

**United States Department of the Interior
Heritage Conservation and Recreation Service**

**National Register of Historic Places
Inventory—Nomination Form**

See instructions in *How to Complete National Register Forms*
Type all entries—complete applicable sections

For HCERS use only

received

date entered

1. Name

historic Currituck County Jail

and/or common

2. Location

street & number N Side of SR 1242, 0.3 mi. E. of Jct. with N.C. 34 not for publication

city, town Currituck Courthouse vicinity of congressional district First

state North Carolina code 037 county Currituck code 053

3. Classification

Category	Ownership	Status	Present Use	
<input type="checkbox"/> district	<input checked="" type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	<input type="checkbox"/> agriculture	<input type="checkbox"/> museum
<input checked="" type="checkbox"/> building(s)	<input type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input type="checkbox"/> commercial	<input type="checkbox"/> park
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational	<input type="checkbox"/> private residence
<input type="checkbox"/> site	Public Acquisition	Accessible	<input type="checkbox"/> entertainment	<input type="checkbox"/> religious
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input type="checkbox"/> yes: restricted	<input checked="" type="checkbox"/> government	<input type="checkbox"/> scientific
	<input type="checkbox"/> being considered	<input checked="" type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial	<input type="checkbox"/> transportation
		<input type="checkbox"/> no	<input type="checkbox"/> military	<input type="checkbox"/> other:

4. Owner of Property

name Currituck County Commissioners

street & number

city, town Currituck Courthouse vicinity of state North Carolina 27950

5. Location of Legal Description

courthouse, registry of deeds, etc. Currituck County Courthouse

street & number

city, town Currituck Courthouse state North Carolina 27950

6. Representation in Existing Surveys

title has this property been determined eligible? yes no

date federal state county local

depository for survey records

city, town state

7. Description

Condition		Check one	Check one
<input 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 checked="" type="checkbox"/> fair	<input type="checkbox"/> unexposed		

Describe the present and original (if known) physical appearance

The small county seat of Currituck County, still known simply as Currituck Courthouse is located on the sandy shore of Currituck Sound, opposite the Outer Banks, islands which shield the mainland from the Atlantic Ocean. The settlement's roots go back to the establishment of a courthouse in 1722 and the existence of a seventeenth and eighteenth century port of entry into the county. Clustering around the early jail and late nineteenth century courthouse are dwellings of several periods and a few small frame stores. These create a unit whose very smallness and isolation are an expression of the county's history.

The small, thick-walled brick jail with a stern character expressive of its purpose, is a two-story, rectangular building measuring 32 x 20 feet, with pedimented gable ends extending above the low gable roof as parapets. The roof is covered with composition shingles and has metal ridge coping. The 32-inch thick brick walls are laid generally in one-to-three common bond, with a few instances of one-to-four variation. A brick corbel cornice surrounds the building, and the parapeted, pedimented gables have corner buttresses and brick coping. The main (south, landside) facade contains a center bay door, with a replacement cast-iron door and frame, with flanking windows at both stories. In the upper story of the east elevation is a window. The only other opening in the building is a door-sized opening above the entrance which is a later alteration. The north wall and the west wall contain no openings. The original openings have stone sills and lintels, with the exception of the first-story windows, which were enlarged and have concrete sills. The dressing of these stone sills and lintels varies. Several pieces are dressed with straight, regular strokes, several with less regular strokes, and several with margins on the ends. Set into each second story window is an iron grill, perhaps original, composed of intersecting vertical and horizontal strips. The enlarged first-story windows and the added second-story opening have iron grills with vertical bars.

The interior has been completely reworked. The brick walls, which appear to have been uncovered originally, are now cemented, and the interior partition walls, stair and second floor are recent replacements. A small interior end brick chimney added in 1881 is centered on the west wall and in 1952 an addition to the courthouse connected it to the east end of the jail.¹ Local tradition places the date of construction of the jail at 1767, but based on structural and stylistic evidence, architectural historians believe that it was built ca. 1820.

The structure of course is closely related to the surrounding environment. Archaeological remains, such as trash pits, wells, and structural remains, which may be present, can provide information valuable to the understanding and interpretation of the structure. Information concerning use patterns, social standing and mobility, as well as structural details are often only evident in the archaeological record. Therefore, archaeological remains may well be an important component of the structure. At this time no investigation has been done to discover these remains, but it is probable that they exist, and this should be considered in any development of the property

Footnote

¹N.C. Division of Archives and History, Archives and Records Section: Currituck County Commissioners Minutes, Book A, p. 183. March 7, 1881: Thomas Poyner was employed to build a "flew through the jail from the ground four feet above the roof" and promised \$35 for the job.

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/		
<input type="checkbox"/> 1700–1799	<input type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> humanitarian		
<input checked="" type="checkbox"/> 1800–1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> theater		
<input type="checkbox"/> 1900–	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input type="checkbox"/> politics/government	<input type="checkbox"/> transportation		
		<input type="checkbox"/> invention		<input type="checkbox"/> other (specify)		

Specific dates

Builder/Architect

Statement of Significance (in one paragraph)

Currituck County Jail, believed to have been constructed ca. 1820, is one of the oldest extant jails in North Carolina. The small, three-bay Jacobean influenced brick jail is a sturdy two-story, rectangular building laid up in common bond with brick walls thirty-two inches thick. The handsome pedimented gable roof has parapets, and a corbelled brick cornice extends along the eaves. Stone lintels surmount the windows and doors. The jail, the oldest structure in the tiny Currituck Courthouse community, is one of the few extant structures which reflects Currituck County's early development.

Criteria Assessment:

- A. Representative of North Carolina's penal system in the early nineteenth century; associated with the construction of substantial public buildings in small but vital county seat communities in rural North Carolina.
- C. The Currituck County Jail is one of the oldest jails in North Carolina and thus has distinctive and rare characteristics of early jail construction. The three bay brick structure has distinctive pedimented, parapet gable ends and a corbel brick cornice. Situated in the courthouse village of Currituck, the jail is one of the few vestiges of the county's early development.
- D. The site is believed to contain information about the early port of Currituck and its early courthouse.

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The old Currituck County jail located in Currituck Courthouse is a highly significant structure as one of the oldest extant jails in North Carolina. Through the years, it has continually remained a key part of the Currituck County Courthouse complex for the small community, located on the sandy shore of Currituck Sound, opposite the barrier islands known as the Outer Banks. The county has always been sparsely settled and agriculturally centered, and its eighteenth and early-nineteenth century built environment has been ravaged more severely by the extremely humid and stormy coastal climate than has the architectural heritage of most other areas of North Carolina. This striking Jacobean influenced, brick jail is one of these few survivors on which the local community focuses its attention as the most distinctive structures representative of the county's early development.

Currituck Courthouse in itself is a rare example of rural county seat comprising only a little over a dozen structures and retains the ambiance of by-gone days.

During its early history, Currituck functioned consistently as a minor port and trade center and throughout the proprietary period (1663-1729) it appears that this region was under the administrative control of the Port of Beaufort.¹ It was soon after renamed the Port of Currituck.² The officers of Port Currituck moved from place to place, and their jurisdiction comprised only the region on the Currituck Sound. There was no official port town. Ships came into the sound, and wherever they chose to unload their goods, the port master would meet them.³

Charles Christopher Crittenden in his book The Commerce of North Carolina 1763-1789, says of the colonial port: "It was of little consequence, for the few vessels which put in there were small, and their cargoes inconsiderable."⁴ During 1763 only six vessels cleared Port Currituck with a total tonnage of seventy-seven.⁵ Its products went mainly to the northern colonies and the British West Indies.⁶ Nature worked against the advancement of trade on Currituck Sound, for the sound was in many places shallow and dangerous and the inlets from the outer banks quite treacherous.⁷

In 1728 the Carolina-Virginia boundary commissioners visited this area to begin their survey work. They drove a cedar stake two hundred feet north of the Old Currituck Inlet (between the Atlantic Ocean and Currituck Sound), which was even then silting and very shallow.⁸ Five miles south of the old inlet was the New Currituck Inlet, opened by a storm in 1713.⁹

In 1726 the General Assembly appropriated funds to mark the New Currituck Inlet's entrance,¹⁰ and by 1728 the old inlet was completely closed with all traffic being diverted to the new inlet.¹¹ By 1731 the new inlet was silting badly.¹² In 1761 efforts were made to improve the inlet, but by the Revolution

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it was in a shallow state, though as late as 1786, 194 schooners, 43 sloops and 5 brigs were cleared.¹³ In 1828 the inlet closed and a geologic change of major proportions occurred when the Currituck Sound changed from salt to fresh water, wiping out all the shellfish, a major food supply in the region.¹⁴ By 1858 Edmund Ruffin, the distinguished agriculturist and publisher, reported a bank of shells forty miles along the sound, in part attributed to Indian feasting for many generations. The development of ell-grass, wild cherry and other plants in the new fresh water sound provided a refuge for the large number of water fowl which now winter in North Carolina.

Currituck's function as a courthouse has been limited by the sparsely settled character of the county. There is not now, nor has there ever been a town or municipality in Currituck County. There are a number of small settlements, but the courthouse, and the few buildings that surrounded it, are simply referred to as The Courthouse. As late as 1822 a commission was set up to buy twenty acres about the courthouse to establish a town by the name of Crawford.²⁷ The measure was defeated and the town never materialized.²⁸ The courthouse district is now in Crawford township, the only retention of the name. With the county records missing for the years 1670-1696, 1741-1760, and 1775-1780, it is difficult to determine precisely the colonial history of Currituck County.¹⁶ During the 1722 session of the Assembly, provision was made for a courthouse in Currituck County on the land of either William Payton or William Parker.¹⁷ The tracts adjoined.

It is not certain when the first courthouse was built in Currituck County, but in 1723 Robert Peyton was commissioned by the county to build one in the town of Currituck. Peyton, however, failed to comply with the building specifications and "the justices of Carotuck" sued him for damages. According to local tradition, the Peyton building was replaced in 1842.¹⁸

The present day courthouse is said to date from 1876,⁷ but no records exist for construction of a courthouse from 1869 until the enlargement in 1897, so it evidently dates from before 1869. It was then half its present size. In 1897 the building was enlarged.¹⁹ In 1952 the courthouse was remodeled and a rear addition connected the courthouse with the east end of the old jail.

The construction date of the jail remains uncertain. Though there was mention of a jail as early as 1767 when the Assembly passed an act "to empower the Justices of Currituck to build a new prison pillary and stocks. . . .",²⁰ there is no evidence that the present jail dates from this early date. Two architectural authorities, Harley J. McKee of Syracuse, New York, and Calder Loth of the Virginia Historic Landmarks Commission in Richmond, have been consulted. They have both examined photographs of the brickwork, stonework and overall construction of the building and independently have placed the date of construction about 1820.²¹ Both opinions were partially based on similar

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buildings in Virginia and South Carolina areas that could have had contact with Currituck County. The absence of court records for significant periods in Currituck's history have made the absolute dating of the jail impossible.

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Footnotes

¹ Crittenden, Charles Christopher, The Commerce of North Carolina, 1763-1789, p. 42.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ The Colonial Records, Vol. VI, p. 968.

⁶ Ibid.

⁷ Ibid.

⁸ The Colonial Records

⁹ Marguarita Schumann, unpublished manuscript.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Weiland, G. R. "Currituck Sound, Virginia, and North Carolina, A Region of Environmental Change." American Journal of Science, 1897.

¹⁶ Currituck County Minutes of the Board of County Commissioners, July 5, August 3, October 4, 1897.

¹⁷ Ruth Little-Stokes, Currituck County Courthouse, an unpublished statement of significance, Historic Preservation Section, North Carolina Division of Archives and History, Raleigh.

¹⁸ Olds, Story of the Counties, p. 26; The Journal of Currituck County Historical Society, Vol. 1 (Currituck: Currituck County Historical Society, 1973), p. 36.

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	19	Currituck County Commissioners Records "B", 1896-1916, pp. 138, 141, 146.		
	20	<u>The Colonial Records</u> , Vol. VII, p. 556.		
	21	Correspondence in the North Carolina Division of Archives and History, Preservation Section.		

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- Currituck County Historical Society. The Journal of Currituck County Historical Society (no place of publication), 1973.
- Currituck County Records, Courthouse, Currituck, N.C. (Subgroups: wills, deeds, estate papers, tax lists, county commissioners records).
- Currituck County Records, North Carolina Archives, Raleigh (Subgroups: wills, deeds, tax lists, estate papers, county commissioners records).
- Grady L. E. Carroll (ed). Francis Asbury in North Carolina. Nashville, Tennessee: The Parthenon Press, 1964.
- Johnson, Guion Griffis. Antebellum North Carolina. Chapel Hill: University of North Carolina Press, 1937.
- Little-Stokes, Ruth. Currituck County Courthouse, an unpublished statement of significance, Historic Preservation Section, North Carolina Division of Archives and History, Raleigh.
- Merreus, Harry Roy. Colonial North Carolina in the Eighteenth Century. Chapel Hill: University of North Carolina Press, 1964.
- Powell, William Stevens. North Carolina Gazateer. Chapel Hill: University of North Carolina Press, 1968.
- Saunders, William L. (ed.). The Colonial Records of North Carolina. Raleigh: State of North Carolina, 10 vols., 1886-1890.
- Schumann, Marguerite. The Living Land, an unpublished manuscript.
- The Clipping File of the North Carolina Collection, Wilson Library, University of North Carolina, Chapel Hill.
- Weiland, G.R. "Currituck Sound, Virginia and North Carolina, A Region of Environmental Change", American Journal of Science, 1897.

"A New Court House of Brick"
A Documentary History of the Currituck County Courthouse,
Currituck, North Carolina,

with an addendum:
Establishing a Construction Date for the
Currituck County Jail.

Prepared for
The County of Currituck, North Carolina
and
The Currituck County Historical Society

by
John B. Green III
Historic Preservation Consultant

New Bern, N.C.
1998

**Addendum:
Establishing a Construction Date for the
Currituck County Jail**

ESTABLISHING A CONSTRUCTION DATE FOR THE CURRITUCK COUNTY JAIL

A number of possible dates of construction have been suggested for the Currituck County Jail. These range from 1768 to ca.1820. The first date refers to an act of the colonial assembly authorizing the justices of Currituck County "to build a prison pillory and stocks in the said county on the lot where the court house stands" ¹ It is not known whether these facilities were ever built and it is architecturally and stylistically improbable that the present building was constructed in the 18th century. The second date, that of ca.1820, has been suggested since the 1970s as a more likely date of construction considering the construction techniques, materials, and style of the building. ² Measuring thirty-two by twenty feet, the two-story jail features brick walls laid primarily in three-to-one common bond with some sections of four-to-one common bond. The door and windows have brownstone sills and lintels. These features are more likely to date from the first half of the 19th century than from the 18th century.

Whatever 18th century jail did exist appears to have been destroyed by fire in 1804. The *Federal Gazette & Baltimore Daily Advertiser* for 31 May 1804 reported that,

By a person who left Currituck, in N. Carolina, on Friday last, [25 May] we are told, that the court-house, *jail* and clerk's office in that county, with all the books and papers, were totally destroyed by fire on Wednesday morning last [23 May]. ³

A replacement courthouse and jail were soon thereafter constructed. That the jail was a frame building is indicated by the nature of the various schemes to repair and fortify it over the years. ⁴ Although the justices at their May 27, 1828 session ordered that "G.C. Marchant Joshua Baxter Lemuel Taylor be appointed Commissioners to Draft and contract for the building of A new Brick Jail," there is no indication in the minutes of subsequent sessions of the court that the building of a brick jail was pursued. Minutes for later sessions of the court seem to imply, by the nature of the repairs ordered, that the jail or jails of Currituck County continued to be frame structures. ⁵

On 24 February 1857 the grand jury reported to the justices of the County Court of Pleas and Quarter Sessions that,

upon a view & examination of the Jail in Said County, beg leave to report to your Worships that the Jail is in a very bad Condition being in the opinion of Said Jurors insecure & insufficient for the Safe Custody of Criminals that may be ordered there for Safe keeping, the dungeons having holes in them Sufficiently large to allow the escape of prisoners that may be therein Confined.

The justices responded by ordering the commissioners appointed to repair the courthouse to also "make report what will be the probable Cost of repairing the Jail." ⁶ Although the commissioners' report at the following May Term of court is not recorded, it is apparent that they reported that the jail should be rebuilt for we find the justices ordering,

that the Building Commissioners for the County Jail take bond and Security in the Sum of two thousand Dollars for the proper building of Said Jail, according to estimate: amt of Contract being \$1000.⁷

The new jail was either completed or well under way and the old jail demolished by September 1, 1857 when the justices ordered that,

Joseph Winslow be allowed the Sum of Three hundred & five dollars for taking down the Jail, Attention, extra work on C.H. & drawing Contract."⁸

On December 1, 1857 the justices conducted the final business concerning the rebuilt jail ordering that,

the Sheriff of Currituck pay over to Benjamin S. Dey & William F. Baxter Commissioners the Sum of Fifteen hundred and one dollars and Eighty Cents to be by them disbursed in payment of balance a[pc]^t of repairs to Court House & for costs of rebuilding the Jail.

and that the sheriff

proceed on Tuesday the 1st Dec^r to sell the Bricks and other materials left from building the Jail and repairs of the Court House Said materials to be sold in such lots not to exceed 5000 & take notes with approved Security int. from date.⁹

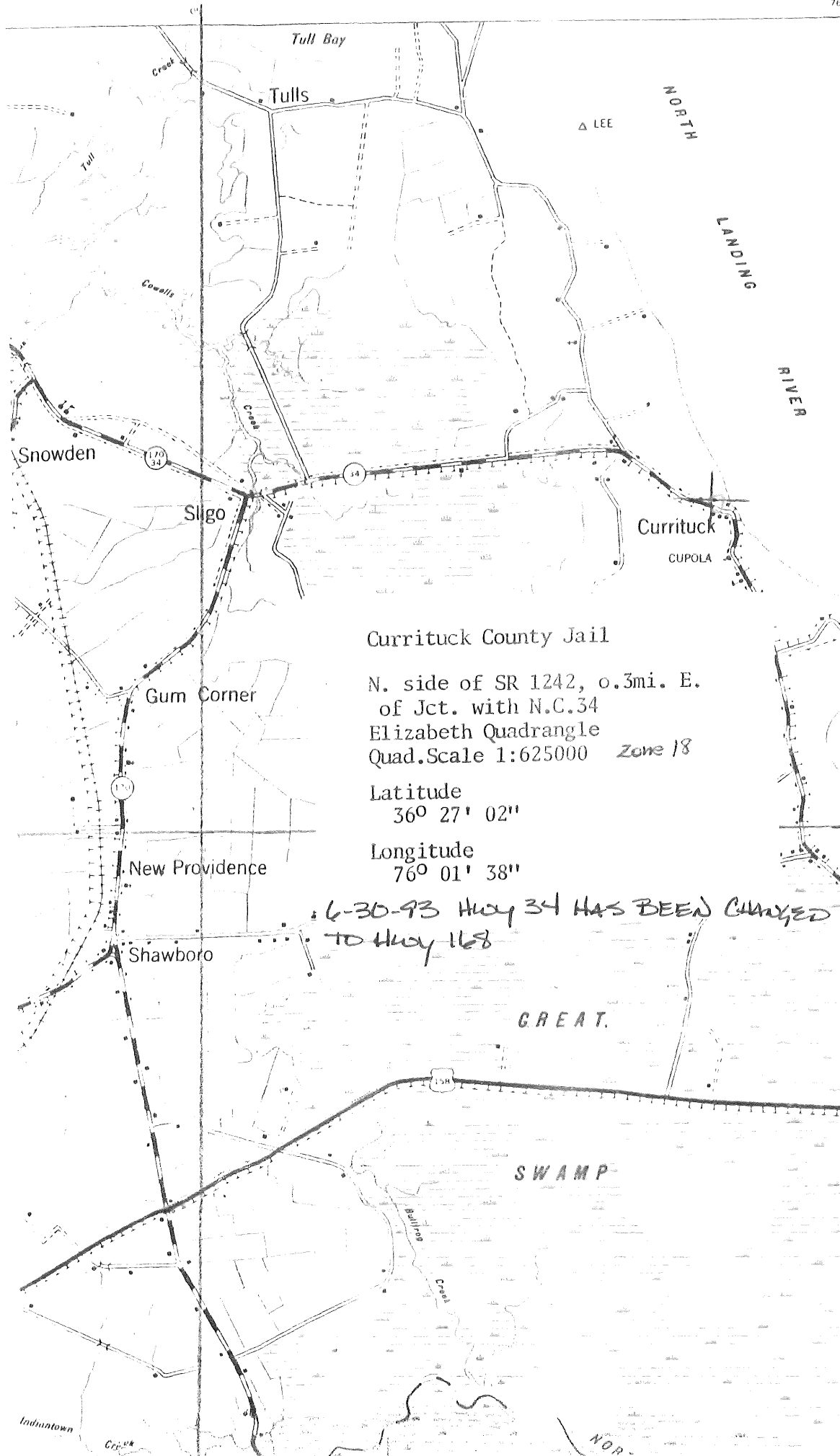
Thus in using the phrase "taking down the Jail," indicating that the jail existing in 1857 was demolished, and in using the phrases "rebuilding the Jail" and "building the Jail," that a new jail was built, it appears that the present Currituck County Jail must date from this building activity or later. As the present jail is structurally and stylistically unlikely to have been built later than the 1850s, it is in all probability the jail erected between February and December 1857.

1. *Colonial and State Records of North Carolina*, 30 vols., (Goldsboro and Raleigh: state printers, 1886-1914), VII, 623-24; XXIII, 747-48; Margaret Walker and Barbara B. Snowden, "Currituck," *Journal of Currituck County Historical Society*, (Barco, N.C.: Currituck County Historical Society, 1976), np.

2. Currituck County Jail National Register of Historic Places file, North Carolina Division of Archives and History, Eastern Regional Office, Greenville, North Carolina; Catherine W. Bishir and Michael T. Southern, *A Guide to the Historic Architecture of Eastern North Carolina*, (Chapel Hill: University of North Carolina Press, 1996), 92.

3. *Federal Gazette & Baltimore Daily Advertiser* (Baltimore, Maryland), 31 May 1804, 3:1.

4. Currituck County Court of Pleas and Quarter Sessions, minutes, 12 May 1812; 30 May 1821; 27 August 1822.
5. Currituck County Court of Pleas and Quarter Sessions, minutes, 27 May 1828; 30 August 1847.
6. Currituck County Court of Pleas and Quarter Sessions, minutes, 24 February 1857.
7. Currituck County Court of Pleas and Quarter Sessions, minutes, 26 May 1857.
8. Currituck County Court of Pleas and Quarter Sessions, minutes, 1 September 1857.
9. Currituck County Court of Pleas and Quarter Sessions, minutes, 1 December 1857.



Currituck County Jail

N. side of SR 1242, 0.3mi. E.
of Jct. with N.C. 34
Elizabeth Quadrangle
Quad. Scale 1:625000 Zone 18

Latitude
36° 27' 02"

Longitude
76° 01' 38"

6-30-93 Hwy 34 HAS BEEN CHANGED
TO Hwy 1168

U.S. GEOLOGICAL SURVEY
WANTED 52 W.

N.C. GEOLOGICAL SURVEY
WANTED 51 W.

