

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

VLR Listed: 12/12/2019
NRHP Listed: 2/25/2020

1. Name of Property

Historic name: Old Jail of Caroline County

Other names/site number: DHR #171-0010

Name of related multiple property listing:
N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. Location

Street & number: 119 N. Main Street

City or town: Bowling Green State: VA County: Caroline

Not For Publication: N/A Vicinity: N/A

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national X statewide local

Applicable National Register Criteria:

X A B X C D

<p>Signature of certifying official/Title: <u>Virginia Department of Historic Resources</u> State or Federal agency/bureau or Tribal Government</p>	<p>Date</p>
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<p>In my opinion, the property <u> </u> meets <u> </u> does not meet the National Register criteria.</p>	
<p>Signature of commenting official:</p>	<p>Date</p>
<p>Title :</p>	<p>State or Federal agency/bureau or Tribal Government</p>

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4. National Park Service Certification

I hereby certify that this property is:

- entered in the National Register
- determined eligible for the National Register
- determined not eligible for the National Register
- removed from the National Register
- other (explain:)

Signature of the Keeper

Date of Action

5. Classification

Ownership of Property

(Check as many boxes as apply.)

- Private:
- Public – Local
- Public – State
- Public – Federal

Category of Property

(Check only **one** box.)

- Building(s)
- District
- Site
- Structure
- Object

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Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing	Noncontributing	
<u>0</u>	<u>0</u>	buildings
<u>0</u>	<u>0</u>	sites
<u>0</u>	<u>0</u>	structures
<u>0</u>	<u>0</u>	objects
<u>0</u>	<u>0</u>	Total

Number of contributing resources previously listed in the National Register 1

6. Function or Use

Historic Functions

(Enter categories from instructions.)

GOVERNMENT/correctional facility

Current Functions

(Enter categories from instructions.)

VACANT/NOT IN USE

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7. Description

Architectural Classification

(Enter categories from instructions.)

LATE 19TH AND 20TH CENTURY REVIVALS: Colonial Revival

Materials: (enter categories from instructions.)

Principal exterior materials of the property: BRICK; ASPHALT; CONCRETE; METAL:
Steel

Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Summary Paragraph

The Old Jail of Caroline County is a two-story brick building with a hipped roof, located at the southern edge of the courthouse square in the town of Bowling Green, Virginia. Virtually unchanged since it was constructed in 1900, the Old Jail is a plain but elegant Colonial Revival building which harmonizes with the Greek Revival Caroline County Courthouse (ca. 1835) standing to the northwest, in the middle of the courthouse square. On the interior, the Old Jail retains its original configuration of spaces, consisting of a stair passage with evidence locker and a large cell room for male prisoners on the ground floor, and three spaces on the second story—the stair passage, a large room that functioned as a holding cell, and a smaller room used for female prisoners. The original steel-bar cells were removed from the ground-floor cell room in 1968 when the building ceased functioning as a jail and was converted for use as an office and museum for the Caroline Historical Society. Despite the loss of the cell, the building retains nearly all other of its original fittings and finishes including window sash, reinforced concrete floors and ceilings, and steel interior walls, doors, and door and window bars. The Old Jail is a remarkably well-preserved example of the scores of small county and city jail buildings that were erected throughout the Commonwealth around the turn of the twentieth century, the vast majority of which are now demolished or have been altered in the course of conversion to non-penal functions. The Old Jail retains excellent integrity of location, setting, design, materials, feeling. The building also retains integrity of association, as it is significant for its connection to Richard and Mildred Loving, a couple whose challenge of Virginia's anti-miscegenation laws led to the landmark 1967 United States Supreme Court decision *Loving v. Virginia*, striking down anti-miscegenation laws nationwide. The Lovings were held in the Old Jail following their

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initial arrest on July 17, 1958, for violating Virginia's Racial Integrity Act of 1924. In recent decades, the jail has come to be viewed in the local community as the public building most associated with the *Loving* case. The jail is listed as a contributing building in the Bowling Green Historic District (NRHP 2003), which includes the entire courthouse square and surrounding areas.

Narrative Description

Setting

The Old Jail is situated on a 2.5-acre parcel owned by Caroline County (at right). In addition to the jail building, the parcel also contains five other buildings (the Old Caroline County Courthouse, the Hon. J. Peyton Farmer Circuit Courthouse, the County Clerk's office, the Sidney E. King Arts Center, and the Caroline County office of the Virginia Cooperative Extension) and two stone monuments. The Old Jail is located at the southern edge of the parcel with its façade facing the open courthouse square and N. Main Street (Va. State Route 2) to the west. To the north and west of the jail across the courthouse square is the ca. 1832 Old Caroline County Courthouse (NRHP 1972), a two-story brick building featuring a ground-floor arcade and gable roof with pediment. The courthouse is one of several neoclassical Virginia courthouses that resemble pavilions at Thomas Jefferson's University of Virginia, and may have been built by craftsmen who were employed by Jefferson at the university. Directly northeast of the jail is a long single-story brick building, oriented north-south, with an arcade along its west elevation. This building was erected in the 1950s to house county offices and now serves as the Sidney E. King Arts Center, containing a community meeting room, exhibition space, and archives and storage facilities for the Caroline Historical Society. An asphalt parking lot abuts the jail to the south. Southwest of the jail is a mid-twentieth-century one-story, brick commercial building, which fronts on N. Main Street with its north wall running along the southern edge of the courthouse square. There are several mature trees in the courthouse square to the west of the Old Jail.

Architectural Description

The Old Jail of Caroline County was designed by the Pauly Jail Building and Manufacturing Company of St. Louis, Missouri, and built over the course of five months in the summer of 1900 by the contracting agents of the Pauly Company, the B. F. Smith Fireproof Construction Company of Washington, D. C. A two-story rectangular building with a hipped roof, the Old Jail was executed in a plain Colonial Revival style with red brick walls, a slender and elegant chimney stack, arched window and door heads, and a corbeled cornice that together subtly recall forms found in Virginia's eighteenth- and nineteenth-century architecture.

Exterior

The Old Jail is three bays wide and one room deep. The façade (west elevation) of the building features a projecting two-bay main block to the north and a single-bay south extension which contains the building's only entrance. The entrance is fitted with two original doors—an outer door made of heavy steel bars, and an inner door made of solid steel plate. There are five symmetrically placed windows in the west elevation—two at the ground-floor level and three in

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the second story. The rear (east) elevation has three windows in the ground-floor level and three above lighting the second story. All of these windows retain their original fixed steel bars on the exterior. There are no windows in the north or south walls of the building, though sometime in the 1970s or 1980s when the building was occupied by the Caroline Historical Society, a rectangular opening was made at ground-floor level in the north wall to accommodate an air conditioning unit. The air conditioning unit has since been removed and the opening covered with plywood.

The brick exterior walls are laid in American bond with seven courses of stretchers between each course of headers. There is a projecting two-course water table consisting of a course of headers laid atop a course of stretchers, below which the brick foundation walls have been covered with cement render. The cement-covered foundation is approximately five brick courses in height above grade. Level with the tops of the second-story windows, a projecting belt course consisting of a single course of stretchers marks a transition of color in the brickwork—a bright red brick is used throughout the walls below this belt course, while a darker, deeper red brick is present in the courses which form the entablature above. The entablature consists of a flat frieze six courses in height, surmounted by a corbeled brick cornice of an additional six courses. A band of wood cornice molding is fastened to the brick at the uppermost part of the wall. Window and door openings are supported by segmental brick arches with projecting headers forming dentils and a hood molding. The sills of the windows and door are made of steel-reinforced cast concrete. There are areas of mortar loss visible throughout the exterior brickwork. Mortar loss and destabilization of the masonry on the east (rear) elevation prompted a decision ca. 2004 to encase the entire east wall and adjacent small sections of the north and south walls in plywood sheets as a temporary measure.¹ Where present, this plywood sheathing runs from the top of the water table to the top of the cornice. It is held in place by 3/8-inch threaded steel bolts, which were inserted into holes drilled through the wall into the interior of the building at intervals of about one foot.

The Old Jail has a wood frame hipped roof covered with asphalt shingles. Since it was constructed to be a fireproof building, it is likely that the Old Jail originally had a slate roof like those currently in place on the adjacent Sidney E. King Arts Center and the nearby County Clerk's office. The current asphalt shingle roof was installed in 2011 and replaced an earlier asphalt shingle roof that had deteriorated to the point of failure.² The roof was originally designed so that rainwater ran into gutters built into the upper surface of the corbeled brick cornice. These gutters fed downspouts on the north, south, and east sides of the building. At some point in the middle decades of the twentieth century, the integrated gutter system was covered over and the downspouts which drained it were removed. Vertical gaps in the brick cornice reveal the former locations of these downspouts. At present, there is a short run of metal gutter attached to the wood cornice at the southwest corner of the building, above the entrance. This gutter drains into a single downspout which runs down the south wall. A slender chimney stack with a projecting necking course and a corbeled cornice rises along the rear (east) wall of the building where the main block joins the smaller south wing.

¹ Conversation with Wayne Brooks, Caroline Historical Society President, 12 October 2018.

² Tim Cox, "New roof for old jail," *Caroline Progress*, 10 March 2011.

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The north and west foundation walls of the building are bordered by a grass lawn. An asphalt pad abuts the foundation wall of the east (rear) elevation. There are poured concrete pavers along the south foundation wall and at the southwest corner of the building at the entrance. There is a flight of two brick stairs at the entrance.

Interior

The brick walls on the exterior of the Old Jail conceal an interior structural framework of heavy steel posts and beams which support solid plates of steel welded and riveted together to form interior walls, floors, and ceilings. Throughout the interior of the Old Jail, the original walls, floors, and ceilings made of these steel plates remain in place with very few alterations.

The sole entrance to the building in the west wall of the south wing opens into a narrow stair passage. A closed-stringer stair runs along the south wall, rising from the east end of the room. The stair treads, risers, stringer, and vertical supports are made of plate steel. The rail is made of steel pipe. Immediately behind the entrance door, the space under the stair was boxed off with steel plates to make an evidence locker secured by a heavy plate steel door. The ceiling of the stair passage consists of steel plates that are riveted to steel I-beam joists. These joists support the floor of the stair passage and the small cell historically designated for female inmates on the second story. The floor of the ground-floor stair passage is made of concrete which is currently covered with a layer of thin carpet. Because the stair passage was not designed to hold prisoners, the interior masonry wall surfaces were not sheathed with steel plates. The stair passage is also one of the few places in the building that contains original wood architectural elements. The walls feature molded wood baseboards, and the room is lit by a double-hung, two-over-two wood sash window installed in its original wood frame in the east wall.

There is an original plate steel door in the north wall of the stair passage that contains a small access window at chest height. This access window is fitted with a small steel door which opens from the south (stair passage) side. On the reverse, there is a semicircular shelf and barred screen. The access window presumably allowed for items such as meals to pass between the stair passage and the room beyond while the door remained locked. The door opens into what is now a single large room which takes up the entire ground-floor area of the building's main block. Originally, this room functioned as the cell room for male prisoners. It contained two holding cells which abutted the west and north walls. A corridor along the south and east walls of the room provided the jailer access to each cell. The cell walls which faced this corridor consisted of steel bars, allowing the jailer to observe the activities of the cells' occupants. The fittings for the two cells were removed during the renovations of 1968-1969 when the jail was converted for use by the Caroline Historical Society. In 2002, members of a local community organization, the Historic Economic Leadership Panel (H.E.L.P.), located pieces of the original cells on a nearby farm.³ Two pieces—a section of steel bars and a cell door made of riveted steel straps—were returned to the building where they are currently stored. When the cells were removed, it was found that they helped to support the steel-reinforced concrete floor of the second-story holding

³ Stan Beason, "Vintage jail welcomes visitors," *The Free Lance-Star*, 30 November 2002; Conversation with Wayne Brooks, Caroline Historical Society President, 12 October 2018.

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cell directly above. Four sets of new steel posts and beams were installed to provide additional support, and the ceiling was covered over with thin plywood boxing.⁴ The walls of the ground-floor cell room are sheathed in original steel plates. The floor is made of steel-reinforced concrete covered with thin carpet. Four windows—two each in the east and west walls—give light to the room. Each window opening contains an original heavy steel-barred window that is fixed solidly in the window jambs and welded to the steel interior walls of the room. Thick steel mullion bars divide the windows into thirty individual lights arranged horizontally in six rows of five. In each casement, the lights of the third row from the window sill and the uppermost row are glazed with individual glass panes. The lights of the two remaining sections of rows—the two lowermost rows and the fourth and fifth rows from the window sill—have been left unglazed and are fitted on the interior with rectangular single-pane, steel-framed casements that are hinged on the lower end and can be opened to provide for ventilation.

On the second floor, the stair terminates at a small landing. The north and west walls of this stair passage are masonry and have the same wood baseboard found in the stair passage on the ground floor. The floor is made of solid steel plates riveted to steel I-beam floor joists and covered with thin carpet. In the west wall is a steel-barred window of the same type as those in the ground-floor cell room. The ceiling is made of solid steel plates supported by steel I-beams. To the east is a steel-plate partition wall with a door made of riveted steel straps which gives access to a very small room. Measuring just five feet by seven feet and containing barely enough room for bed and chair, this space served as the jail's cell for female prisoners. The cell is lit by an original double-hung, two-over-two wood sash window in the east wall, which is covered on the interior with a swinging casement made of riveted steel straps. The interior surfaces of the walls, ceiling, and floor of the cell are all made of solid steel plates. Brackets fixed at intervals in the walls show the original locations of two bunks that were installed across the south end of the room. In the course of converting this space to a restroom in 1968-1969, the bunks were removed and a hollow-core wood door was installed on the cell-side of the steel strap door.⁵

In the north wall of the second-floor stair landing, there is a heavy steel plate door with access window—the same type as the door between the stair passage and cell room on the ground-floor. This door opens into a large room directly above the ground-floor cell room. This room was never given partitions and originally served as a large holding cell. Like the ground-floor cell room, it is also lit by four windows—two each in the east and west walls. These windows are the same type of steel-bar windows with swinging, single-pane interior casements as those lighting the ground-floor cell room and second-floor stair landing. The walls and ceiling of the second-floor holding cell are made of solid steel plates. The floor consists of steel plates covered over with a layer of concrete. The steel I-beams that support the steel plates of the ceiling are exposed to view. The walls are covered in graffiti left by prisoners. Basketball star Wilt Chamberlain spent a night in this holding cell after being arrested for speeding in 1955. Reportedly, Chamberlain left an inscription on the wall which reads, "This jail is a helluva place."⁶

⁴ "Caroline Historical Society," *Caroline Historical Society Newsletter*, July 1981.

⁵ *Caroline Historical Society Newsletter*, October 1979.

⁶ Ed Simmons, Jr., "History-rich 'Old Pauly Jail' to be restored," *Caroline Progress*, 5 March 2009.

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The chimney flue protrudes from the southeast corner of the ground-floor cell room and second-floor holding cell. Originally this flue served a boiler which fed radiators in the various rooms of the jail. The radiator which heated the cell on the upper story is still in its original location, connected to pipes. The two large radiators which heated the ground-floor cell room and the second-floor holding cell have been disconnected from their pipes but remain in their respective rooms. The radiator that was formerly in the ground-floor stair passage has been removed.

Integrity Analysis

The Old Jail of Caroline County retains a high level of architectural integrity from its period of significance (1900-1968). The Old Jail is on its original location, situated on the courthouse square in downtown Bowling Green, Virginia, a small town that has seen relatively little development in the last sixty years. No structures have been erected which block the view of the jail from N. Main Street or substantially alter the perception of the historic hierarchy of buildings on the courthouse square as reflected by the spatial relationship between the structures and their locations on the square. The Old Jail therefore exhibits high integrity of *location* and *setting*. The building also retains high integrity of *design*, as the façade (west elevation) maintains its historic appearance and the internal division of spaces is unchanged from the time it was constructed, with the exception of the removal of the steel-barred cells from the ground-floor cell room. The jail's integrity of *design* also benefits from the fact that it has never received any additions that would alter the massing of the building and detract from the building's form as conceived by its designer. The near complete survival of original fittings—steel doors and windows, interior wood finishes in the stair passage and landing, and steel walls, floors, ceilings, and stair—contribute to the building's excellent integrity of *materials*. Though the building was converted from jail to office and museum in 1968-1969, this conversion was accompanied by very little in the way of physical changes to the structure. The retention and enduring survival of the building's original fittings and surfaces mean that the building's original penal function is unmistakable, and thus, it exhibits excellent integrity of *feeling* as a small county jail building constructed at the turn of the twentieth century. The Old Jail's excellent integrity of *location*, *setting*, *design*, *materials*, and *feeling* contribute to the building's *association* with its most notable temporary residents, Richard and Mildred Loving, who were held in the jail in 1958 following their arrest for violating Virginia's Racial Integrity Act of 1924 which outlawed interracial marriage. The Lovings' arrest initiated a long legal struggle that culminated in a U. S. Supreme Court decision (*Loving v. Virginia*) in 1967 which struck down anti-miscegenation laws nationwide. In recent decades, the Old Jail has taken on significance in the local community as a symbol of the Lovings' story, an important chapter in the history of civil rights in the United States.

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8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B. Property is associated with the lives of persons significant in our past.
- C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- A. Owned by a religious institution or used for religious purposes
- B. Removed from its original location
- C. A birthplace or grave
- D. A cemetery
- E. A reconstructed building, object, or structure
- F. A commemorative property
- G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance

(Enter categories from instructions.)

ARCHITECTURE

ENGINEERING

POLITICS/GOVERNMENT

Period of Significance

1900-1968

Significant Dates

1958

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

Pauly Jail Building and Manufacturing Company

B. F. Smith Fireproof Construction Company

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Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

The Old Jail of Caroline County is significant at the state level under Criterion A in the area of Politics/Government for its association with the civil rights case of Richard and Mildred Loving. Caroline County residents of differing racial backgrounds. The Lovings were married on June 2, 1958, in Washington, D. C., where there were no laws banning interracial marriage. After returning to their home in the Caroline County community of Central Point, Virginia, the Lovings were arrested in the early morning hours of July 17, 1958, by Caroline County sheriff Garnett Brooks. Charged with violating Virginia's Racial Integrity Act of 1924, the Lovings were taken to the Old Jail. Richard Loving was released after one night, while Mildred Loving spent four days and nights in the cramped cell on the second floor. The Lovings later pled guilty to charges of unlawful cohabitation and were sentenced to one-year prison terms, which were suspended providing the couple left Virginia. The Lovings moved to Washington, D. C. and in 1964, with the help of the American Civil Liberties Union, initiated appellate proceedings. Their convictions were upheld by the Virginia courts but later overturned on appeal to the United States Supreme Court in 1967. The Supreme Court's decision in *Loving v. Virginia* ruled that anti-miscegenation laws violated both the Equal Protection Clause and the Due Process Clause of the 14th Amendment to the Constitution, immediately rendering laws banning interracial marriage then in active use in sixteen states unconstitutional and unenforceable. The Lovings are the Old Jail's most notable former inmates, and in recent years their association with the building has served to strengthen advocacy for its preservation, as the local community has come to view the Old Jail as a physical symbol of the important national contributions made by one Caroline County family to the history of civil rights in the United States. The Old Jail of Caroline County is also significant at the state level under Criterion C in the areas of Architecture and Engineering as an extremely well-preserved example of a prefabricated jail building designed by the Pauly Jail Building and Manufacturing Company of St. Louis, Missouri. One of the nation's earliest and most prolific manufacturers of prefabricated steel jail components, the Pauly Company was responsible for several innovations in jail technology and design. The Pauly Company designed and supplied fittings for hundreds of jails erected throughout the United States in the late nineteenth and early twentieth centuries. Many of these buildings have been demolished or extensively altered, however, as the needs of localities have expanded and philosophies and standards of jail security and prisoner treatment have changed. The Old Jail's period of significance begins in 1900, when the building was constructed, and ends in 1968, when the building ceased functioning as a jail. The significant date of 1958 refers to the year that Richard and Mildred Loving were arrested and held in the Old Jail.

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Criterion A: Politics/Government

Historical Background

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Around the turn of the twentieth century, Virginia, like many other states, enacted new segregation laws that aimed to maintain white supremacy through the control and disempowerment of African Americans. One such law was Virginia's Racial Integrity Act of 1924.⁷ It was written by pianist and composer John Powell with assistance from physician Walker Ashby Plecker, head of the Virginia Bureau of Vital Statistics. Plecker and Powell were eugenicists and the founders of the Anglo-Saxon Clubs of America, a white supremacist organization that supported stringent immigration regulations and the introduction of stronger

⁷ The text that follows is the complete Racial Integrity Act of 1924 as recorded in the Code of Virginia of 1924. See Virginia General Assembly, *Code of Virginia, as Amended to Adjournment of General Assembly 1924* (Charlottesville, Virginia: The Michie Company, 1924), p. 1259.

“§ 5099a. Preservation of racial integrity.—1. The State registrar of vital statistics may, as soon as practicable after the taking effect of this act, prepare a form, whereon the racial composition of any individual, as Caucasian, Negro, Mongolian, American Indian, Asiatic Indian, Malay, or any mixture, thereof, or any other non-Caucasic strains, and if there be any mixture, then, the racial composition of the parents and other ancestors, in so far as ascertainable, so as to show in what generation such mixture occurred, may be certified by such individual, which form shall be known as a registration certificate. The State registrar may supply to each local registrar a sufficient number of such forms for the purpose of this act; each local registrar may, personally or by deputy, as soon as possible after receiving said forms, have made thereon in duplicate a certificate of the racial composition, as aforesaid, of each person resident in his district, who so desires, born before June 14, 1912, which certificate shall be made over the signature of said person, or in the case of children under fourteen years of age, over the signature of a parent, guardian, or other person standing in loco parentis. One of said certificates for each person thus registering in every district shall be forwarded to the State registrar for his files; the other shall be kept on file by the local registrar.

Every local registrar may, as soon as practicable, have such registration certificate made by or for each person in his district who so desires, born before June 14, 1912, for whom he has not on file a registration certificate, or a birth certificate.

2. It shall be a felony for any person willfully or knowingly to make a registration certificate false as to color or race. The willful making of a false registration or birth certificate shall be punished by confinement in the penitentiary for one year.

3. For each registration certificate properly made and returned to the State registrar, the local registrar returning the same shall be entitled to a fee of twenty-five cents, to be paid by the registrant. Application for registration and for transcript may be made direct to the State registrar, who may retain the fee for expenses of his office.

4. No marriage license shall be granted until the clerk or deputy clerk has reasonable assurance that the statements as to color of both man and woman are correct.

If there is reasonable cause to disbelieve that applicants are of pure white race, when that fact is stated, the clerk or deputy clerk shall withhold the granting of the license until satisfactory proof is produced that both applicants are "white persons" as provided for in this act.

The clerk or deputy clerk shall use the same care to assure himself that both applicants are colored, when that fact is claimed.

5. It shall thereafter be unlawful for any white person in this State to marry any save a white person, or a person with no other admixture of blood than white and American Indian. For the purpose of this act, the term "white person" shall apply only to the person who has no trace whatsoever of any blood other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed to be white persons. All laws heretofore passed and now in effect regarding the intermarriage of white and colored persons shall apply to marriages prohibited by this act.

6. For carrying out the purposes of this act and to provide the necessary clerical assistance, postage and other expenses of the State registrar of vital statistics, twenty per cent of the fees received by local registrars under this act shall be paid to the State bureau of vital statistics, which may be expended by the said bureau for the purposes of this act.”

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anti-miscegenation laws in an effort to preserve “white racial purity.”⁸ Laws restricting marriage between persons perceived to be of differing “races” had been in effect in Virginia since the passage of “An act for suppressing outlying slaves” in 1691. The Racial Integrity Act of 1924 authorized the State Registrar of Vital Statistics to direct local officials to keep records on the racial compositions of all residents of the Commonwealth, which were to be consulted whenever a couple desired to obtain a marriage license. The Racial Integrity Act also considerably tightened the racial requirement for an individual to be deemed legally eligible to marry a “white” person. Prior to the passage of the Act, a “non-white person” could marry a “white person” so long as the “non-white” person was determined to be at least three-quarters “white.” The 1924 Act instituted what is colloquially known as a “one-drop rule,” making illegal a marriage between a “white” person, defined as a “person who has no trace whatsoever of any blood other than Caucasian,” and a person with any degree of African ancestry.⁹ A person with Native American ancestry was permitted by the Act to marry a “white” person providing they were no more than one-sixteenth Native American and “have no other non-Caucasic blood.”¹⁰ The passage of the Act provided Plecker with the information he needed to compile lists for every county of “Mixed Negroid Virginia Families Striving to Pass as ‘Indian’ or ‘White’,” which he distributed throughout the Commonwealth to local registrars, medical doctors and county health officers, school superintendents, and clerks of court.¹¹ On the list for Caroline County were a number of “colored” families that were known to identify as Rappahannock Indians.¹²

Descendants of Rappahannock Indians have long made up an important minority population in Caroline County. The Rappahannock Indians are one of seven Native American tribes in Virginia with Federal recognition as of 2019. Today the tribe numbers in the hundreds and maintains a Tribal Center at Indian Neck in King and Queen County.¹³ The Rappahannock Indian population in Caroline live predominantly in the extreme eastern corner of the county, near the boundary line with King and Queen County, in a small community called Central Point. Central Point was a community with a history of “racial mixing” among its European American, African American, and Native American populations. Writing in 1924 about St. Stephen’s, the Baptist church in the heart of Central Point, historian Marshall Wingfield commented:

“There are few members of this congregation who have as much as one-half negro blood. The people of the church and community are, as a whole, very nearly white and, out of their community, could not be recognized or distinguished as colored

⁸ See Paul A. Lombardo, “Miscegenation, Eugenics, and Racism: Historical Footnotes to *Loving v. Virginia*,” *U.C. Davis Law Review* Vol. 21, No. 2 (Winter 1988): pp. 421-452.

⁹ “Preservation of Racial Integrity (1924),” Encyclopedia Virginia, last modified 26 October 2015, https://www.encyclopediavirginia.org/Preservation_of_Racial_Integrity_1924.

¹⁰ “Preservation of Racial Integrity (1924),” Encyclopedia Virginia.

¹¹ “Walter Plecker Letter to Local Officials (January 1943),” Virginia Center for Digital History, accessed 12 November 2018,

http://www2.vcdh.virginia.edu/lewisandclark/students/projects/monacans/Contemporary_Monacans/letter.html.

¹² Sheryll Cashin, *Loving: Interracial Intimacy in America and the Threat to White Supremacy* (Boston: Beacon Press, 2017), pp. 96-97

¹³ See Rappahannock Tribe: The Place Where the Water Rises and Falls, <http://www.rappahannocktribe.org/>.

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people. It is said that the predominating blood in them is that of the Indian and white races.”¹⁴

Central Point native Richard Loving described Central Point in a 1965 interview:

“There’s just a few people that lives in this community. There’s a few white, and there’s a few colored. And we all...helped one another, you know? It was all, as I say, mixed together to start with, so it kept going that way. It’s been that way for years down here.”¹⁵

Richard Perry Loving and Mildred Dolores Jeter were born into Central Point families—Richard in 1933, and Mildred in 1939.¹⁶ Richard Loving was the son of “white” parents. His father was a truck driver and laborer who for twenty-three years was employed on the 400-acre farm of P. E. Boyd Byrd, one of the largest “colored” landowners in Caroline County.¹⁷ As the local midwife, Richard Loving’s mother delivered babies of all races in the community.¹⁸ Mildred Jeter, who was born to “colored” parents, identified as a Rappahannock Indian. Unlike some individuals in Central Point with African American or Native American ancestry, Mildred Jeter’s skin was not light enough to enable her to “pass” as “white.”¹⁹ Despite the “racial mixing” happening in Central Point, its residents could not avoid having to navigate Virginia’s system of segregation in their day-to-day lives. Segregation prevented Mildred Jeter from attending the same schools as Richard Loving, and the two worshipped in different “white” and “colored” churches. Though few people in Central Point seemed to care when the two fell in love in the late 1950s, Richard Loving knew that he and Mildred Jeter would have to leave the Commonwealth of Virginia to be married.²⁰

Richard Loving and Mildred Jeter were married on June 2, 1958, in Washington, D. C., where there were no restrictions on interracial marriage. The couple then returned to Caroline County to live with Mildred’s parents, Theoliver and Musiel Jeter, in Central Point. In the early morning hours of July 14, 1958, Caroline County Sheriff Garnett Brooks, accompanied by two deputies, entered the Jeter home through an unlocked door and surprised the Lovings, who were asleep in a ground-floor bedroom. When Sheriff Brooks asked Richard Loving to identify the woman who was sharing his bed, Mildred Loving replied that she was Richard’s wife. Richard then pointed to

¹⁴ Marshall Wingfield, *A History of Caroline County, Virginia* (Richmond, Virginia: Press of Trevvet, Christian, & Co., Inc., 1924), p. 170.

¹⁵ Interview with Richard Loving (1965), in *The Loving Story*, DVD, Nancy Buirski, director (New York: HBO Documentary Films, 2011).

¹⁶ Birth Certificates of Richard Perry Loving and Mildred Dolores Jeter, items 0108-0110 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*, Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia.

¹⁷ Cashin, *Loving*, pp. 102-103.

¹⁸ Cashin, *Loving*, p. 107.

¹⁹ See Cashin, *Loving*, pp. 103-105; Phyl Newbeck, *Virginia Hasn’t Always Been For Lovers: Interracial Marriage Bans and the Case of Richard and Mildred Loving* (Carbondale, Illinois: Southern Illinois University Press, 2004), chapter 2, for discussion of Central Point, Virginia as the “‘Passing’ Capital of America.”

²⁰ Cashin, *Loving*, pp. 106-107.

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their D. C. marriage license hanging on the wall. The couple was told that their license was invalid in Virginia and they were arrested and taken to Bowling Green, where they were put in the Old Jail under charges of “unlawfully and feloniously” leaving Virginia to marry and then returning to cohabit as man and wife, “against the peace and dignity of the Commonwealth.”²¹ As recorded on their arrest warrants, bond was set for Richard and Mildred at \$1,000 each.²² With the help of a bonding company, Richard Loving’s sister was able to get him released from the Old Jail in less than twenty-four hours. When he tried to get his wife released, he was told that she would not be let out and that he would be put back in jail if he continued to ask for her release.²³ Mildred Loving, who at the time was six-months pregnant with the couple’s second child, would spend a total of four days in jail before being released under the supervision of her father.²⁴ While in the Old Jail, she was confined to the cramped five-by-seven-foot cell on the second floor. A former Caroline County Sheriff’s deputy described the Old Jail in a 2011 documentary film on the Loving case:

“Our jail was hell. It had sixteen bunks in it, but it wasn’t no hotel. When she [Mildred] was arrested, she was put in the small cell, the woman’s cell. They had a sink and a commode, and you give them a little something to eat through the door. We could only take one woman.”²⁵

Mildred’s experience of the Old Jail was miserable and frightening. Years later in an interview she told of a particularly terrifying incident:

“One afternoon, this inmate had been out on the outside working, and when the sheriff brought him back in, he said, ‘I should let you go in there with her tonight,’ which scared me to death.”²⁶

In October, just five days after Mildred Loving gave birth to her second child, a grand jury delivered indictments against the Lovings for violating sections 20-57 and 20-58 of the Code of Virginia. Section 20-57 made all marriages between a “white” person and a “non-white” person “absolutely void, without any decree of divorce or other legal process.”²⁷ Section 20-58 made it illegal for a “white” person and a “non-white” person to leave the state of Virginia to marry and then return to the state to cohabit as a married couple. These were felony crimes punishable by prison terms of one to five years.²⁸ With the facts of the case stacked against them and two small

²¹ Grand Jury Indictment of Richard Perry Loving and Mildred Delores Jeter, item 0056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia. See also Cashin, *Loving*, p. 109; Newbeck, *Virginia Hasn’t Always Been For Lovers*, p. 11.

²² Arrest Warrants of Richard Loving and Mildred Jeter (11 July 1958), items 0051, 0052, 0054, 00550056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia.

²³ Interview with Richard and Mildred Loving (1965), in *The Loving Story*, Buirski, dir.; Cashin, *Loving*, p. 109; Newbeck, *Virginia Hasn’t Always Been For Lovers*, p. 12.

²⁴ Mildred was released on Thursday, 17 July 1958. See Interview with Richard and Mildred Loving (1965), in *The Loving Story*, Buirski, dir.

²⁵ Interview with Ken Edwards (2010), in *The Loving Story*, Buirski, dir.

²⁶ Interview with Mildred Loving, in *The Loving Story*, Buirski, dir.

²⁷ Newbeck, *Virginia Hasn’t Always Been For Lovers*, pp. 11, 224.

²⁸ Newbeck, *Virginia Hasn’t Always Been For Lovers*, p. 224.

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children to care for, the Lovings decided to plead guilty to the charges. On January 6, 1959, Circuit Court Judge Leon Bazile sentenced both of them to one year in jail, suspended provided the couple leave Virginia immediately and not return together for twenty-five years.²⁹ A fierce opponent of interracial marriage, Bazile, in his former role as assistant attorney general, had advised John Powell in the creation of Virginia's Racial Integrity Act of 1924.³⁰

The Lovings and their two children moved to Washington, D. C., where they lived with Mildred's cousin, Alex Byrd, and his family in a row house in the predominantly African American neighborhood of Trinidad.³¹ The couple traveled to Caroline County for Easter in March of 1959 and were promptly arrested for violating their parole.³² They avoided jail time thanks to the actions of their attorney, Frank Beazely, who was able to convince Judge Bazile that he had misinterpreted Bazile's sentence and had told the couple that they would be allowed to visit family in Virginia together.³³ For the remainder of the time that the Lovings lived in exile, any trip they made to Virginia together was carried out in secrecy.

The Lovings were extremely unhappy in Washington.³⁴ Richard, who had worked as a brick mason in Caroline County, could only find spotty employment, and both Richard and Mildred missed their families and the rural life they were forced to leave behind. Mildred recounted her frustrations with life in Washington in a later interview:

"The children didn't have anywhere to play. Like being caged. And I couldn't stand it. I couldn't take it."³⁵

After her son, Donald, was hit by a car while playing in the street, Mildred Loving decided to take action. In 1963, Mildred wrote to U. S. Attorney General Robert F. Kennedy to ask if the new Civil Rights Act, which was under debate in Congress at the time, would allow her family to move back to Virginia. Kennedy replied that it would not and referred Mildred to the Washington branch of the American Civil Liberties Union (ACLU).³⁶ Mildred Loving wrote to the ACLU asking for assistance on June 20, 1963.³⁷ The ACLU accepted the case and assigned it to Bernard Cohen, a young ACLU volunteer lawyer with a practice in Alexandria, Virginia. Cohen enlisted the assistance of another young lawyer, Phil Hirschkop, who had some experience in civil rights law while working in Mississippi and Danville, Virginia, with notable civil rights attorneys William Kunstler and Arthur Kinoy.³⁸

²⁹ Sentencing document for Richard Perry Loving and Mildred Dolores Jeter (6 January 1959), item 00670056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia; "Bazile Suspends Sentence of Three in Circuit Court," *Caroline Progress*, 8 January 1959, p. 1.

³⁰ Peter Wallenstein, *Race, Sex, and the Freedom to Marry: Loving v. Virginia* (Lawrence, Kansas: University Press of Kansas, 2014), pp. 86-87.

³¹ Cashin, *Loving*, p. 110.

³² Interview with Mildred Loving (1965), in *The Loving Story*, Buirski, dir.

³³ Newbeck, *Virginia Hasn't Always Been For Lovers*, p. 15.

³⁴ Cashin, *Loving*, pp. 110-111; Newbeck, *Virginia Hasn't Always Been For Lovers*, pp. 15-16.

³⁵ Interview with Mildred Loving, in *The Loving Story*, Buirski, dir.

³⁶ Newbeck, *Virginia Hasn't Always Been For Lovers*, p. 135.

³⁷ Cashin, *Loving*, pp. 111-112; Newbeck, *Virginia Hasn't Always Been For Lovers*, pp. 135-136.

³⁸ Newbeck, *Virginia Hasn't Always Been For Lovers*, pp. 139-141.

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Cohen and Hirschkop's first course of action in November 1963 was to file a motion in the Circuit Court of Caroline County for Judge Bazile "to vacate the judgement against [the Lovings] and set aside the suspended sentence."³⁹ The motion was filed on the grounds that Bazile's sentence constituted "cruel and unusual punishment" under Section 9 of the Virginia Constitution, and that the sentence was itself "based on a statute which is unconstitutional on its face, in that it denies the defendants the equal protection of the laws and denies the right of marriage which is a fundamental right of free men, in violation of Section 1 of the Virginia Constitution, and the 14th Amendment of the Federal Constitution."⁴⁰ Bazile delayed action on the motion until 1965. In the meantime, as a means of forcing Bazile to deliver a decision on the motion, Cohen and Hirschkop had filed a lawsuit in federal court challenging the constitutionality of Virginia's anti-miscegenation statutes.⁴¹ Bazile ultimately denied the motion, issuing a ten-page judgement in which he stated that the Lovings "were guilty of the most serious crime."⁴² The judgement also contained the following paragraph, which Cohen and Hirschkop would later cite as a fortunate inclusion, as it would later help them to illustrate the racism that was at the heart of Virginia's anti-miscegenation statutes:

"Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix."⁴³

Cohen and Hirschkop appealed Bazile's decision to the Virginia Supreme Court, contending in their Notice of Appeal that Virginia's anti-miscegenation statutes violated the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the United States Constitution and Section 1 of the Virginia Constitution; that the original sentence and suspension violated due process of law; and that the length of the Lovings' suspended sentence was unreasonable under Virginia law.⁴⁴ The Virginia Supreme Court voted unanimously in March 1966 to uphold Bazile's judgement, and with it Virginia's Racial Integrity Act.⁴⁵

³⁹ Motion to Vacate Judgement and Set Aside Sentence, Commonwealth vs. Richard Perry Loving and Mildred Dolores Jeter (6 November 1963), items 0070, 00710056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia; Interview with Bernard Cohen and Philip Hirschkop (1965), in *The Loving Story*, Buirski, dir.; Newbeck, *Virginia Hasn't Always Been For Lovers*, pp. 137-138.

⁴⁰ Motion to Vacate Judgement.

⁴¹ Cashin, *Loving*, p. 112.

⁴² Denial of Motion to Vacate Judgement and Set Aside Sentence, Commonwealth vs. Richard Perry Loving and Mildred Dolores Jeter (22 January 1965), items 0072-00820056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia.

⁴³ Denial of Motion; Interview with Philip Hirschkop, in *The Loving Story*, Buirski, dir.

⁴⁴ Notice of Appeal and Assignments of Error, Commonwealth vs. Richard Perry Loving and Mildred Dolores Jeter (2 March 1965), items 0083, 00840056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter, 1964*. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia.

⁴⁵ Judgement of Virginia Supreme Court, Commonwealth vs. Richard Perry Loving and Mildred Dolores Jeter (7 March 1966), item 00910056 in *Commonwealth of Virginia vs. Richard Perry Loving and Mildred Dolores Jeter*,

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On May 31, 1966, Cohen and Hirschkop filed an appeal to the United States Supreme Court. In December, the Supreme Court determined that it had jurisdiction over the constitutional issues at question and agreed to hear the case.⁴⁶ On April 10, 1967, the case was presented to the Supreme Court where Cohen and Hirschkop argued that Virginia's anti-miscegenation laws violated the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the United States Constitution. They contended that Virginia's interracial marriage ban was rooted in racism, tracing its genesis to a 1691 "Act for Suppressing Outlying Slaves" which required any free "English or other white man or woman" who chose to "intermarry with a negroe, mulatto, or Indian man or woman bond or free" to "be banished and removed from this dominion forever."⁴⁷ The Lovings decided not to attend the Supreme Court hearing, but while presenting his argument, Cohen delivered a message from Richard Loving to the Court: "Tell the Court I love my wife, and it is just unfair that I can't live with her in Virginia."⁴⁸

The Supreme Court of the United States of America issued its opinion on June 12, 1967. In a unanimous decision, the Court ruled that Virginia's anti-miscegenation laws violated both the Equal Protection and Due Process Clauses of the Fourteenth Amendment. In the Opinion of the Court in *Loving v. Virginia*, Chief Justice Earl Warren wrote:

"There can be no question but that Virginia's miscegenation statutes rest solely upon distinctions drawn according to race. The statutes proscribe generally accepted conduct if engaged in by members of different races. Over the years, this Court has consistently repudiated '[d]istinctions between citizens solely because of their ancestry' as being 'odious to a free people whose institutions are founded upon the doctrine of equality.' *Hirabayashi v. United States*, 320 U.S. 81, 100 (1943)... The fact that Virginia prohibits only interracial marriages involving white persons demonstrates that the racial classifications must stand on their own justification, as measures designed to maintain White Supremacy."⁴⁹

The ruling immediately rendered laws banning interracial marriage then being enforced in sixteen states unconstitutional and unenforceable.⁵⁰ *Loving v. Virginia* was a significant moment in the history of the civil rights movement, as it was a tremendous victory in the fight to dismantle the legal framework of segregation. The date of the Supreme Court ruling, June 12, is

1964. Caroline County microfilm reel 79, Local Government Records Collection, The Library of Virginia; Cashin, *Loving*, p. 113; Newbeck, *Virginia Hasn't Always Been For Lovers*, pp. 144-146.

⁴⁶ Newbeck, *Virginia Hasn't Always Been For Lovers*, pp. 149-150.

⁴⁷ "An act for suppressing outlying slaves (1691)," Encyclopedia Virginia, last modified 26 October 2015, https://www.encyclopediavirginia.org/_An_act_for_suppressing_outlying_slaves_1691; Newbeck, *Virginia Hasn't Always Been For Lovers*, p. 148.

⁴⁸ Cashin, *Loving*, p. 115.

⁴⁹ Earl Warren, "Opinion of the Court, *Loving v. Virginia*," Legal Information Institute, Cornell Law School, accessed March 17, 2019, <https://www.law.cornell.edu/supremecourt/text/388/1>.

⁵⁰ States with anti-miscegenation laws still on the books at the time of the ruling were Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

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unofficially commemorated nationwide as Loving Day, an annual celebration of interracial marriage.⁵¹

The Court's decision meant that the Loving family could return to Caroline County. They soon moved back to Central Point where Richard built a cinderblock house on Passing Road.⁵²

In 2017 and 2018, two historical markers concerning different aspects of the legal case were approved by the Virginia Board of Historic Resources; one was erected in front of the Virginia Supreme Court building in Richmond and the other at the intersection of Richmond Turnpike (Highway 301) and Sparta Road (Va. Route 721) in Caroline County.⁵³

Significance

The Old Jail of Caroline County is significant at the state level under Criterion A: Politics/Government due to its association with the events that led to the landmark United States Supreme Court decision in *Loving v. Virginia*, which struck down anti-miscegenation laws in Virginia and nationwide. The building is significant as the public building most closely identified with the Loving case. The Old Jail's high level of historic integrity of *setting, location, design, materials, and feeling* contribute to the building's association with the Lovings. The Old Jail appears much as it did when the Lovings were arrested in 1958. Over the years, the Old Jail has come to be regarded locally as an important physical reminder of the Loving story, a significant chapter in the history of the civil rights movement.

Criterion C: Architecture and Engineering

Historical Background

Caroline County was formed from portions of King and Queen, Essex, and King William counties in 1728.⁵⁴ The county court initially convened in the private residences of the court justices, and later in a courthouse that was built sometime before 1732 near present-day Shumansville in the southeast corner of the county.⁵⁵ Surviving records indicate that the first jail buildings in Caroline County were insubstantial in construction. By the 1750s, the court was using no less than four jails at various locations in the county, some of which were no more than

⁵¹ See <http://www.lovingday.org/>.

⁵² Cashin, *Loving*, p. 118.

⁵³ Adele Uphaus-Conner, "Caroline could have had Loving marker," *The Free Lance-Star*, 17 June 2017; Adele Uphaus-Conner, "Loving marker in Caroline gets OK," *The Free Lance-Star*, 10 May 2018; Adele Uphaus-Conner, "Lovings' love story to be told on new marker in Caroline," *The Free Lance-Star*, 19 October 2017; Alanna Durkin Richer, "Lovings helped to shatter interracial marriage ban," *The Free Lance-Star*, 13 June 2017; "Caroline County finally honors Lovings," *The Free Lance-Star*, 12 June 2018; Jeff Branscome, "Caroline celebrates legacy of the Lovings," *The Free Lance-Star*, 3 June 2019; "Loving v. Virginia: civil rights milestone," *The Free Lance-Star*, 18 June 2017.

⁵⁴ T. E. Campbell, *Colonial Caroline: A History of Caroline County, Virginia* (Richmond, Virginia: The Dietz Press, Inc., 1954), 55-58; Wingfield, *A History*, p. 1.

⁵⁵ Campbell, *Colonial Caroline*, p. 66.

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rented cellars and converted outbuildings.⁵⁶ After an election riot in 1736, some effort was made to update the jail building at the courthouse to make it more secure. This improved jail was in service only six years before it was destroyed by fire, and the county was forced to hold prisoners in the cellar of a nearby tavern until a new jail could be built.⁵⁷ A smallpox outbreak in 1764 brought to light an overcrowding problem in the county jail and led to the construction of a separate jail facility exclusively for debtors. The debtors' prison was the last jail building constructed at the site of the first Caroline County courthouse.⁵⁸

By the 1770s, some sessions of the county court were being held at a more central location in a building owned by the Johnston family that stood near the current main entrance of Fort A. P. Hill. In the 1780s, the old courthouse was abandoned and all court sessions began to be held in the rented Johnston courthouse.⁵⁹ In 1794, prominent planter, slave owner, and horse breeder John Waller Hoomes paid James Johnston 700 pounds for the right to move the seat of county government approximately three miles southwest to his plantation, called "Bowling Green."⁶⁰ The county court consented to the move provided that Hoomes agree to build the county a courthouse of the same quality as the previous building.⁶¹ By 1805, Hoomes had built a new two-story wood-frame courthouse on his land near where the Richmond-to-Fredericksburg road intersected with the road to Port Royal.⁶² In addition to the courthouse, Hoomes also provided the county with four acres of public land at the site. A portion of this four acres was laid out as "the bounds for debtors," the first jail facility in the new county seat of Bowling Green.⁶³

Hoomes' wooden courthouse was taken out of service when the present brick courthouse was constructed ca. 1832. The new courthouse was erected some distance away from the Hoomes building, and it is possible that a new jail was also built at the same time. It is somewhat difficult to trace the history of the early jail buildings in Bowling Green as few county records survive from the first half of the nineteenth century. Nearly the only surviving documentation of Caroline County's nineteenth century jail buildings is found in four short reports currently in the collection of the Caroline Historical Society. These reports were made following annual inspections of the jail, and list in general terms the overall condition of the building. The earliest report, from 1848, does not contain an architectural description of the jail, but does pronounce the building to be "in good repair, sufficiently aired and ventilated in summer & capable of being kept warm and comfortable during winter, with good stoves & properly secured with bolts and

⁵⁶ Campbell, *Colonial Caroline*, p. 124.

⁵⁷ Campbell, *Colonial Caroline*, p. 125.

⁵⁸ Campbell, *Colonial Caroline*, p. 180.

⁵⁹ Campbell, *Colonial Caroline*, pp. 286, 393, 399, 412.

⁶⁰ Hoomes resided in an early eighteenth-century brick plantation house, also called "Bowling Green" or "Old Mansion" (NRHP 1969), which still stands on the southern edge of the present town of Bowling Green. See Ralph Emmett Fall, *Historical Record of Bowling Green, Virginia: 1667-1970* (Bowling Green, Virginia: Tidewater Weeklies, Inc., 1970), pp. 1-4; Virginia Thompson, "The Old Mansion," Historic American Buildings Survey, HABS-VA-128 (1936), pp. 2-3; Wingfield, *A History of Caroline*, pp. 284, 356-358.

⁶¹ Thompson, HABS-VA-128, pp. 2-4.

⁶² Mutual Assurance Society of Virginia, Policy No. 66 (22 November 1805), microfilm, Library of Virginia.

⁶³ Thompson, HABS-VA-128, pp. 3-4.

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locks.”⁶⁴ This might be the same building described in a later report from 1866 as being “very insecure, having been rendered so by prisoners and federal soldiers within the last four years.”⁶⁵ The jail as described in 1866, 1867, and 1868 reports was a two-story brick building with two rooms and a stair passage on each level. The four rooms were each approximately twelve feet square and eight feet high and featured interior surfaces “lined with sheet and bar iron.”⁶⁶ The stair passage was six or seven feet wide and “secured by an iron grating in front.”⁶⁷ The damage to the building mentioned in the 1866 report must have been repaired by the time the jail was inspected in 1868, as the 1868 report states that the jail “seems to be good and secure.”⁶⁸

The jail described in the 1866, 1867, and 1868 reports likely continued to be used through the remainder of the nineteenth century. In 1897 a prisoner escape led the Caroline County Board of Supervisors to order Sheriff T. B. Gill to erect a ten-foot wire fence around the jail, capped with barbed wire.⁶⁹ The following year, a grand jury was called to inspect the jail and issue a report to the Board of Supervisors concerning its condition. The report was delivered on October 17, 1898, and the Board of Supervisors ordered the sheriff to “leave the jail properly repaired in the place from which a prisoner recently escaped; and such other repairs done to the jail as may be necessary.”⁷⁰

On the evening of April 10, 1900, a fire swept through the small downtown commercial district of Bowling Green, destroying thirty-one buildings—nearly every commercial building in town—and causing an estimated \$60,000 in total damage. Among the buildings listed as total losses was the county jail, valued at \$1,500. Accounts of the fire published in the *Richmond Dispatch* and *The Free Lance* of Fredericksburg note that two prisoners in jail at the time of the fire were released and joined the townspeople in fighting the blaze.⁷¹ The Board of Supervisors wasted no time in planning for a replacement jail. Just six days after the fire, on April 16, 1900, the Board of Supervisors convened and directed the judge, sheriff, and Commonwealth’s Attorney “to prepare plans and specifications for a new jail.”⁷² At the next Supervisors meeting on April 28, Judge E. C. Moncure and Commonwealth’s Attorney W. E. Ennis presented a report outlining the necessary elements required in the new jail building and the Board authorized advertisement for bids.⁷³ Ads placed in the *Richmond Dispatch* in May specified that bidders were “required to furnish their own specifications of their cells and all iron and steel work, and submit drawings of cages, doors, and window-guards, stairs, and platforms, showing their respective kinds of

⁶⁴ Jail Report, 1848, item OJ.6, Old Jail folder [OJ], Caroline Historical Society Collection.

⁶⁵ Jail Report, 1866, item OJ.7, Old Jail folder [OJ], Caroline Historical Society Collection.

⁶⁶ Jail Report, 1868, item OJ.9, Old Jail folder [OJ], Caroline Historical Society Collection.

⁶⁷ Jail Report, 1866, Caroline Historical Society.

⁶⁸ Jail Report, 1868, Caroline Historical Society.

⁶⁹ *Caroline Historical Society Newsletter*, Volume 16, No. 1 (April 1984).

⁷⁰ Caroline County Board of Supervisors’ Minutes: 1887-1906, Caroline County microfilm reel 43, Local Government Records Collection, Library of Virginia, p. 258.

⁷¹ “Bowling Green Fire Swept,” *The Free Lance*, 12 April 1900, p. 2; “The Bowling Green Fire,” *Richmond Dispatch*, 12 April 1900, p. 2.

⁷² Board of Supervisors’ Minutes: 1887-1906, p. 303.

⁷³ Board of Supervisors’ Minutes: 1887-1906, p. 304.

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work.”⁷⁴ A set of plans and specifications had been procured from the B. F. Smith Fireproof Construction Company of Washington D. C. and adopted by the Board of Supervisors for use in this solicitation of bids.⁷⁵

Several bids were received for the construction of the new jail. On June 12, 1900, the Caroline Board of Supervisors decided to award the contract to the Pauly Jail Building and Manufacturing Company of St. Louis, Missouri via their contracting agents, the B. F. Smith Fireproof Construction Company.⁷⁶ Under the terms of the contract, the Pauly Company agreed to erect, by October 27, 1900, a jail building containing “one cell...made of Bessemer steel and one cell of 5 ply hardened steel, rendering [it] saw and file proof.”⁷⁷ In return, Caroline County was to pay the Pauly Company \$4,200, of which \$1,000 to \$2,000 was to be in cash, and the remainder in county bonds.⁷⁸ The metal jail components were fabricated at the Pauly Company factory on DeKalb Street in St. Louis and shipped by rail to the depot at Milford, Virginia, where they were loaded onto wagons and transported 2.5 miles to Bowling Green. Construction was likely complete by September 28, 1900, when letters were sent from the Pauly Company to the Caroline Board of Supervisors and the B. F. Smith Company authorizing settlement of the contract and receipt of payment.⁷⁹ On October 15, 1900, the Board of Supervisors inspected the new jail and “finding the work satisfactory and in accordance with the contract” authorized an immediate cash payment to the Pauly Company of \$2,200.⁸⁰

The new jail was immediately put into use and would serve as the county’s only jail facility for the next sixty-eight years. Richard and Mildred Loving are the Old Jail’s most noteworthy former inmates, but another famous individual, basketball star Wilt Chamberlain, reportedly spent a night in the second-floor holding cell following an arrest for speeding in 1955. Reportedly, Chamberlain scratched an inscription on the wall of the cell which reads, “This jail is a helluva place.”⁸¹ An unfortunate incident in the history of the jail occurred in the late winter of 1947 when Sheriff’s Deputy Ted Lewis was killed when his pistol was grabbed by a prisoner as Lewis was delivering meals.⁸² A condolence letter sent to Sheriff T. H. Henshaw from the Virginia State Sheriffs’ and City Sergeants’ Association following Deputy Lewis’ death is

⁷⁴ “Proposals,” *Richmond Dispatch*, 16 May 1900, p. 4; “Proposals,” *Richmond Dispatch*, 17 May 1900, p. 4.

⁷⁵ Board of Supervisors’ Minutes: 1887-1906, p. 308.

⁷⁶ Board of Supervisors’ Minutes: 1887-1906, pp. 308-309.

⁷⁷ Contract agreement between the Pauly Jail Building and Manufacturing Company and Caroline County (12 June 1900), item OJ.11, Old Jail folder [OJ], Caroline Historical Society Collection.

⁷⁸ Board of Supervisors’ Minutes: 1887-1906, p. 309; Contract agreement, Caroline Historical Society.

⁷⁹ Letter from Jos. Pauly of the Paul Jail Building and Manufacturing Company to the Caroline County Board of Supervisors (28 September 1900), item OJ.5, Old Jail folder [OJ], Caroline County Historical Society Collection; Letter from Jos. Pauly of the Pauly Jail Building and Manufacturing Company to the B. F. Smith Fireproof Construction Company (28 September 1900), item OJ.14, Old Jail folder [OJ], Caroline County Historical Society Collection.

⁸⁰ Board of Supervisors’ Minutes: 1887-1906, pp. 316-317.

⁸¹ Kate Nickel, “Group Raises Cash for Virginia Jail,” National Trust for Historic Preservation, accessed 26 April 2009, <http://www.preservationnation.org/magazine/2009/todays-news/bowling-green-jail.html>.

⁸² Ed Simmons, Jr., “History-rich ‘Old Pauly Jail’ to be restored,” *Caroline Progress*, 9 March 2009.

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currently held in the collection of the Caroline Historical Society.⁸³ The jail narrowly avoided destruction in the Easter Sunday fire of 1955, which started on the evening of April 10, fifty-five years to the day of the 1900 fire. The five prisoners who were being held in the Old Jail at the time were released and helped prevent the fire from spreading to the buildings on the courthouse square.⁸⁴ An aerial photo taken after the fire was extinguished shows that nearly every building in downtown Bowling Green north of Milford and Chase Streets (Va. Route 619) was consumed, including the entire block of commercial buildings along Main Street just to the south and west of the Old Jail.⁸⁵

In 1965, Caroline County Sheriff Ottie J. Moore and Ralph Mason, State Superintendent of Jails, presented a report to the Caroline Board of Supervisors which declared the Old Jail inadequate and in need of replacement. The Board of Supervisors authorized the Lynchburg architectural firm of Hinnant, Addison, and Hinnant to design a new twenty-cell jail which was to be constructed on Ennis Street in Bowling Green.⁸⁶ In 1968, construction of the new jail was complete and the Old Jail was closed.

From 1968 to 2002, the Old Jail was leased by Caroline County to the Caroline Historical Society who used the building for exhibition space and storage. Since 2002, the Old Jail has remained vacant, awaiting conservation and reuse. The Caroline Historical Society along with other local organizations, including the Citizens for Caroline Historic Preservation and the Historic Economic Leadership Panel (H.E.L.P.), have advocated for the preservation of the Old Jail and raised funds for its ongoing maintenance.

The Pauly Jail Building and Manufacturing Company

The selection of the Pauly Jail Building and Manufacturing Company demonstrated a desire on the part of the Caroline Board of Supervisors that their new jail be a state-of-the-art facility, outfitted with the very best in modern jail technology. At the turn of the twentieth century, the Pauly Company was one of the country's leading designers and manufacturers of jail buildings and components, and innovators in the technology of jail and prison security. The company was founded in St. Louis in 1856 by German emigrant P. J. Pauly and his brother, John. The Paulys were blacksmiths esteemed for the high quality of their work, and initially the company produced iron hardware for steamboats plying the river trade in the Mississippi Valley.⁸⁷ Recognizing the demand for secure jail facilities in the expanding western frontier, the company transitioned to the design and manufacture of jail components in the years following the

⁸³ Letter from Chas. C. Curtis, Sect. of the Virginia State Sheriffs' and City Sergeants' Association, to T. H. Henshaw, Sheriff of Caroline County (13 March 1947), item OJ.12, Old Jail folder [OJ], Caroline County Historical Society Collection.

⁸⁴ Simmons, "History-rich."

⁸⁵ Mary Tod Haley Gray, *Caroline County: A Pictorial History* (Virginia Beach, Virginia: Donning Co. Publishers, 2001).

⁸⁶ Fall, *Historical Record*, p. 59.

⁸⁷ *Illustrated Descriptive Catalogue of Steel Jail Cells and other Steel and Iron Work, for County Jails and other Prisons, Manufactured by the Pauly Jail Building and Manufacturing Co., 2215 DeKalb Street, Saint Louis, Missouri* (no publisher, ca. 1892), p. 3.

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American Civil War, first producing iron cages for mounting on wagons and later designing entire jail buildings.⁸⁸

The Pauly Company believed itself to be the originator of the concept of “scientific jail building,” a holistic approach to jail design where all aspects of even the smallest jail were carefully considered with an eye toward the improvement of not only security, but also sanitation and practical functionality.⁸⁹ Guided by this scientific approach, the Pauly Company was responsible for several major innovations in jail technology, many of which over time came to be standard features of jail design. Some of their most noteworthy developments in the area of jail security sprang from experimenting with various methods of fabricating iron and steel for use in bars and plate surfaces. In the late 1880s, unsatisfied with strength deficiencies in their combination iron-and-hardened-steel bar systems, which had been developed using their own proprietary fabrication techniques, the Pauly Company partnered with the Crucible Steel Company to produce bars made of three-ply and five-ply laminates of hardened steel which were impervious to cutting and filing.⁹⁰ These “tool-proof” bar systems were paired with another Pauly innovation—perforation- and cut-resistant steel plating for use in sheathing cell walls, ceilings, and floors.⁹¹ The Old Jail of Caroline County featured the Pauly Company’s cut-resistant plate steel and a five-ply tool-proof cell when it was constructed.

Patents secured by the Pauly Company in the late nineteenth century for various aspects of jail technology demonstrate the company’s inclination toward experimentation and invention. In 1892, the company secured three patents—two separate patents for door opening and closing mechanisms and locks, and a third patent for jail grating.⁹² Another patent for a sliding door locking device was awarded in 1897. In 1888, the Pauly Company patented a design for a rotary jail, one of the company’s more unusual and interesting feats of jail engineering.⁹³

Central to the Pauly Company’s concept of “scientific jail building” was the notion that the jail cells and the jail structure should be designed to function together as an integrated system. In their early years of jail design, the Pauly Company found that when they were forced to fit their cell systems into a building designed by an architect or builder who had little experience in the design of jails, quite often modifications had to be made to their carefully designed fittings that

⁸⁸ “Legacy,” The Pauly Jail Building Co., accessed 15 March 2019, <https://www.paulyjail.com/legacy>.

⁸⁹ *Illustrated Descriptive Catalogue*, p. 5.

⁹⁰ *Illustrated Descriptive Catalogue*, pp. 6-7; “Legacy.”

⁹¹ *Illustrated Descriptive Catalogue*, p. 7.

⁹² “Legacy.”

⁹³ “Legacy.” The rotary jail consisted of a cylindrical cell block containing between eight and sixteen wedge-shaped cells mounted on top of a steel pole a full story above the ground. A mechanism allowed the cylinder to revolve around the pole. As the cylinder revolved, one cell at a time would line up with a platform where the cell could be opened. Between 1882 and 1889, the Pauly Company built twelve rotary jails in the United States. Six additional rotary jails were built by other companies during the same period. In 2019 only three rotary jails are extant—in Montgomery County, Indiana (NRHP 1975); Pottawattamie County, Iowa; and Daviess County, Missouri (NRHP 1990). The Daviess County jail is the only one of these three that is a Pauly design. See W. C. Madden, *The Rotary Jail: Escape-Proof Cells on a Carousel, 1882-1966* (Jefferson, North Carolina: McFarland & Company, Inc., 2017); Chad Randl, *Revolving Architecture: A History of Buildings that Rotate, Swivel, and Pivot* (New York: Princeton Architectural Press, 2008), pp. 32-39.

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ultimately negated any improvements in jail functionality the Pauly Company had hoped to achieve.⁹⁴ As stated in their ca. 1892 catalogue, the Pauly Company believed it “very essential that the plans for a [jail] building, both exterior and interior, should be adapted to the latest and most modern improvements in jail equipage and which can better be accomplished by those who have made it a special study and business.”⁹⁵ With this in mind, P. J. Pauly, Jr., the son of the company’s founder, was apprenticed to George Ingham Barnett to receive an education in architectural design.⁹⁶ Upon completing his apprenticeship the younger Pauly returned to his father’s company where he established an architectural department. By the early 1890s, the Pauly Company employed as many as five full-time architects and draftsmen and had produced over six hundred different designs for jail buildings of various sizes.⁹⁷

The Pauly Company enjoyed tremendous success in the latter half of the nineteenth and into the first decades of the twentieth century designing and manufacturing mostly small jails for counties and small cities. A list published in their ca. 1892 catalogue shows that the company had, up to that year, built completely or provided cells for a total of 875 jail and prison buildings in forty-five states and territories across the U.S., and one in Winnipeg, Canada.⁹⁸ By that time, eight Pauly projects had been completed in Virginia, for Pittsylvania, Fairfax, Rockingham, King William, Loudon, Bedford, and Madison counties, and one for the then-independent city of Manchester.⁹⁹ Although the Pauly Company has lost nearly all of their historic records, they do possess a list of “Historical Virginia Projects” organized by location and date of completion.¹⁰⁰ Between 1884 and 1939, the company erected or supplied cells for forty-nine jails and prisons in the Commonwealth.¹⁰¹ The buildings associated with only eighteen of these forty-nine Virginia

⁹⁴ *Illustrated Descriptive Catalogue*, p. 8.

⁹⁵ *Illustrated Descriptive Catalogue*, p. 8.

⁹⁶ Horace. H. Morgan, *The Historical World’s Columbian Exposition and Chicago Guide* (St. Louis: James H. Mason & Co., 1892), Publisher’s Appendix, p. 14. George Ingham Barnett was an English-born architect who settled in St. Louis ca. 1840. Sometimes called “The Dean of St. Louis Architecture,” he designed a number of noteworthy structures in Missouri, including the Missouri Governor’s Mansion (Jefferson City, 1871), the Grand Avenue Water Tower (St. Louis, 1871), Tower Grove House (St. Louis, 1849), and Saint Vincent de Paul Church (St. Louis, 1845).

⁹⁷ *Illustrated Descriptive Catalogue*, p. 8.

⁹⁸ *Illustrated Descriptive Catalogue*, pp. 31-33.

⁹⁹ *Illustrated Descriptive Catalogue*, p. 33.

¹⁰⁰ Conversation with Janae Cleary, Pauly Jail Building Company, 25 April 2019. Many Pauly records appear to have been lost when the company moved from St. Louis to Indiana in the mid-twentieth century.

¹⁰¹ “Virginia Historical Projects by Pauly Jail Building Company,” Pauly Jail Building Company Collection. The forty-nine historical projects completed in Virginia by the Pauly Company, listed by location [The locations and dates are taken from the “Virginia Historical Projects List” compiled by the Pauly Company. Some information in the Pauly list was found to be incorrect or mislabeled. Corrections have been made in the following list.]: Washington County (1898), Accomack County (1912), Amelia County (1912), Amherst County (no date recorded), Caroline County (1900), Mecklenburg County (1899), Buckingham County (1909), Pittsylvania County (1907), Dickenson County (1913), Southampton County (1901), Alleghany County (no date recorded), Warwick County (1898), Fairfax County (1884), Scott County (1909), Buchanan County (1900), Rockingham County (1887), Northumberland County (1918), Carroll County (1902), Isle of Wight County (1902), Lee County (1905), King William County (1888), Russell County (1893), Loudon County (1888), Rockbridge County (1906), Bedford County (1888), Lynchburg (1934), Nelson County (1935), Lunenburg County (1908), Madison County (1890), Prince William County (1899), Smyth County (1913), Westmoreland County (1911), Newport News (1899), Norfolk (1922), Giles County (1939), Petersburg (no date recorded), Occoquan [Lorton Reformatory] (no date

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projects remain extant in 2019, including the Old Jail of Caroline County.¹⁰² Three of the eighteen extant projects are instances where the Pauly Company produced cells to be retrofit into an older building that they did not design—projects for Northumberland, Bath, and Fauquier counties; another extant project at the Lorton Reformatory was somewhat of an atypical job for the Pauly Company, consisting of large-scale prison construction, likely another instance where Pauly cell components were made to fit into a scheme designed by a different firm.¹⁰³ A further eight of Virginia's eighteen extant Pauly buildings are small county jails that have been so extensively altered that they are no longer immediately recognizable as jails by their exterior or interior appearance.¹⁰⁴ All eight were converted to county offices at some point in the twentieth century. During the course of conversion, the historic integrity of these buildings was thoroughly compromised due to the complete removal of the Pauly Company's jail fittings—the cells, steel staircases, doors, plate steel walls and partitions, and steel windows and window bars. This means that out of forty-nine total projects completed in Virginia by the Pauly Jail Building and Manufacturing Company, just six buildings remain in 2019 that exhibit sufficient historic integrity to be considered good, intact examples of Pauly jail design and construction. These buildings are the jails of Caroline (1900), Southampton (1901), Westmoreland (1911), Henrico (1906), Nelson (1935), and Giles (1939) counties. Only one building, the Southampton County jail, is still used for its original purpose. The rest are vacant and awaiting reuse, and are in various states of repair.¹⁰⁵

recorded), Orange County (no date recorded), Portsmouth (1919), Prince George County (1923), Henrico County (1906), Manchester (no date recorded), Roanoke [city] (1916), Roanoke County (1892), Nansemond County (1926), Tazewell County (1893), Bath County (1926), Fauquier County (1906), and York County (1922).

¹⁰² The following are eighteen structures extant in 2019 associated with Pauly Jail Building and Manufacturing Company projects in Virginia, listed by the recorded date of completion of the Pauly project: Fairfax County jail (1884), King William County jail (1888), Roanoke County jail (1892), Washington County jail (1898), Mecklenburg County jail (1899), Caroline County jail (1900), Southampton County jail (1901), Fauquier County jail (1906), Scott County jail (1909), Westmoreland County jail (1911), Henrico County jail (1906), Northumberland County jail (1918), Prince George County jail (1923), Bath County jail (1926), Nelson County jail (1935), Giles County jail (1939), Amherst County jail (no date recorded), and Lorton Reformatory (no date recorded).

¹⁰³ The Northumberland County jail building was erected in 1839 and retrofitted with Pauly cells in 1918. The Bath County jail was designed by the firm of T. J. Collins and Sons of Staunton and built in 1915. Pauly cells were not added until eleven years later in 1926. The Fauquier County jail was built in two stages in 1808 and 1823. The 1823 section was retrofitted with Pauly cells in 1906. The building was individually listed on the National Register of Historic Places (NHRP 1978; Va. DHR #156-0004). The Lorton Reformatory in Fairfax County was a workhouse and prison for the District of Columbia established in 1910. The Pauly Company may have provided cells for the construction of the reformatory (1914) or penitentiary (1930) buildings. The entire complex is listed on the National Register of Historic Places as the D. C. Workhouse and Reformatory Historic District (NRHP 2006, amended 2012).

¹⁰⁴ These buildings are the jails of Fairfax, King William, Roanoke, Washington, Mecklenburg, Scott, Prince George, and Amherst counties.

¹⁰⁵ The Westmoreland County jail is in poor condition. It is being used in 2019 for storage and as a workshop for county maintenance workers. The Henrico County jail, which is located on E Main Street in Richmond, is included in the Shockoe Valley and Tobacco Row Historic District (NRHP 1981). The jail and the 1896 Henrico County Courthouse were sold at auction to a private owner in 1992. The original jail fittings, including steel walls, floors, stairs, and cells, remain in place and in overall good condition. See *A Piece of Our Past: The Old Henrico County Courthouse and Jail*, DVD, Ryan Eubank, director (Henrico County, Virginia: The Department of Public Relations & Media Services, Henrico County, 2015). The old Nelson County jail building stands behind the courthouse complex in Lovingston. The building is vacant and being used for storage. The Giles County jail was still in service until March of 2018 when the Sheriff's Office relocated to a new facility. The magistrate's office is currently housed

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The survival of these six buildings is made more significant by the fact that Virginia's historic jail buildings remain under continued threat of demolition. The majority of the Commonwealth's thirty-one demolished Pauly jails were lost in the middle decades of the twentieth century as the need for increased space, combined with changing philosophies and standards of prisoner treatment, led to the construction of new larger jail facilities, with multiple adjacent counties often pooling resources to build regional jails. Those abandoned Pauly jails that were not immediately demolished were converted to office uses, as mentioned above, or were left vacant, in tenuous circumstances, often used for storage. Recently, Virginia's stock of extant Pauly jails has been decimated by a second wave of demolition brought on by county building campaigns. In the last twenty years, seven Pauly jails have been destroyed to make room for new county office and courthouse complexes, casualties of a very recent trend toward modernization and expansion of local government facilities.¹⁰⁶

The B. F. Smith Fireproof Construction Company

The Pauly Company's contracting agent for the construction of the Old Jail of Caroline County, the B. F. Smith Fireproof Construction Company of Washington, D. C., is a notable entity in the history of Virginia civic architecture at the turn of the twentieth century. The B. F. Smith Company was founded in Alexandria, Virginia in 1897 by Bartholomew F. Smith, a Union Army veteran originally from Ohio.¹⁰⁷ Prior to starting his firm, Smith was involved in the construction of fireproof vaults and the sale of metal security equipment in Virginia. In 1893, Smith operated a business on Ninth Street in downtown Richmond where he sold "fire- and burglar-proof safes" manufactured by the Herring-Hall-Marvin Safe Company of Hamilton, Ohio.¹⁰⁸ That same year, Smith was hired by the Board of Supervisors of King George County to build a fireproof steel vault in the clerk's office.¹⁰⁹ In 1896, Smith built another fireproof vault with metal shelving in the Hanover County clerk's office, this time serving as contracting agent for the St. Louis Art Metal Company.¹¹⁰ The St. Louis Art Metal Company had been established by the Pauly Jail Building and Manufacturing Company to manufacture metal wall safes and vaults, safe deposit boxes, filing cabinets, and shelving.¹¹¹ Though legally a separate company, the St. Louis Art

in the two-story front section of the building. The three-story cell block in the rear is now vacant except for the occasional use of a single holding cell.

¹⁰⁶ The seven recently-demolished Pauly jails are the old Nansemond County Jail (1926) in Suffolk, demolished between 1999 and 2003; the Lunenburg County Jail (1908), demolished between 2003 and 2006; the Buckingham County Jail (1909), demolished in 2004; Orange County Jail (no date recorded), demolished in 2004; the Loudon County Jail (1888), demolished in 2008; the Isle of Wight County Jail (1902), demolished in 2012; and the Buchanan County Jail (1900), demolished in 2019.

¹⁰⁷ Catherine Bishir, "B. F. Smith Fireproof Construction Company (1897-1914)," North Carolina Architects & Builders: A Biographical Dictionary, NC State University Libraries, published 2018, <https://ncarchitects.lib.ncsu.edu/people/P000355>; "Wytheville," *Richmond Dispatch*, 18 February 1900, p. 14.

¹⁰⁸ *Richmond Dispatch*, 27 Dec 1893, p. 4.

¹⁰⁹ "Virginia Items," *The Baltimore Sun*, 11 January 1893, p. 7.

¹¹⁰ "Historic Structure Report: Hanover County Courthouse and Jail, Hanover, Virginia," Mesick-Cohen-Wilson-Baker-Architects, LLP, 1 August 2004, pp. 33, 37, 54.

¹¹¹ E. D. Kargau, *Mercantile, Industrial and Mechanical: Saint Louis* (St. Louis, Missouri: Nixon-Jones Ptg. Co. and Bechtold Ptg. and Book Mfg. Co., 1902), pp. 311-313.

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Metal Company functioned as a division of the Pauly Company; they shared offices, manufacturing space, architects, and engineers.

Due to Smith's experience with fireproof construction and his established relationships with manufacturers of architectural steel, his Fireproof Construction Company was well poised to capitalize on a growing niche in the construction market caused by a general interest in fireproof building techniques and a robust economy which provided local governments with the funds to invest in upgrading their public buildings.¹¹² The firm enjoyed immediate success designing and constructing new courthouses, clerk's offices, and jails, and modifying or retrofitting older buildings with fireproof vaults. The B. F. Smith Company completed a number of governmental building projects in rural localities in Virginia around the turn of the twentieth century, including new courthouses for Accomack (1899), Northampton (1899), Northumberland (1900), Westmoreland (1900), Spotsylvania (1901), and New Kent (1909) counties; clerk's offices for Prince George (1900), Charles City (1901), and Caroline (1908) counties; and fireproof additions or remodelings of the Petersburg clerk's office (1899) and the courthouses of Halifax (1905) and Elizabeth City (1910) counties.¹¹³

The B. F. Smith Company's first forays into jail construction were as contracting agents of the Pauly Jail Building and Manufacturing Company. Under this arrangement, the two firms worked together to complete at least five jail projects in a span of five years. Four of these projects were in Virginia: Newport News city jail (1899), Caroline County jail (1900), Southampton County jail (1901), and Isle of Wight County jail (1902).¹¹⁴ The fifth project was the Somerset County jail in Princess Anne, Maryland, finished in 1903.¹¹⁵ The B. F. Smith Company appears to have ended its relationship with the Pauly Company around the middle of the first decade of the twentieth century. The B. F. Smith Company would partner with other steel and iron

¹¹² John O. and Margaret T. Peters, *Virginia's Historic Courthouses* (Charlottesville, Virginia: University of Virginia Press, 1995), p. 167.

¹¹³ Kenneth Cook, "History of Halifax County Courthouses," *South Boston News*, 7 September 1972; Carl R. Lounsbury, *The Courthouses of Early Virginia: An Architectural History* (Charlottesville, Virginia: University of Virginia Press, 2005), pp. 338, 343, 369, 371, 380; Peters, *Virginia's Historic Courthouses*, pp. 167-172; *The Baltimore Sun*, 7 September 1900, p. 5; "Street Improvements in Petersburg," *The Baltimore Sun*, 13 December 1899, p. 9; *The Baltimore Sun*, 21 May 1910, p. 10; "Virginia Briefs," *The Baltimore Sun*, 3 August 1907, p. 11. The firm was also quite active in North Carolina and Maryland. B. F. Smith Company projects in North Carolina include: new courthouses for Currituck (1897), Alexander (1900), McDowell (1902), Dare (1903), Tyrrell (1903), Onslow (1905), Rockingham (1907), and Robeson (1908) counties; a clerk's office for Northampton County (1900); and two new wings containing fireproof vaults for the Edgecombe County Courthouse (1899). See Bishir, "B. F. Smith." In Maryland, the B. F. Smith Company substantially remodeled the courthouse in Prince George's County (1908), and built a new courthouse for St. Mary's County (1901) and a fireproof vault for the clerk's office of Anne Arundel County (1903). See "Courthouse Cornerstone," *The Baltimore Sun*, 2 September 1908, p. 10; "St. Mary's Courthouse," *The Baltimore Sun*, 29 April 1901, p. 8; "Anne Arundel Politics," *The Baltimore Sun*, 30 July 1903, p. 10.

¹¹⁴ Jaime L. Destefano, "Isle of Wight County Courthouse Complex," National Register of Historic Places Nomination Form (Va. DHR #046-0005), 2019; "Grand Jury Indicts, Charges Against Many Persons in Newport News," *Richmond Dispatch*, 7 February 1901, p. 1; *The Baltimore Sun*, 9 February 1899, p. 8.

¹¹⁵ "New Jail for Somerset," *The Baltimore Sun*, 18 June 1902, p. 8; "The New Jail Accepted," *The Baltimore Sun*, 11 February 1903, p. 10.

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manufacturers to build several more county jails in Virginia, West Virginia, and North Carolina before going bankrupt in 1914.

Lost documentation makes it impossible to know the individual architect responsible for the design of the Old Jail of Caroline County. Unfortunately, the architectural plans for the building, which were referenced in the Board of Supervisors' Minutes as having been on file at the courthouse, do not survive, and the Pauly Company itself lost nearly all of its historical records when it ceased operations for a number of years in the mid-twentieth century. Most likely, the building's design was taken from plans prepared by Pauly architects, which were later adapted by the contracting agent, the B. F. Smith Company, to satisfy the particular needs of the Caroline County Board of Supervisors. The quick eighteen-day turnaround between the Caroline Board of Supervisors' authorization of the procurement of plans and specifications, the subsequent approval of those plans, and the advertisement of the project for bid suggests that the Pauly Company kept the B. F. Smith Company well supplied with jail designs due to the two firms' established working relationship.

Architectural and Engineering Significance

The Old Jail of Caroline County is significant at the state level under Criterion C in the areas of Architecture and Engineering as a rare example of an intact small county jail building designed by the Pauly Jail Building and Manufacturing Company of St. Louis, Missouri. Out of a total of forty-nine jail building projects undertaken by the Pauly Company in Virginia between 1884 and 1939, the Old Jail is one of only six Pauly buildings still extant in the Commonwealth that retain a high level of integrity of design and construction. As such, the Old Jail is significant as one of the very few buildings in Virginia that embody the architectural and technological advances achieved by the Pauly Company, the country's foremost innovators in jail and prison design and engineering in the late nineteenth and early twentieth centuries. The Old Jail is also significant as a well-preserved example of a building constructed by the B. F. Smith Fireproof Construction Company of Washington, D. C. A short-lived company with a prolific output, the B. F. Smith Company is noteworthy for providing many rural localities in Virginia with access to affordable, modern, fireproof public buildings. The Old Jail is an excellent example of the type of solid, unpretentious, and dignified construction for which the firm was known. In its current, virtually unaltered, state the Old Jail greatly contributes to the high level of historic integrity of the Caroline County Courthouse complex at Bowling Green.

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Old Jail of Caroline County
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Name of Property

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Name of Property

Caroline County, VA
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Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested
 previously listed in the National Register
 previously determined eligible by the National Register
 designated a National Historic Landmark
 recorded by Historic American Buildings Survey # _____
 recorded by Historic American Engineering Record # _____
 recorded by Historic American Landscape Survey # _____

Primary location of additional data:

- State Historic Preservation Office
 Other State agency
 Federal agency
 Local government
 University
 Other

Name of repository: Virginia Department of Historic Resources, Richmond, Virginia; The Library of Virginia, Richmond, Virginia; Caroline Historical Society, Bowling Green, Virginia; Caroline County Public Library, Milford, Virginia

Historic Resources Survey Number (if assigned): DHR #171-0010

10. Geographical Data

Acreege of Property less than one acre

Use either the UTM system or latitude/longitude coordinates

Old Jail of Caroline County
Name of Property

Caroline County, VA
County and State

Latitude/Longitude Coordinates

Datum if other than WGS84: _____
(enter coordinates to 6 decimal places)

- | | |
|------------------------|-----------------------|
| 1. Latitude: 38.050765 | Longitude: -77.346607 |
| 2. Latitude: | Longitude: |
| 3. Latitude: | Longitude: |
| 4. Latitude: | Longitude: |

Or

UTM References

Datum (indicated on USGS map):

NAD 1927 or NAD 1983

- | | | |
|----------|-----------|-----------|
| 1. Zone: | Easting: | Northing: |
| 2. Zone: | Easting: | Northing: |
| 3. Zone: | Easting: | Northing: |
| 4. Zone: | Easting : | Northing: |

Verbal Boundary Description (Describe the boundaries of the property.)

The historic boundary is drawn to encompass only the footprint of the Old Jail of Caroline County. The true and correct historic boundary is shown on the attached Sketch Map.

Boundary Justification (Explain why the boundaries were selected.)

The Old Jail occupies a small portion of tax parcel #43A2-A-64 as recorded by Caroline County, Virginia. The entire parcel, which includes various buildings associated with the county courthouse complex, is already listed in the National Register as part of the Bowling Green Historic District. Therefore, the Old Jail's historic boundary encompasses only the Old Jail.

11. Form Prepared By

name/title: Edward M. Barnes
organization: Atlantic Heritage
street & number: P. O. Box 1389
city or town: New Bern state: NC zip code: 28563

Old Jail of Caroline County
Name of Property

Caroline County, VA
County and State

e-mail: ebares@atlanticheritage.org
telephone: 757 710 8030
date: August 2019

Additional Documentation

Submit the following items with the completed form:

- **Maps:** A **USGS map** or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photo Log

Name of Property: Old Jail of Caroline County

City or Vicinity: Bowling Green

County: Caroline

State: VA

Photographer: Edward M. Barnes

Dates Photographed: 24 February 2018 (photos 0001-0004); 12 October 2018 (photos 0005-0018); 3 September 2019 (photos 0019, 0020)

Description of Photograph(s) and number, include description of view indicating direction of camera:

1 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0001

View: west elevation (façade), camera facing east

Old Jail of Caroline County
Name of Property

Caroline County, VA
County and State

- 2 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0002
View: west elevation (façade) and south elevation, camera facing northeast
- 3 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0003
View: south elevation and east (rear) elevation, camera facing northwest
- 4 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0004
View: east (rear) elevation, camera facing west
- 5 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0005
View: north elevation, camera facing south
- 6 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0006
View: interior, ground-floor stair passage, camera facing east
- 7 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0007
View: interior, ground floor, stair passage, camera facing southwest
- 8 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0008
View: interior, ground floor, stair passage, camera facing northwest
- 9 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0009
View: interior, ground floor, stair passage, steel evidence storage locker under the stair,
camera facing southwest
- 10 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0010
View: interior, ground floor, steel door in cell room, camera facing southeast
- 11 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0011
View: interior, ground floor, steel door in cell room, camera facing west
- 12 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0012
View: interior, ground floor, cell room, camera facing south
- 13 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0013
View: interior, ground floor, cell room, camera facing east
- 14 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0014
View: interior, second floor, stair passage showing door to female cell, camera facing
northeast
- 15 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0015
View: interior, second floor, window in female cell, camera facing east

Old Jail of Caroline County
Name of Property

Caroline County, VA
County and State

16 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0016
View: interior, second floor, steel door in holding cell, camera facing east

17 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0017
View: interior, second floor, holding cell, camera facing southwest

18 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0018
View: interior, second floor, holding cell, camera facing southeast

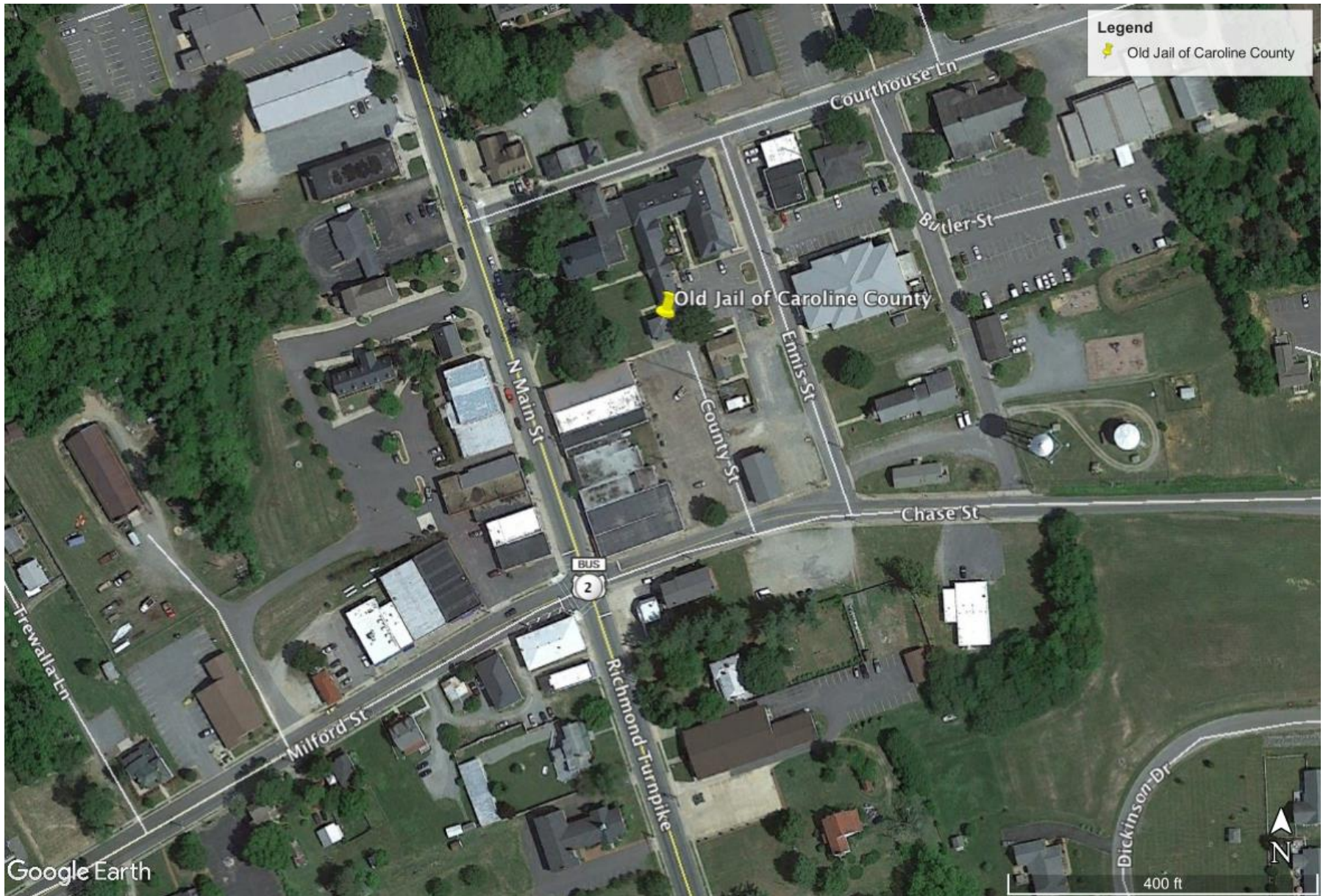
19 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0019
View: exterior, door in west elevation (façade), camera facing east)

19 of 20. VA_CarolineCounty_OldJailofCarolineCounty_0020
View: exterior, window in ground floor of west elevation (façade), camera facing east

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

LOCATION MAP



Old Jail of Caroline County
Caroline County, Virginia
DHR #171-0010

Location Coordinates:
Latitude: 38.050765
Longitude: -77.346607

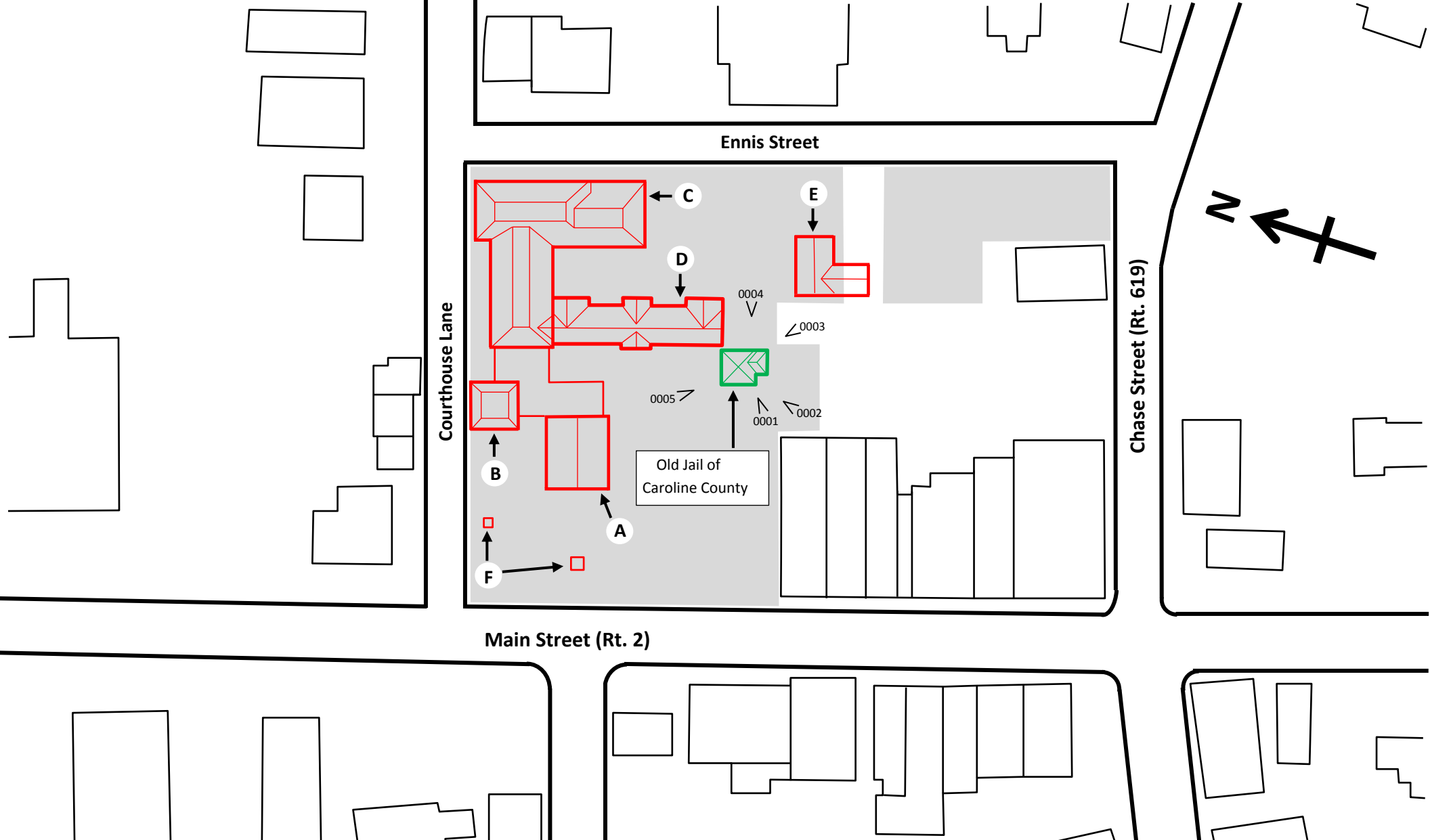


SKETCH MAP

Old Jail of Caroline County
Caroline County, VA
DHR No. 177-0010



The Old Jail of Caroline County is the only contributing resource within the historic boundary.



**Old Jail of Caroline County
Caroline County, Virginia
DHR #171-0010
Photo Key (exterior views)**

■ 2.5-acre parcel of land containing the Old Jail
(Caroline County tax parcel #43A2-A-64, owned
by the Caroline County Board of Supervisors)

▲
0001 Photo Location

not to scale

Other buildings and objects on tax parcel #43A2-A-64 (these are not included as part of the Nomination for the Old Jail):
 A. Old Courthouse (ca. 1832; individually listed on the NRHP, 1972)
 B. County Clerk's office
 C. Hon. J. Peyton Farmer Circuit Courthouse
 D. Sidney E. King Arts Center
 E. Caroline County office of the Virginia Cooperative Extension
 F. Monuments

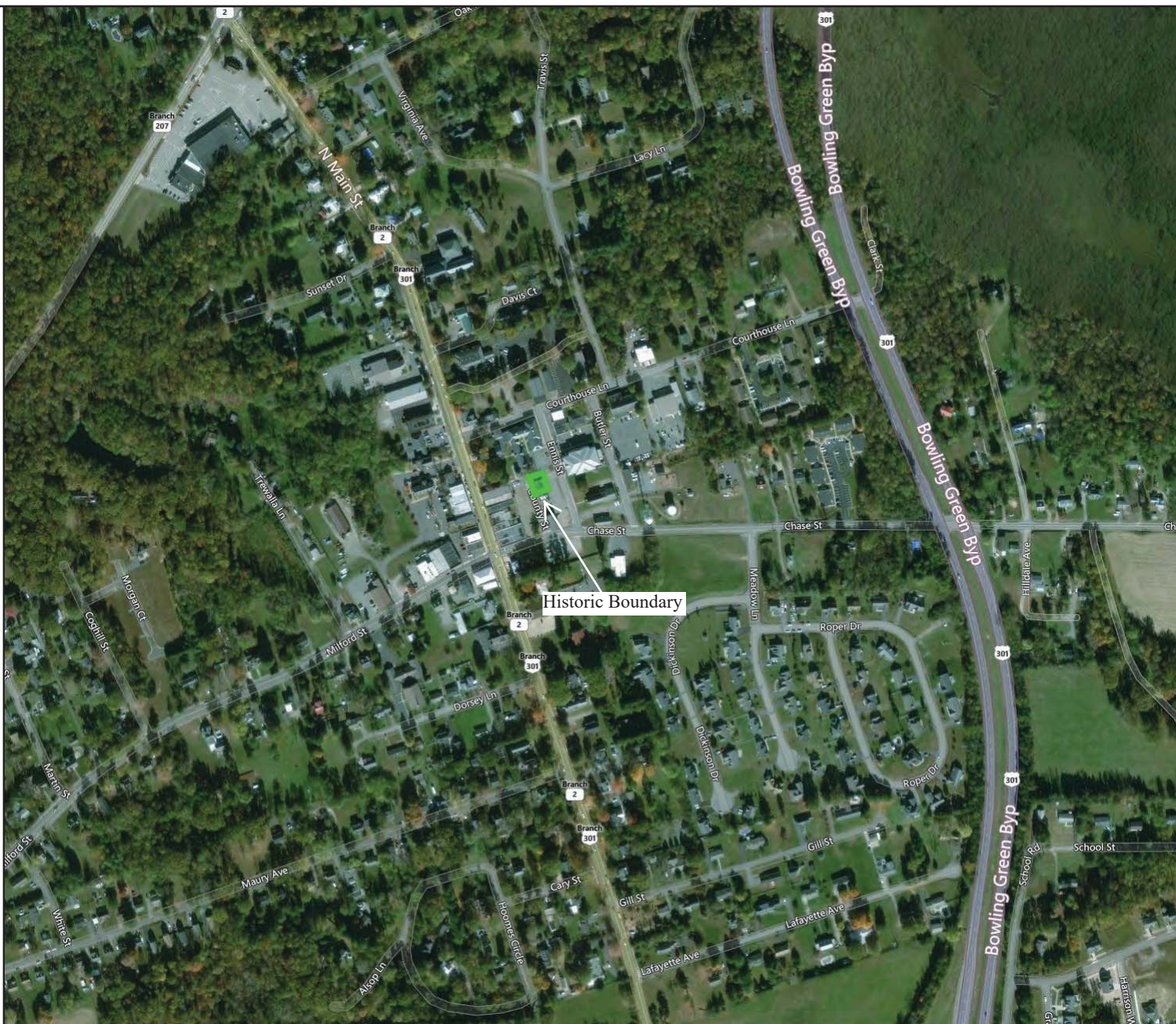


AERIAL VIEW - VICINITY

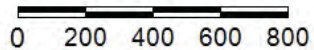
Old Jail of Caroline County

Caroline County, VA

DHR File No. 171-0010



Feet



1:9,028 / 1"=752 Feet

Title:

Date: 11/5/2019

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.