**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

Old Clay County Courthouse

AND/OR COMMON

**2. LOCATION**

STREET & NUMBER

Main Street

CITY, TOWN

Clay

STATE

West Virginia

LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.

New Clay County Courthouse

STREET & NUMBER

Main Street

CITY, TOWN

Clay

STATE

West Virginia

PRESENT USE

AGRICULTURE

COMMERCIAL

PARK

EDUCATIONAL

PRIVATE RESIDENCE

ENTERTAINMENT

RELIGIOUS

GOVERNMENT

SCIENTIFIC

INDUSTRIAL

TRANSPORTATION

MILITARY

OTHER

**3. CLASSIFICATION**

CATEGORY

PUBLIC

PRIVATE

STRUCTURE

BOTH

SITE

PUBLIC ACQUISITION

IN PROCESS

BEING CONSIDERED

OWNERSHIP

DIRECT

BUILDING(S)

PRIVATE

BUILDING(S)

STRUCTURE

PUBLIC

PRIVATE

OBJECT

PUBLIC

PRIVATE

ADDRESS

IN PROCESS

BEING CONSIDERED

STATUS

OCCUPIED

UNOCCUPIED

WORK IN PROGRESS

ACCESSIBLE

YES, RESTRICTED

YES, UNRESTRICTED

NO

OWNER OF PROPERTY

NAME

Clay County Commission

STREET & NUMBER

New Courthouse, Main Street

CITY, TOWN

Clay

STATE

West Virginia

REPRESENTATION IN EXISTING SURVEYS

TITLE

DATE

DEPOSITORY FOR SURVEY RECORDS

CITY, TOWN

STATE
Frank L. Packard, architect of the Clay County Courthouse at Clay, West Virginia, designed numerous public buildings in Ohio and West Virginia during the latter 19th and early 20th centuries. Packard had a partner, Joseph Yost, of Columbus, Ohio, for most of the decade of 1890s. The Clay County Courthouse, erected in 1902, was thus one of the early buildings planned by Packard in his career as an independent professional. Though its dimensions are modest in comparison with other known Packard designed buildings in West Virginia, such as the Marion County Courthouse at Fairmont and the Parkersburg High School, the Clay County Courthouse is significant nevertheless, as an example of early 20th century public architecture in a small town setting.

The courthouse stands on a hill overlooking much of the community of Clay. Its refined, subtle ornamentation, and highly symmetrical plan offer a visual complement to the community with its similarly utilitarian buildings. The local landmark quality of the courthouse is further evinced by an integrity that has not been compromised with significant exterior or interior alterations over the past three quarters of a century.

Eclecticism of the early 20th century is evident in the architect's choice of style elements. The classical theme is perhaps most clearly defined in the broken pediment and coupled Roman Doric columns that form a small portico-front-piece about the building's arched entrance. The domed cupola surmounting the hipped roof with deck duplicates the coupled column theme on each of its four sides. The Beaux Arts classicism is typical of this period. Other classical notes include the dentiled cornice with modillions beneath the broken pediment of the entrance, and the repition of this theme in the cornices of the building and cupola. The deck balustrade and matching roof balustrade have disappeared.

The Clay County Courthouse is a square building whose three central bays on each elevation are flanked with shallow single-bay setbacks. A raised, rock-face limestone basement complements the rustication of the building's first story. The pressed blond brick facade is divided between the floors with a rock-face beltcourse. The flatheaded windows with ornamental flat brick arches at the first level are in contrast to the arched windows of the second. Especially fine brickwork in seen in the arches of the second floor windows that are set within shallow recessed panels.

The most interesting of the interior features are the three fireplaces at the rear of the courtroom whose separate flues rise in a spectacular composite chimney at the rear of the building. Two unobtrusive subsidiary brick buildings erected at the time of the courthouse construction are seen at the rear of the building.
Standing atop the highest hill in the County seat of Clay, West Virginia, the Old Clay County Courthouse easily dominates the view of the town’s main street, as it has the affairs of the community since its erection (on the same spot as the original courthouse) in 1902.

Clay County was organized on March 29, 1858, from land taken from Braxton and Nicholas County and named in honor of the Kentucky statesman, Henry Clay. The County Seat went through a variety of changes, being first designated by the Virginia Assembly as the Town of Marshall, in honor of Virginia's great Chief Justice, John Marshall. In 1863, when the legislature of the newly created West Virginia changed the name to Henry (again, for Henry Clay), the town had its second name. Throughout this entire period, however, the town was generally referred to as Clay Courthouse and the United States Post Office was called Clay. Finally, in 1927, the name was officially changed to Clay, its third and present designation.

The County Court first met at the home of B.W. Byrne in what was then Marshall. The Court continued to meet at irregular places and in make-shift surroundings until 1865 when a large courthouse and a hewn-log building for the County Clerk were constructed. These structures continued to serve as the seat of county government until 1902, when the new courthouse was erected. An interesting anecdote is connected with the demolition of the old and the building of the new courthouse. It seems the stones for the new courthouse were being quarried quite close to the old structure and during the quarrying, several large boulders broke loose and rolled through the old courthouse, partially demolishing the structure; thus the old made way for the new.

Aside from serving as the administrative center for Clay County since 1902, the courthouse has been the scene of several noteworthy events in the history of the County. Three very memorable trials in the county's history were held at the Courthouse; the Sarah Ann Legg trial in 1905, the Booger Hole trial of 1917, and the Roscoe Bail trial in 1953.
The first named trial was notable as the first trial of a woman for murder in Clay County history. Mrs. Legg, accused of murdering her husband, was acquitted in what was a widely publicized trial.

The Booger Hole trial of 1917 (so-named for the small community of Booger Hole nearby) is famous not so much for the principal participants, victims and murderers, but in the public's reaction to it. An angry mob of local citizens surrounded the courthouse and made an effort to lynch the father and son who were being held for the murder. Only the strenuous oratorical efforts of the County's prosecutor kept the courthouse from becoming the scene of an illegal hanging.

The famous 1953 Roscoe Bail trial was a direct result of the Great Widen Coal Strike, often referred to as the "last of the mine wars". Bail, a striker, was accused and convicted of killing a mine guard at a time when passions on both sides were running high. Bail's appeal for a new trial was granted, but he was killed before it took place.

The Clay County Courthouse has served as the focal point for the political, social and cultural life of Clay County for 76 years, and the location for 110 years.

Designed by the regionally prominent architect, Frank L. Packard, in 1902, it was one of the first of several fine public buildings that Packard designed after the beginning of his independent career, and stands as an excellent example of turn-of-the-century eclectic architecture placed in a small community environment. In recognition of its importance to the community, the County has designated that it continue to be maintained, and it now serves (since the opening of the new Courthouse across the street on September 23, 1978) as the offices for County magistrates and the county extension agent.
MAJOR BIBLIOGRAPHICAL REFERENCES


GEOGRAPHICAL DATA

| ACREAGE OF NOMINATED PROPERTY | One Acre |
| QUADRANGLE NAME | Clay |

| QUADRANGLE SCALE | 1:24,000 |

| UTM REFERENCES | |
| A | 141 | 91 | 217 | 141 | 150 | 161 |
| B | 141 | 91 | 217 | 141 | 150 | 161 |
| C | 141 | 91 | 217 | 141 | 150 | 161 |
| D | 141 | 91 | 217 | 141 | 150 | 161 |
| E | 141 | 91 | 217 | 141 | 150 | 161 |
| F | 141 | 91 | 217 | 141 | 150 | 161 |
| G | 141 | 91 | 217 | 141 | 150 | 161 |
| H | 141 | 91 | 217 | 141 | 150 | 161 |

VERBAL BOUNDARY DESCRIPTION: The Clay County Courthouse is located on tax lot #30 in the center of Clay on Main Street (WV Rt. 16) on a hill overlooking the community and new courthouse. The nominated property includes only the courthouse and land fronting upon the building extending to Main Street. (Clay Corporation Map #5, Office of the Assessor, Clay, Clay County, West Virginia)

FORM PREPARED BY

NAME / TITLE: Michael J. Pauley, Historian; Rodney Collins, Architectural Historian

ORGANIZATION: Department of Culture and History Historic Preservation Unit

STREET & NUMBER: The Cultural Center, Capitol Complex 304 West Virginia 25305

CITY OR TOWN: Charleston

STATE: West Virginia

HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL _ STATE X LOCAL X

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 Alston

DATE: 1-14-79

FOR NPS USE ONLY

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

KEEPER OF THE NATIONAL REGISTER

DATE

ATTEST:

DATE

CHIEF OF REGISTRATION
OLD CLAY COUNTY COURTHOUSE, CLAY, WEST VIRGINIA

CONTINUATION SHEET ITEM NUMBER 9 PAGE 2

National Society of Colonial Dames, Historic Activities Committee, West Virginia Counties and Courthouses, 1972.

Williams, Chambers, "June 1 Target Date for Clay County's New Courthouse" - The Charleston Daily Mail, April 10, 1978.