER OF PROPERTY**

NAME

McDowell County Court

STREET & NUMBER

Wyoming Street

CITY, TOWN

Welch

\_\_ VICINITY OF

STATE

West Virginia

**5 LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE,  
REGISTRY OF DEEDS, ETC.

Offices of the County Clerk of McDowell County

STREET & NUMBER

Wyoming Street

CITY, TOWN

Welch

STATE

West Virginia 24801

**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   |
|---|---------------------------------------|---|---|
| <input checked="" type="checkbox"/> EXCELLENT | <input type="checkbox"/> DETERIORATED | <input type="checkbox"/> UNALTERED          | <input checked="" type="checkbox"/> ORIGINAL SITE |
| <input type="checkbox"/> GOOD                 | <input type="checkbox"/> RUINS        | <input checked="" type="checkbox"/> ALTERED | <input type="checkbox"/> MOVED DATE _____         |
| <input type="checkbox"/> FAIR                 | <input type="checkbox"/> UNEXPOSED    |   |   |

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## DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The original unit of the courthouse of McDowell County, built at Welch in 1893-94, is a rectangular block (90' x 56') with shallow vertical setbacks. The Romanesque Revival style, two and one-half story structure with a square three-story tower at its northeast corner faces west on Wyoming Street. Exterior wall surfaces of native rock-faced stone present pleasing contrasts in light and shade. Intersecting truncated hip roofs are covered with slate and feature prominent wall dormers at the west and south elevations with circular windows and gable finials. The west-facing main entrance is recessed beneath a stone frontpiece of Byzantine style columns supporting a balustraded architrave. The basement of the original unit of the courthouse was for many years a vault for county records and housed a heating system.

In 1909 an addition was built at the north elevation of the first building in a corresponding Romanesque style with identical materials. The annex differs from the parent building in minor detailing, namely in the deployment of dormers and in the interior finish, that, in the case of the annex, is quite plain. The two blocks are joined by a connecting wing whose open underpass, in the fashion of a porte cochere, is flanked on either side by (Romanesque style) columns.

The double-hung windows of the McDowell County Courthouse are arranged in pairs. Those of the first floor are flat-headed, while those of the second level are surmounted with arches. The three exterior doorways have double doors with thick beveled glass.

Three tall, square chimneys with corbeled caps give the rear roof line a striking appearance. Other decorative elements are seen in the stone dentil row of the cornice, in the clock faces of the pyramidal-roofed tower, and in the ornate metal grilles enclosing the louvers of the tower belfry on its four elevations.

Of the interior features of the building, the main stairway is paramount. It is of heavy castiron in all its parts, including treads, newels, and rails. The open-well, two-flight stair rises to the courtroom which occupies the entire upper floor of the 1893 building. The second floor of the 1909 addition is completely taken by the offices of the circuit clerk. Detracting from the beauty of the courtroom is a lowered ceiling. The door and window hardware and toilet fixtures survive from the period of construction.

Modern lighting has been installed in the offices of the older sections of the building and are a disappointment to one who has seen the style of the two original wall chandeliers behind the judge's bench in the courtroom.

The interior of the courthouse, despite its few sacrifices to modernization, is quite handsome and serves well the needs of the county that has kept the building throughout in good repair over the years.

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

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INVENTORY -- NOMINATION FORM**

McDowell County Courthouse, Welch, WV

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The demand for more space, in recent years, has led to construction of additions to the courthouse. A one-story addition was built at the south elevation of the original unit in 1963. The jail, built in 1893, was torn down c. 1965 to make way for a contemporary style jail and an enlarged parking lot. The jail occupies the southeast corner of the parking lot in an unobtrusive position at the rear of the main building. The fourth addition (20' x 60') to the courthouse is now (1979) under construction at the north elevation of the 1909 addition.

Despite construction of several additions, the architectural merit and integrity of architect Frank Pierce Milburn's original design survives. The additions at the south and north elevations are veneered in stone softening their visual impact on the parent building.

The commanding site of the McDowell County Courthouse on a grassy promontory above Wyoming Street provide the citizenry of Welch and McDowell County with an unobstructed view of their chief public building.

# 8 SIGNIFICANCE

| PERIOD  | AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW |   |   |   |
|---|--|---|---|---|
| <input type="checkbox"/> PREHISTORIC          | <input type="checkbox"/> ARCHEOLOGY-PREHISTORIC  | <input type="checkbox"/> COMMUNITY PLANNING     | <input type="checkbox"/> LANDSCAPE ARCHITECTURE         | <input type="checkbox"/> RELIGION   |
| <input type="checkbox"/> 1400-1499            | <input type="checkbox"/> ARCHEOLOGY-HISTORIC     | <input type="checkbox"/> CONSERVATION           | <input type="checkbox"/> LAW                            | <input type="checkbox"/> SCIENCE  |
| <input type="checkbox"/> 1500-1599            | <input type="checkbox"/> AGRICULTURE             | <input type="checkbox"/> ECONOMICS              | <input type="checkbox"/> LITERATURE                     | <input type="checkbox"/> SCULPTURE  |
| <input type="checkbox"/> 1600-1699            | <input checked="" type="checkbox"/> ARCHITECTURE | <input type="checkbox"/> EDUCATION              | <input type="checkbox"/> MILITARY                       | <input type="checkbox"/> SOCIAL/HUMANITARIAN                                      |
| <input type="checkbox"/> 1700-1799            | <input type="checkbox"/> ART                     | <input type="checkbox"/> ENGINEERING            | <input type="checkbox"/> MUSIC                          | <input type="checkbox"/> THEATER  |
| <input checked="" type="checkbox"/> 1800-1899 | <input type="checkbox"/> COMMERCE                | <input type="checkbox"/> EXPLORATION/SETTLEMENT | <input type="checkbox"/> PHILOSOPHY                     | <input type="checkbox"/> TRANSPORTATION   |
| <input checked="" type="checkbox"/> 1900-     | <input type="checkbox"/> COMMUNICATIONS          | <input type="checkbox"/> INDUSTRY               | <input checked="" type="checkbox"/> POLITICS/GOVERNMENT | <input checked="" type="checkbox"/> OTHER (SPECIFY)<br>State and Local<br>History |
|   |  | <input type="checkbox"/> INVENTION              |   |   |

SPECIFIC DATES 1893-94; 1909

BUILDER/ARCHITECT Frank Pierce Milburn, Architect

## STATEMENT OF SIGNIFICANCE

The McDowell County Courthouse is the most significant example of Romanesque Revival architecture in the extreme southern coal producing counties of West Virginia. Its architect, Frank Pierce Milburn (1868-1926), then a resident of Kenova, West Virginia, and a neophyte in his trade at the age of twenty-five, became in later years a professional of considerable importance whose buildings are found scattered throughout the geography of the southeastern United States. Coincident with the developing economy of the coal fields that permitted the erection of a substantial courthouse at Welch were undercurrents of labor unrest that surfaced in the union organizing movements of the early 1920's. One of the most spectacular incidents associated with the "Mine Wars" occurred at the McDowell County Courthouse on August 1, 1921, when union organizer Sidney Hatfield was assassinated on the steps of the building. This event helped focus attention of the national press and the federal government on the violence surrounding labor/management relations in the coalfields of Appalachia.

In the heart of what was still a forest wilderness almost closed to settlement a new county named McDowell was formed in the Commonwealth of Virginia in 1858. Virginia was reluctant to give up the land and for years the new state, West Virginia, was slow to accept her. Therefore, on June 10, 1861, the County Court of McDowell passed its own Act of Secession and from that bit of Legislation came an historic reference to this county as "The Free State of McDowell". The Supreme Court Case of Virginia versus West Virginia in 1866 released this "State" to become a county of West Virginia. The county was rich in productive coal lands and coal production has always been its chief industry. This has meant that the county's economic condition has bounced up and down with the need for coal. When coal sales reached a high in the 1890s, the county engaged skilled contractors to build a courthouse and picked a young and knowledgeable architect to provide the plans for a stately building.

The pioneers who came into the area which is now McDowell County found a mountainous land, densely forested. Agriculture on a large scale was impossible due to the terrain. They cleared a small patch of land for a kitchen garden, kept some livestock, and fished and hunted. Their bartering was with skins for salt and other necessities. There were no roads, no schools, no courts and their county government in Tazewell County was far away. So, on February 20, 1858, a new county was formed. It was named for James McDowell, the 25th Governor of Virginia. The Act of the General Assembly that created the county ordered the village of Perryville to be the County Seat.

# 9 MAJOR BIBLIOGRAPHICAL REFERENCES

Ambler, Charles H. and Festus P. Summers. West Virginia: The Mountain State. Englewood Cliffs, N.J.: Prentice Hall, 1958, pp. 455-56.

County Order Books

"The Court House of McDowell County, West Virginia". Mercer County Colonial Dames of America Committee". n.d., n.p.

# 10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY one-half acre

QUADRANGLE NAME Welch, WV

QUADRANGLE SCALE 1:24000

UTM REFERENCES

A 117 448320 4142820  
 ZONE EASTING NORTHING

B           
 ZONE EASTING NORTHING

C         

D         

E         

F         

G         

H         

VERBAL BOUNDARY DESCRIPTION The nominated property is bounded on the south for 150' by Mercer Street, on the west for 150' by Wyoming Street, on the north for 150' by Courthouse Street, and on the east for 150' by the stone wall and a boundary line to Mercer Street.

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

C. E. Turley, Field Research Assistant

ORGANIZATION

West Virginia Department of Culture & History

DATE

April 5, 1979

STREET & NUMBER

The Cultural Center, Capitol Complex

TELEPHONE

304-348-0240

CITY OR TOWN

Charleston

STATE

West Virginia 25305

# 12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL

STATE

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

Clarence Morrow 6-21-79

TITLE

DATE

FOR NPS USE ONLY

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

Justin Charles Shull  
 KEEPER OF THE NATIONAL REGISTER

DATE 8-29-79

ATTEST: Christina Sue Sias

DATE 8-29-79

CHIEF OF REGISTRATION  
 Regional Coordinator

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McDowell County Courthouse, Welch, WV

CONTINUATION SHEET

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Caught in the middle of the uncertainties at the start of the Civil War, McDowell passed her own "Act of Secession" and waited for the United States Supreme Court to decide her future. Judge James Henry Brown is credited for getting McDowell included in the counties of West Virginia in 1866. And, then, the county was in for a 34 year long struggle over the site of her county seat. The building used as her first Courthouse, a story and one-half log structure with a stone chimney, was erected in 1866 near Wilco. The second Courthouse was built at Perryville, the largest town in the county. This building, a two-story log structure, was erected in 1872.

With Frederick J. Kimball as President, the newly organized Norfolk and Western Railroad was pushed into the southern coalfields of the state. The tracks reached McDowell County in 1888. The coal industry was soon booming with activity and brought the rows of houses and company stores, tipples, bone piles and coke ovens - all the trappings of coal mining.

Welch became the County Seat in 1892 and county records were moved from Perryville at once. In the next year, Mr. I. A. Welch of a Land and Improvement Company made a deed to the County Court of McDowell giving a tract of land which was to be used for a courthouse and a jail. County orders were signed soon thereafter for the hiring of an architect and contractors. These were Frank Pierce Milburn, Architect, and C. W. and C. H. Rush, Contractors.

In November 1894, the Courthouse and Jail were completed at a cost of \$43,655.75. On May 4, 1895, Frank P. Milburn, the architect, reported that the buildings were not as specified. They were to have been of brick (the buildings are of stone) and the Jail had been turned around "but the contractors had done a good job of which they could be justly proud". Payment to Frank P. Milburn was ordered to the sum of \$250.00 for his services.

The building produced from the plans of architect Milburn was a two and one-half story masonry structure of Romanesque design whose principal feature was a pyramidal-roofed, three-story clock tower. The careful proportions and refined details of the structure were typical of the numerous buildings designed by Milburn in North Carolina, South Carolina, and throughout the southeastern United States. Milburn made additions to the Florida Capitol, finished the South Carolina Capitol, and was a competitor (though rejected) for the position of architect of the Arkansas Capitol.

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McDowell County Courthouse, Welch, WV

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An important historical event that is intimately linked with the McDowell County Courthouse is the assassination of Sidney "Two Gun Sid" Hatfield on August 1, 1921. Hatfield was a prominent labor leader and union organizer who was heavily involved in the violence-ridden organization drives then taking place in the coal fields of West Virginia. Particularly, he was identified with the "Massacre of Matewan" which cost the lives of seven company guards (including the guard's leader), the mayor of Matewan, and two union men on May 19, 1920. Hatfield and twenty others were tried and acquitted of murder charges stemming from this incident. As violence escalated and a "state of war, insurrection and riot" was declared in Mingo County in 1921, Sidney Hatfield was summoned to Washington, D. C. in July to testify before the United States Senate Committee on Labor and Education. His testimony, which was highly critical of the coal companies, received front page and newsreel coverage throughout the nation. In the midst of his testimony, Hatfield was summoned to Welch, McDowell County, to stand trial for another shooting incident. Although asserting that he was being framed by vengeful coal company interests, he answered the summons and left Washington. On August 1, 1921, as Hatfield and a companion, Edward Chambers, mounted the steps of the McDowell County Courthouse they were gunned down by agents of the coal companies. Hatfield's assassination, coming at a time when he was prominently involved in national events, was given wide coverage in the national press, and had an electrifying effect on the already volatile coal fields. Unrest mounted and armed clashes became more frequent and bloody, leading to the famous "March on Logan" later in the month, and the sending of Federal troops into the coal fields.

Though strife resulting in the unionization of coal miners in southern West Virginia is part of a movement past, the McDowell County Courthouse survives as a physical testament of those significant events, and as the reminder of an architectural style popularized by American architect H. H. Richardson whose innovations dominated public taste in official buildings of the 1890s. The McDowell County Courthouse reflects a significant local interpretation of this stylistic mode with its rock-faced masonry, its pyramidal-roofed tower and round window openings, and in particular, with the use of carved and applied detailing such as foliate relief patterns in the column capitals flanking entrances, with the employment of a cornice guilloche band, and with the use of finials to emphasize the vertical quality of towers and gables. The sum of this architectural ambience was to convey to the people of McDowell County a sense of permanence, stability, and majesty in the workings of government.

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Frye, Mary Kathryn to Clarence E. Moran, (letters of November 9, 1977 on Frank P. Milburn) Historic Preservation Unit, WV Department of Culture and History.

Jones, Mrs. Paul and Mrs. Samuel Salins.  
McDowell County History. Welch, WV