New Hanover County Courthouse

Crockette W. Hewlett*

The Wilmington town clock, with its illuminated dials facing north, east, south, and west, rises like a watchful eye above the city skyline. When it strikes, booming out the hours with its 2,000-pound bell ninety feet above the street, it gives not only the time, but strikes a deep, lingering response in the hearts and minds of local citizens. It has been doing this, almost without interruption, since 1893.

The courthouse building which supports the clock is still in use in Wilmington, North Carolina, and is a landmark expressing something of the character of the city. Though this ornate edifice of brick and stone reaches back a long way into the past, it is not the first, second, or even the third courthouse to be built in this historic port city, but probably the fourth.

It is thought that some form of temporary courthouse was in use here as early as 1736, as a quit-rent bill introduced in the General Assembly provided for the collection of quit-rents “at the Court House for New Hanover County at New Town.” The Wilmington Town Act of 1739/40 provided for the levy of a five-shilling poll tax to be used for “finishing and completing the Court House already erected in the said Town of Wilmington.” This building, located in the center of the intersection of Front and Market Streets, was financed largely by private donations from the citizenry and was completed by June, 1740. The structure was utilized for court, public meetings, religious services, and imprisonment of lawbreakers, while the area beneath served as a public market or “shambles.”

By 1786 this building was in bad condition and unfit for use. Court had to be held in various homes, churches, or taverns.

In 1796 the old courthouse was torn down and a new one, seemingly an exact duplicate, was built on the same site, being dedicated January 1, 1797. This duplicate building was greatly damaged by fire in 1840. Public records were so damaged by water they had to be copied, and many of the deeds and papers were utterly lost, as blank pages of the records testify.

The next courthouse was built on what was then called the new jail lot, on the north side of Princess Street, between Second and Third Streets.

The present courthouse, with its main tower soaring 130 feet above the street and smaller towers on the two front corners, its exterior of pressed brick and stone, was designed by A. S. Eichburg, a well-known architect of Savannah, Georgia. Cornices were of galvanized iron and the steep roof of slate. There was no wood in the building except the floors. The first floor was intersected by two wide corridors running at right angles through the building, a feature considered to add, not only convenient access, but desirable draughts in hot weather. The court room extended across the entire front of the second floor.

Contract for the building, in the amount of $56,500, was awarded in November, 1891, by County Commissioners H. A. Bagg, Roger Moore, H. G. Worth, E. L. Pearce, and J. A. Montgomery to Valentine-Brown & Company, of Brunswick, Georgia. The building was begun in December, 1891, with James F. Post as building superintendent. Bonds to finance the construction were issued by county treasurer Elijah Hewlett. The total of all expenditures for completing the building, furnishing it, and heating it, was $72,000. The acquisition of land cost $10,000.

The cornerstone laying took place on April 20, 1892, in a drizzling rain, considered a dreadful omen. However, a large crowd was in attendance. City and county officials, members of the bar, and others were gathered for the Masonic rites. The Masons in a body paraded down the street, escorted by the Wilmington Light Infantry and the Second Regiment Band, but rain soon drove the crowd indoors, and the remainder of the program was held in the Opera House. The address for the occasion was made by James Iredell Meares, a local attorney, who spoke on “The Administration of the Law.”

Bad luck, presaged by rain at the cornerstone laying, actually began with the laying of the foundation when it was found necessary to drive piling five feet five inches deeper than contemplated, costing an additional $2,022. Bad luck seemed to continue as construction progressed. A workman had a narrow escape when he fell some thirty feet from a scaffold. A machinist was painfully hurt while working on

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*Mrs. Hewlett, local historian, has published two books, Between the Creeks, A History of Masonboro Sound and Two Centuries of Art in New Hanover County and written several articles dealing with the history of the area. Her husband is Addison Hewlett, Jr., an Attorney of Wilmington. They have one son and two grandsons. Mr. & Mrs. Hewlett live on Masonboro Sound.
LOWER CAPE FEAR HISTORICAL SOCIETY, Inc.

BULLETIN

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MEETING

Date: Thursday, October 13, 1977
Time: 8:00 p.m.
Place: Thalian Hall
Subject: “Bonnie Prince Charlie”
 Speaker: Miss Nancy Ridley.

Miss Ridley who was born in Northumberland, the most northerly of English counties, describes herself as a borderer. A writer and speaker, she deals with what she calls “a light-hearted history” of Scotland and England. Her work is based on sound research and she always visits the places about which she writes. Miss Ridley is a Diplomate of the London Guild of Music and Drama, and an Associate of the London College of Music and Drama. She has published four books and at present is working on another.

You are cordially invited to attend

THE Wassail Bowl
Friday, the ninth of December
from eight until ten o’clock
at the Latimer House
Subscription Twenty-five dollars per person

The President’s Message

We can look forward with a great deal of expectation and enthusiasm to the coming year. A great deal has been accomplished by the Society, and we can anticipate a year of valuable service to the community.

The roof of the Latimer House has been repaired and painted. A continuous leakage problem has been solved. The dormer windows have been repaired.

In June it was discovered that one of the medallions in the south drawing room was moving away from the ceiling. We were able to lower it intact. The ceiling had to be replastered. The medallion has been beautifully restored and put back into place. While the chandelier was down we discovered that green paint had been applied over gilt. Miss Katherine Carson and I restored the chandelier, and it is now back in place. It is very similar to one in the Metropolitan Museum, except that ours is more ornate.

The Historic Wilmington Tour has had increased visitation during the summer. We are appreciative of the support of the many individuals and businesses who are supporting the tour.

The following gifts and loans have been given to the Society for the Latimer House: Mrs. Frederick S. Burr has given the Society a parasol, portfolio, and a picture of Mrs. Jervis R. Latimer; a candelabrum is on loan from Mrs. Herbert R. Latimer; a violin has been given by Mrs. Leon R. Pierce; a hat pin was donated by Mr. William M. Reaves; and an evening dress was given by Mrs. James W. Knowlton. Kind regards are extended. Donations and gifts are greatly appreciated as they assist in the continued work of the Society.

I look forward to your support and enthusiasm during the year.

We have many projects planned.

James Robert Warren
President

Old Wilmington by Candlelight

Zebulon Latimer House
1852
December 10 and 11, 1977
4:00-8:00 p.m.
Tariff: Five Dollars

CHRISTMAS RECEPTION

You are cordially invited to attend the annual Christmas reception
Thursday, the fifteenth of December
eight o’clock
at the Latimer House
NEW HANOVER COUNTY COURTHOUSE
(continued)

an iron newel-post for the courthouse when a fellow workman accidentally knocked over another newel-post weighing 400 pounds, and it fell on him.21 A fire, caused by spontaneous combustion, broke out in a basement room, but was quickly extinguished.22 There was a gas explosion in the sheriff's office when someone went looking for the leak in the gas line with an alcohol lamp.23 The first case tried in the new courthouse was a suit for divorce, which, as the judge remarked, was "a bad beginning."24

Business at the courthouse was formally begun with the convening of the Spring term of the Superior Court on April 17, 1893. There were twenty-eight attorneys present as Judge H. G. Connor walked into the court room and Deputy Sheriff King proclaimed: "Silence in the Court! O yez! O yez! This honorable Court is now open for the dispatch of business."25

New Hanover County has had a steady stream of distinguished attorneys practicing in its courts, men of high standing and importance, from colonial times to the present. There have been such men as North Carolina Chief Justices Edward Moseley, Eleazer Allen, James Hasell, and Martin Howard, and several North Carolina attorney-generals, also, Speaker of the House Samuel Swann, "Lawyer" Wm. Swann, and William Hooper, a signer of the Declaration of Independence, followed by Governor Samuel Ashe, Archibald Maclay, and William Henry Hill.

During the period of the War Between the States, there were George R. Davis, who was attorney-general of the Confederacy, and William A. Wright, who became president of the North Carolina Council in 1866.

In the latter part of the nineteenth century, the court room rang with the persuasive oratory of such men as Samuel J. Person, Robert Strange, Alfred Moore Waddell, Robert H. Cowan, DuBrotz Cutlar, Eugene S. Martin, the DeVanes, Lt. Governor Charles Manly Stedman; and at the turn of the century, as the present courthouse came into use, the Bellamy's, the Davises, the Londons, the Meares, the McKoy's, the McRaes, the Empey's, the Lattimers, Judge George Rountree, Addison Ricaid and, more recently, J. O. Carr, E. K. Bryan, George H. Howell, George L. Peschau, Woodus Kellum, L. Clayton Grant, and Chief Justice Walter Parker Stacy.

County business soon outgrew its quarters and spread its departments into other buildings. A four-story courthouse annex was constructed facing Princess Street in 1924, into which were moved the sheriff's department, the superior court room, the register of deeds and county clerk, with a jail on the top floor. The six-story building of the Carolina Power & Light Company, on the corner of Fourth and Chestnut Streets, was purchased in 1975 for the county commissioners' meeting room and county business offices. A law enforcement complex and jail is presently under construction at Fourth and Princess Streets. And there is hope of an entirely new courthouse complex, which is sorely needed. However, to the residents of Wilmington the old brick and stone courthouse, with its towers and ornate trim, its illuminated clock booming out the hours, is a familiar landmark which should be preserved.

FOOTNOTES


6. Walker, New Hanover Court Minutes, III, 8 (July 5, 1798); III, 10 (October 3, 1798); III, 42 (July, 1798); III, 67 (October, 1791).

7. Poem read on the occasion of the dedication of the new courthouse, January 1, 1797, original in the Wilmington-New Hanover County Museum, 814 Market Street, Wilmington, N.C.

8. Sprunt, Chronicles, 1891, 189, 190.


11. The Wilmington Messenger, November 17, 1891.

12. Wilmington Morning Star, December 1, 1891.

13. Ibid. The Wilmington Messenger, January 9, 1892.


15. The Wilmington Messenger, June 2, 1891.

16. Wilmington Morning Star, April 21, 1892.

17. Ibid. April 1, 12, 20, and 24 1892.


19. The Wilmington Messenger, January 12, 1892.

20. Wilmington Morning Star, July 12, 1892.

21. Ibid. November 6, 1892.

22. Ibid. December 15, 1892.

23. Ibid. May 13, 1893.

24. Ibid. April 18, 1893.

25. Ibid.

Edward Bishop Dudley
John W. Ormand, III

To promote an increased awareness of the history of the Lower Cape Fear, your Society last year initiated the Clarendon Essay Contest in the local High Schools. The subject was to be on "people and events dealing with the history of the Lower Cape Fear." The first prize of a $25 Savings Bond and membership in the Society went to John W. Ormand, III with the second prize of a membership in the Society to William H. King. John was in the 9th grade at the Cape Fear Academy and is the son of Dr. and Mrs. J. W. Ormand, Jr. He is attending the Academy again this year. We are pleased to publish his winning essay.

"It is my opinion that the construction of railroads in this grand state of North Carolina would increase the economy of the state immeasurably. While looking over the list of cities with which the Senate has supplied me,
I have come to the conclusion that Wilmington is the logical choice for the focal point of this railroad system. The reason for this choice is not that it would make me wealthy because I reside in Wilmington. No, I like all my forebears, am a man of integrity. The reason is that most of the state's goods are shipped out through the port of Wilmington while the imports come through Wilmington also. Therefore, a railroad line leading to Wilmington would increase the flow of goods in North Carolina."

The man speaking was Edward Bishop Dudley, Governor of North Carolina from 1837 to 1840. In his term as governor, Edward Dudley ushered in a new era of progressive change for the state of North Carolina. He was the catalyst who initiated the massive laying of railroads in North Carolina. Among them was his major accomplishment, the Wilmington to Weldon Railroad, the longest in the world at that time. On his tours of the state he noticed that the common people were ignorant. He envisioned an educated citizenry and established the fiscal foundation for public education. During his term as governor, he gave this dream its cautious beginnings. Dudley was also influential in other important internal improvements, such as the draining of wet lands and a state funding system.

Edward Bishop Dudley was born on December 15, 1789, in Onslow County, North Carolina, to Mr. and Mrs. Christopher Dudley. Christopher Dudley was an influential man, prominent in farming, business and politics. His forefathers had also been leaders in these fields, making the Dudleys a family replete with tradition, pride, and honor.

Since his ancestors had been endowed with political sense, Edward was chosen as Onslow representative in the House of Commons. Two years later, he was elected to the state Senate. While serving in an Onslow regiment stationed in Wilmington during the War of 1812, he became enchanted with the town and decided to move here. He met and married Eliza Haywood of Raleigh, a descendant of a well-known banker-politician family.

In his youth, Edward Dudley was big and handsome, known for his empathy and generosity. He was soon recognized as an important, likable man and was elected as Wilmington representative to the House of Commons. Here he was interested in progressive ideas such as navigation companies and state banking enterprises.

When the State Board of Internal Improvements was reorganized, Mr. Dudley saw a bright opportunity and quickly joined. As one of the Board's three members, he envisioned programs which helped make North Carolina what it is today. When Edward was once again elected to the House of Commons, he joined the Whig party. This party supported good, progressive ideas that would awaken the sleeping "Rip Van Winkle" state. He was instrumental in securing legislation on such issues as the Wilmington-Raleigh Railroad. In 1836 he was nominated by the Whig party for governor. Edward Dudley was elected governor by a coalition of the West and Sound regions defeating Democrat Richard Spaight who was supported by the sluggish, slave-holding East.

After his two terms as governor, Dudley retired from political life to serve as president of Wilmington-Raleigh Railroad Company. When a disastrous fire destroyed eight blocks of downtown Wilmington, he donated most of his considerable fortune to help rebuild the devastated area. A gracious and congenial gentleman, Dudley was recognized as the host of Lower Cape Fear Area. He died in his house on the "brow of the hill" overlooking the Cape Fear on October 30, 1855.

So ingrained is the acceptance of public education, that it is difficult to realize that it was once a pioneer idea. By seeing the need for educating all the state's citizens and planning for state funds to meet these needs, Dudley led North Carolina in a direction of progress in education. His recognition of the need for a transportation system to facilitate the flow of goods assured the state of economic prosperity. The Cape Fear section, which is isolated geographically, may remember him best for his plans to make it the hub of the state. Dudley's wisdom observed North Carolina's physical and economic assets and his vision perceived her potential.

BIBLIOGRAPHY