Clay County Courthouse
Celina, Tennessee

Heritage Development Plan

Sponsored by the
Tennessee Civil War National Heritage Area

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INTRODUCTION AND METHODOLOGY

Tennessee's Clay County Courthouse, located along the Kentucky border in Celina, is a modest yet stately two-story brick building of restrained Italianate design. Plans for construction of this courthouse began shortly after the Tennessee Constitutional Convention of 1870 created the new county from parts of Jackson County and Overton County. Designed by D.L. Dow, the Clay County Courthouse was completed in 1873 and is one of Tennessee's oldest operating courthouses.

Celina, located at the juncture of the Obey and Cumberland rivers, was once a significant port and the river has defined much of Clay County’s history. Clay County's early residents farmed the area and used the Cumberland River to transport crops and livestock to major markets. During the Civil War, many skirmishes took place up and down the Cumberland River to control the movement of barges laden with supplies. As was the case in many counties of the Cumberland Plateau, local communities were divided in their loyalties, with brother fighting against brother.

Telling these powerful stories of Civil War and Reconstruction-era Tennessee—the vicious warfare, the demands of the homefront and occupation, the freedom of emancipation, and the enduring legacies of Reconstruction—is the goal of the Tennessee Civil War National Heritage Area (TCWNHA). A partnership unit of the National Park Service, the Tennessee Civil War National Heritage Area is managed by the Center for Historic Preservation at Middle Tennessee State University. The Heritage Area responds to requests from communities, and offers professional services and outreach while training students in heritage development.

In the fall of 2010, Dr. Doug Jones of the Celia Main Street Revitalization Committee first contacted the Tennessee Civil War National Heritage Area regarding the Clay County Courthouse. With plans to move the courtroom and county offices to a new location at the community center, County Mayor Dale Reagan asked for the Heritage
Area’s assistance in determining possible new uses for the Clay County Courthouse. (see Appendix A).

The Clay County Courthouse, completed in 1873, is a significant Reconstruction-era courthouse in Tennessee and clearly fits within the interpretation period of the Tennessee Civil War National Heritage Area. In response to the request from Clay County, Heritage Area staff assembled a research team. The team included a graduate research assistant with the Tennessee Civil War National Heritage Area and three graduate students in Dr. Carroll Van West’s Seminar in American Material Culture. MTSU Center for Historic Preservation and Tennessee Civil War National Heritage Area staff coordinated the site visits, supervised the students, and provided instruction and feedback.

The following heritage development plan is designed to provide a better understanding of the possibilities for more fully utilizing this heritage asset to tell Clay County’s unique story. It will hopefully provide a strong foundation with which county leadership can make important decisions. The report includes a 1) history of the area and the building to provide context and explain the significance of the structure, 2) an assessment of the physical needs of the building with particular emphasis on areas in need of repair and replacement, 3) maintenance recommendations for keeping the building in its best condition and monitoring any ongoing concerns, 4) adaptive reuse options exploring creative new ways to use the building as a community asset, and 5) key funding and assistance sources.

The Tennessee Civil War National Heritage Area would like to thank the many Clay Countians who have welcomed us on our visits, offered recollections about the past and dreams for the future. Special thanks go out to the following: Dr. Doug Young of the Main Street Revitalization Committee; Ray Norris, Director of Clay County Economic Development at the Clay County Chamber of Commerce; Mary Loyd Reneau, Historian, Clay County Museum; Diana Donaldson of the Clay County Chamber of Commerce and the Main Street Revitalization Committee; and Clay County Mayor Dale Reagan.
HISTORY
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BRIEF HISTORY OF CELINA

The land on which the original town of Celina is situated was established as a town site in 1832 and was incorporated on February 2, 1848. Celina received its name in honor of the daughter of Moses Fiske, a prominent educator in the area. The Union Army burned the old town of Celina during the Civil War, leaving only four houses remaining as survivors of the attack. The new town of Celina was built in 1870 and was designated the county seat of Clay County, formed in 1870 from Overton and Jackson counties. After 1863, the “Old Town” of Celina functioned primarily as a business district. Celina was an important town in the region. Located in the midst of the region’s timber forests, it was closely identified with logging and with rafting during the period 1870 to 1930. As noted Upper Cumberland folklorist William Lynwood Montell states, “Celina, Gainesboro, and Carthage in particular were the big regional rafting centers, as each received logs from the Obey-Wolf, Roaring and Caney Fork hinterlands respectively, and conveyed them on to Nashville in large log flotillas.”

POLITICAL CONTEXT OF THE CREATION OF CLAY COUNTY

The Arnell Law of 1865, a franchise bill, stripped all former Confederates of the right to vote. For Confederate soldiers, the disenfranchisement was to last five years. For Confederate leaders, it was to be a fifteen year wait. The plan also made the issuance of voter certificates a responsibility of the county court clerks. The aim of the plan, to keep former Confederates from voting, was not successful because the clerks tended to

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3 Clay County Homecoming Committee, 30.
5 Ibid., 106-107.
issue voter certificates liberally. The results of the election that followed on August 5 reflected this reality when a majority of voters cast their ballots in favor of the conservatives. Even Samuel M. Arnell, after whom the bill is named, was defeated in his bid for Congress. To correct the failures of the Arnell Law, the legislature held special elections for the vacated offices. The result of this election was the appointment of four Radicals and twenty-one conservatives; however, the conservatives were denied their seats. Barely mustering a quorum, the legislature then passed a revised franchise bill. The revised bill upheld many of the provisions of the Arnell Law but overhauled the registration process. The issuance of voter certificates was made the responsibility of “executive-appointed ‘Commissioners of Registration.’” The revised bill also revoked all of the previously issued voter certificates.  

A number of events combined to successfully demolish the disenfranchisement of Tennessee conservatives. The Brownsville decision restored the right to vote to 30,000 ex-Confederates. Governor William G. Brownlow, a staunch Radical, resigned from the governorship in February 1869 to accept a seat in the U.S. Senate. He was succeeded by DeWitt C. Senter, a man “who cared more for re-election” than upholding the Radical agenda. During his campaign, Senter “dramatically endorsed universal suffrage” and annulled the franchise law by replacing Brownlow’s commissioners with his own who then issued thousands of voter certificates to ex-Confederates. Senter was reelected to the governorship and the Conservative take-over of the general assembly. Tennessee legal historian Lewis Laska states that when the newly elected general assembly met on October 4, 1869, “the Radical era was at an end.”

In his address to the legislature on October 12, Senter introduced the idea of having a constitutional convention. The House and the Senate followed suit by introducing bills calling for a convention. The House’s bill focused on addressing the “number and appointment of delegates.” The Senate’s bill called for a “limited convention” which would focus on only four issues: “suffrage, the judiciary, taxes, and the formation of new

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7 Ibid., 629.
8 Ibid., 631.
9 Ibid., 632.
counties.” A compromise between the houses was reached on November 15, 1869. The bill called for a vote to be held on December 18, 1869 to allow the people to call for a convention to “amend, revise, or form and make a new constitution for the State.” Additionally, voters would choose seventy-five delegates to attend the convention. The results were 50,520 votes in favor of the convention with only 10,020 votes against it. The convention was convened on January 10, 1870, signifying the end of Radical Reconstruction in Tennessee.

The convention was held for three reasons. First, the franchise laws of the Brownlow legislature had to be removed from the constitution. Second, the convention sought to remove from office those who had been elected by the minority. Third, it symbolized a return to “majoritarian” rule and restored the public’s confidence in the state’s government. Under the intense scrutiny of the federal government, the delegates set about revising Tennessee’s constitution. The typical convention delegate was “personified in William H. Williamson,” says Laska. Williamson was a lawyer from Lebanon who lost an arm for the Confederacy during the war and married the widow of John Hunt Morgan. Under the new constitution, he served as a circuit judge and later had a successful law practice after resigning the bench. Very few delegates were Radicals, and their influence during the convention was weak. The convention upheld much of the 1834 Constitution with great changes being made only on the issues of suffrage, the judiciary, the process of amending, and restricting the governor’s power.

One of the major concerns for the convention delegates was the formation of new counties. George E. Seay, delegate for the counties of Smith, Sumner, and Macon, introduced a resolution to amend the constitution “so that new Counties may be established by the Legislature.” The proposed county had to be at least two hundred square miles and had to have a population of at least three hundred and fifty voters. Additionally, the resolution stipulated the following:

10 Ibid., 632.
11 Ibid., 633.
12 Ibid., 634.
13 Ibid., 635.
14 Ibid., 636.
No line of such County shall approach the Court-house of any old County from which it may be taken nearer than eight miles, and no part of a County shall be taken to form such County or a part thereof, without a majority of the qualified voters in such part taken off shall consent. And where an old County may be reduced for the purpose of forming a new one, the area of said old County shall not be reduced to less than three hundred and fifty square miles.  

In response to the resolution, the convention formed a seven-man committee called the Committee on New Counties and County Lines to oversee the formation of new counties. George Seay served as chairman. All requests to form new counties, as well as all proposed amendments to the above resolution were required to be reviewed by the committee prior to the convention’s approval.  

The Minority Report of the Committee on New Counties and County Lines stated they “cannot concur” with the requirement of the Constitution of 1834 for new county formation which said no county shall be less than 625 square miles. They noted this requirement was a result of the “sparse population of the then unsettled country,” and that the founders did not plan originally to “inconvenience the many for the benefit of the few.” The committee believed the formation of new counties should serve the wants and needs of the people who should have “a convenient and accessible point of transaction of their legal, police and registration business.” The report further stated that if the requirements of the Constitution of 1834 were upheld by the convention, it would cause “annoyance and inconvenience…to a very large portion of the tax-payers of Tennessee.” They argued the creation of new counties should be seriously considered for the communities that are willing to fund and construct new courthouses and jails without aid from the counties they leave.  

The report also laid out all the benefits of new county formation, stating “the State will lose nothing.” They argued the people would benefit the most as those who resided far from the county seats often traveled great distances at their own expense, sometimes

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15 Journal of the Proceedings of the Convention of Delegates Elected by the People of Tennessee, to Amend, Revise, or Form and Make a New Constitution for the State (Nashville: Jones, Purvis, & Co, 1870), 27.
16 Ibid., 28.
17 Ibid., 267.
“imperiling their lives by swimming swollen streams which they must cross under subpoena.” The people who were required to return for a day or consecutive days had the greatest disadvantage as they were “too far off to go home, and sometimes too poor to pay for good lodging if procurable.” Even if they were able to afford accommodations, often times there were not enough rooms for “the miserable throng of litigants, jurors and witnesses.” The emancipation of slaves also played a part in the decision to allow new county formation as “every man” had become “his own servant to do his work.” The report argued that a person’s prolonged absence from his house for court purposes would greatly affect his family. Traveling to court “shall not be a journey of days” as the time had ended “when a gentleman can go to court in his carriage, leaving a host of servants to wait upon his household.”

The amendment proposed to create Clay County was introduced by Jackson County delegate Richard P. Brooks and read as follows:

That the Constitution be so amended that there may be a new county formed out of the Counties of Jackson and Overton. Provided, That in the formation it shall contain at least 400 qualified voters; and further, said new county shall contain at least 300 square miles of territory, and shall not reduce either of the old counties, from which it is taken, below 500 square miles. Provided further, That the line of said new county shall not approach either the old county seats nearer than ten miles. Provided further, That a majority of qualified voters contained in said new county vote in favor of said new county. The county seat of the old counties, from which said new county is formed, shall not be moved without a concurrence of two-thirds vote of both Branches of the Legislature.

Clay is a Constitutional County officially organized on December 17, 1870, the result of the 1870 Convention. The county was created to “relieve the difficulties” of those living in the Northern parts of Overton and Jackson Counties and having to travel to Livingston or Gainesboro for court. The book *History of Clay County, Tennessee* states, “When Clay County was created there were no roads. There were a few trails which were called roads. These were hard to travel over with anything other than horses

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18 Ibid., 268.
19 Ibid., 121.
21 National Register Nomination Form…need citation information
and in many places the going was hard on horseback.”  

The need for more roads was a prevalent topic in the Clay County Court minutes for the first two years, and they spent a lot of time discussing the creation of roads and the appointment of road overseers. The topography of the area proved to be a major obstacle for those more northern residents as they traveled to the county seats of Overton and Jackson. An 1874 report by the Bureau of Agriculture described the Clay County landscape as follows:

> It is best to imagine a plain…with a moderately undulating surface, nearly level to the west. Then imagine the middle of this plain cut diagonally across from north-east to south-west by a valley of irregular outline nearly 600 feet deep, and averaging a little more than one mile in breadth between the bases of the opposite hills. This is the valley of Cumberland River. Opening into it on the east side near the center of the county, is the long, winding valley of Obey’s River, with a general direction from east to west. A number of small creeks emptying into these two rivers, have valleys of their own, extending outward, and separated from each other by ridges or fingers of the plain to which the general surface of the county has been referred. These ridges and the intervals may be compared to the teeth of a saw, broad at the base and growing gradually narrower toward the apex."  

The need for a network of roads was also reinforced by the fact that the Obey and Cumberland Rivers could only be used three and seven months of the year, respectively. These were the two main routes for the movement of goods to markets and for bringing in supplies from Nashville. When the rivers were too low to be navigable, the goods were “carried in wagons either from Nashville or from Glasgow, Kentucky.”

**HISTORY AND SIGNIFICANCE OF THE COURTHOUSE**

Courthouses serve an important purpose in American life. They serve as a place for citizens to meet, to socialize, to engage in civic business. They are often the most important location in town. The National Trust for Historic Preservation has noted, “The courthouse is one of the most important visual reference points in a county and, in many

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24 Ibid., 653.
instances, literally defines the surrounding townscape, giving it cohesion and unity."²⁵ Edward T. Price notes, “The square brings together those who work there, those who come to do business, and those who come merely to visit and loaf.”²⁶ Often the courthouse square is one of the earliest sections of town, the early focal point of a community. Price states that, “The square recapitulates the history of the town. The courthouse was its reason for being, its first central function, the seat of its creator.”²⁷ Other historians have noted the importance of the courthouse in nineteenth century towns. Wayne K. Durrill notes, “Yet there was more to civic space in nineteenth century America than its use as a site for political conflict or a means to dominance. Specifically, public places shaped and formed ideas.”²⁸ Some historians even note that the courthouse was often the most important building in a town. Conrad M. Arensberg remarks that, “The church, both as building and as institution, is overshadowed by another, cynosure of all eyes, seat of power and decision, repository of land grants and commercial debt-bonds: the courthouse . . .”²⁹ It is within this context of noting the importance of courthouses that the history of the Clay County Courthouse can be assessed.

The Clay County Courthouse was built in Celina in 1873. D.L. Dow of Cookeville, Tennessee, won the contract to build the courthouse in 1872, and the contract price was $9,999.00 with a completion date scheduled for October 1, 1873.³⁰ The courthouse is brick, and the builders used clay taken from the public square to make the bricks.³¹ The building is of restrained Italianate design and has a square cupola with rounded

²⁷ Ibid., 142.
³⁰ Clay County Homecoming Committee, 32.
³¹ Ibid.
arch windows.\textsuperscript{32} Dow completed the Clay County courthouse in 1873. This brick structure is a good example of the “four-square” plan. Buildings constructed following the “four-square” plan are usually square, two story buildings with the courtroom on one floor and four offices on the other. The roof is typically hipped and has a cupola.\textsuperscript{33} The first session of court was held in June 1874.\textsuperscript{34}

Dow built four county courthouses in the state of Tennessee: Putnam, Jackson, Overton, and Clay. Other than the Clay County Courthouse, none of the courthouses he constructed are extant. Other accomplishments include building and operating the first flour mill in Putnam County, serving as president of Peoples Bank in Cookeville beginning in 1905, and acting as vice-president of the Fair Association in Putnam County.\textsuperscript{35} In 1883, Dow was elected to the state assembly to represent Putnam County. Dow retired in 1902\textsuperscript{36} and passed away on August 12, 1915.\textsuperscript{37}

The Clay County Courthouse has occupied a significant role in the life of the county and the region. What follows is a brief discussion of a few of the ways in which the Clay County Courthouse has participated in the culture of the region.

\textit{The Cumberland River}

The Cumberland River has always been important to the area. As Jeanette Keith describes in her work on the region, “The river defined the economy as it did the region.”\textsuperscript{38} Celina was an important river town in the region. Byrd Douglas states,

\begin{quote}
Celina at a very early date contributed an enormous volume of typical up-river cargo to the steamboats, excelling in hogs, corn,
\end{quote}

\begin{itemize}
\item \textsuperscript{33} John W. Carpenter, \textit{John W. Carpenter’s Tennessee Courthouses: A Celebration of 200 Years of County Courthouses} (London: J.W. Carpenter, 1996), xii.
\item \textsuperscript{34} Clay County Homecoming Committee, 32.
\item \textsuperscript{37} McBride and Robison, 243.
\end{itemize}
poultry, eggs, hides, furs, molasses and meats. It also served generally as the river landing for Jamestown, county seat of Fentress County, and Byrdstown, county seat of Pickett County, a fact which greatly augmented its river trade.\textsuperscript{39} 

The river was not only important to the economy of the region; it was also vitally important for transportation. The river "served as the principal means of travel and freight transport for residents during most of the nineteenth century and, for most of the counties traversed by the river itself, the first three decades of the twentieth century."\textsuperscript{40} While the river provided benefits for Celina, it also provided danger in the guise of frequent flooding.

Situated near the meeting of the Obey and Cumberland Rivers, Celina has endured several devastating floods through the course of its history. According to the National Weather Service, Celina has had at least nine incidents in which the Cumberland River crested at over 50 feet, which is defined as a major flood stage.\textsuperscript{41} A particularly devastating flood occurred from late December 1926 to January 1927. Byrd Douglas describes the situation as "one of the worst floods in the history of the United States descended on the states touched by the Ohio, the Mississippi, the Tennessee, the Cumberland and their tributaries."\textsuperscript{42} Eight of these incidents occurred after the Clay County Courthouse was built. The river stands approximately one-half mile from the Courthouse, leading one to believe it could not have always escaped flooding. An article in the \textit{Atlanta Constitution} reported that Celina was almost cut off by the floodwaters, and that 700 inhabitants in Celina were marooned by the flood. The only way to reach Celina was by boat, and the town was without fuel or lights. In addition to these devastations, the stores in town were also flooded.\textsuperscript{43} If the stores in Celina were

\textsuperscript{40} Montell, \textit{Don't Go Up Kettle Creek}, xv. 
\textsuperscript{41} From the National Weather Service, "Historical Crests for Cumberland River at Celina," accessed November 18, 2010, \url{http://water.weather.gov/ahps2/crests.php?wfo=ohx&gage=clat1}. The historical crests are as follows: 59.20 feet (March 1, 1826), 57.30 feet (February 1, 1918), 54.80 feet (March 27, 1929), 54.50 feet (March 1, 1902), 54.09 feet (January 12, 1946), 53.83 feet (January 23, 1937), 52.46 feet (February 5, 1950), 52.02 feet (January 2, 1943), and 52.01 feet (February 17, 1948). 
\textsuperscript{42} Douglas, 294-296. 
\textsuperscript{43} "1,500 People Are Marooned in Tennessee Town," \textit{Atlanta Constitution}, January 1, 1927, accessed November 23, 2010,
flooded, it is very possible that the courthouse, in the center of the square, roughly one-half miles from the river, was also flooded at this time. An article in the *Nashville Banner* dated December 29, 1926 stated, “The river has passed all records at Celina and Carthage.” A report dated December 31, 1926 from the *Nashville Banner* discussed the flooding at Celina in greater detail. It stated, “Celina was flooded with high water on the river. . . It went to the highest point ever known. The river was 57.6 on the gauge Tuesday morning. . . Only two houses were out of it in the old town of Celina.” By January 6, 1927, the *Crossville Chronicle* was reporting, “losses have been so widespread that actual losses can never be computed as total, but that it will run to many millions, is generally concluded.”

Celina also suffered a flood in 1929 that the *New York Times* reported. The March 25, 1929 edition of the *New York Times* observed, “From Burnside, Ky., to Celina, Tenn., the Cumberland slowly poured its muddy waters over the lowlands, inundating both these towns from three to six feet. . .” The *Crossville Chronicle* on March 28, 1929, proclaimed it to be one of the worst floods in the region. It stated, “Friday night and Saturday witnessed the most disastrous flood that has ever swept the region embracing the Cumberland Plateau and the territory adjacent thereto in the memory of any person now living.” It is entirely possible that the Courthouse was flooded at this time as well. It is difficult to verify this as none of the Celina newspapers from this period have survived.

Other floods reported on by the national media include a flood in 1902. At that time, the *New York Times* reported the damage in the state of Tennessee would reach $4,000,000. It was also reported that thousands of logs were adrift in the upper

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44 “All Flood Records Will Be Exceeded,” *Nashville Banner*, December 29, 1926, 1.
Cumberland. William Lynwood Montell discusses floods that occurred in the 1940s. In Don’t Go Up Kettle Creek, he states, “Celina, like other towns and villages farther up the Cumberland, was still not safe from the Cumberland’s floods. Two devastating floods hit Burkesville, Celina, Gainesboro, and Carthage in 1946 and 1949.” Flooding has often been a reality in Celina, and it is very possible that the Clay County Courthouse has experienced flood damage, probably more than once, during its history.

**Cordell Hull**

Cordell Hull is possibly the most famous individual associated with the Clay County Courthouse. Born in Pickett County, Tennessee, Hull practiced law in Celina as a young man. According to Harold Hinton’s biography of Cordell Hull, Hull spent the early part of his career “studying Blackstone and a few other standard books, but also playing poker at the courthouse with the older lawyers and listening to their experiences and advice.” The courthouse was important to Hull even before he began his legal career. It was at the Celina courthouse that Hull decided to become a lawyer at age fourteen. He recounts in his memoirs,

> At Celina I also continued the practice I had started at Byrdstown of visiting the courthouse when the district court held its periodical sessions. Whenever I had the chance I dropped in at the courthouse and listened with total absorption to the arguments of the lawyers and charges of the judges. Here I finally developed the definite purpose to become a lawyer. I was then fourteen.

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50 Montell, *Don’t Go Up Kettle Creek*, 185.


Hinton states “Cordell Hull made it his civic center, listening to the older lawyers re-argue their famous cases and discuss politics.” It was also at the Clay County Courthouse that Hull announced his first bid to run for the Tennessee General Assembly. As Hull recalls,

In the summer of 1892, on some theory or other I conceived the idea of running for the State Legislature. I was still several months from being of age; the sitting member, Mr. Carlock, was popular; he lived in the one large county of the four comprising our district; and not one of my neighbors had urged me to run. When I announced myself for the Legislature at a meeting of Democrats in the courthouse at Celina, I doubt that a single person there thought I could be nominated.

Hull went on to win that nomination and election, was a member of the Tennessee General Assembly from 1893-1897, and served in the Spanish-American War. He later served as a circuit court judge and a member of both the United States House of Representatives and the United States Senate. He served as Secretary of State in the Franklin D. Roosevelt administration from 1933 until his retirement in 1944. He was the recipient of the Nobel Peace Prize in 1945 for his work in the establishment of the United Nations. The Celina Herald described him as “a thorough gentleman, courageous, incorruptible and clean. Wherever duty called him he has served honestly and faithfully. . . As circuit judge he won the highest praise. He was fair, impartial, firm but not tyrannical, and discharged his duties in a manner to win the approval of a critical public.”

**Welby Lee and His Quest for Justice**

One of the most famous trials to take place in the Clay County Courthouse resulted from Welby Lee’s eighteen year quest to locate the men responsible for the hit and run death of his father, Newt Lee, in 1944. Newt Lee was a Clay County farmer and a lumber merchant. Feeling a storm coming the afternoon of December 31, 1944, he decided to feed his horses earlier than usual. He never made it to his barn. At

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54 Hinton, Cordell Hull, 54.
55 Hull, Memoirs, 27.
56 “Judge Cordell Hull,” Celina Herald, October 4, 1906, 3.
approximately 4:05 pm that day, Newt Lee was struck by a 1939 black coupe with two men inside. According to Mildred Castile, Newt Lee’s granddaughter who lived with her grandfather, two men jumped out of the car, looked at her grandfather, and then left. The only clue, besides her description of the car, was a bumper guard knocked off the car by the crash, and retrieved from a ditch by Welby Lee on the night of the accident.58

Feeling that the police would be too busy to devote much time to the investigation and knowing how hard it would be to find the men responsible for the death of his father, Welby Lee began a methodical eighteen-year search to find the men responsible for the death of his father. His quest culminated with the indictment of Grover Jones of Indianapolis in 1963. At that time, Welby Lee had compiled a 153-page book of evidence for the Clay County prosecutor and had thirty-five pieces of evidence and thirty-five signed statements supporting the premise that Grover Jones was one of the men responsible for the death of Newt Lee.59

The case generated enormous interest both regionally and nationally as it captured the imagination of the nation. Welby Lee was featured in articles in Life, Saturday Evening Post, and Time magazines, and newspapers across the nation reported on the trial and its outcome. Welby Lee, in discussing the day the first trial against Jones began, stated, “There was already a large crowd in town, most of them in the courthouse yard. There were news reporters there from different states that began asking us questions.”60 He went to state the courthouse was packed with spectators. “When we pushed open the swinging doors, the courtroom was so crowded that I had to push my way down the aisle to get up front with the lawyers. The balcony was also full.”61 The first case against Grover Jones ended in a mistrial on November 12, 1963 when it was revealed

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59 Ibid.
60 Ibid.
61 Ibid.
that two character witnesses for Jones were related to jurors in the trial. The trial resumed in July 1965. At that time, the trial lasted less than a week, and the jurors took less than two hours to find Jones guilty of involuntary manslaughter. Again, people thronged the courthouse to take in the trial. Lee reports that “The courtroom and the balcony were still filled to capacity as they had been all during the two days it had taken the State to present its case to the jury. People were standing around the walls and in the aisles.” The jury sentenced him to one year and one day in jail.

_Rolley Hole marbles_

Rolley hole (or rolly hole as it is described in some sources) is a three-hole variety of marbles unique to certain areas of the Upper Cumberland region. The game combines elements of golf, croquet, and billiards. The game is not played throughout the entire region; some say that it is only played in two areas of the country, namely Clay County, Tennessee and Monroe County, Kentucky. Additionally, the name “rolley hole” is not ubiquitous throughout the region; William Lynwood Montell reports that the term originated with Hunter Reecer, Leslie Walker, and Millard Plumlee during the early twentieth century. Dumas Walker (subject of the Kentucky Headhunters’ song “Dumas Walker”) was one of the recognized kings of rolley hole marbles in the region. He partnered with Welby Lee (mentioned earlier regarding his quest for justice) in marble games from the 1950s through the 1970s. They were acknowledged as some

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63 Lee, _It Took a Worried Mind_, 223.
67 Clay County Homecoming Committee, 24.
68 Montell, _Upper Cumberland Country_, 148.
of the best players in the region. Rolley hole is played with handmade stone marbles on a smooth, packed dirt court.

Rolley hole was so popular that marble yards were located throughout the county. The courts are typically forty feet long and twenty-four feet wide. A newspaper article from New London, Connecticut in 1991 stated that “The hills of Clay County, Tenn. and adjoining Monroe County, Ky., are filled with carefully groomed ‘marbleyards’ built around schools, country stores and barnyards.” Montell reports that there was even a marble yard at the Clay County Courthouse. “Whether located on the school grounds or somewhere else in the community, such as in the blacksmith shop in Burristown, Jackson County, or on the courthouse grounds in Celina, the marble yard used by youngsters was referred to as the ‘boy’s yard,’ while the men’s playground located nearby was known as the ‘big yard.’” Rolley hole was so popular that Montell reports, “so many adult men were present and waiting their turn to play that teams typically played only one game and then relinquished the yard to two other teams.” The use of the Clay County Courthouse yard as one of the marble yards shows the importance of the courthouse to the cultural life of the area. It also shows the Courthouse was used as more than a government space. It was a spot that local citizens used to socialize with each other.

**Whittling**

Whittling on the Courthouse lawn was a time honored tradition in Clay County for many years. The *Clay County Pictorial History* includes some wonderful photographs of men sitting on benches outside the Courthouse, whittling away. Some of the whittlers listed include Frank “Hatchett” Weaver, Henry Swann, Carlos Collins, Willie Green, Mr. Dubree, Ira Barlow, and Archie Webb. There is a Facebook group named “The Old Whittlers on the Clay County Courthouse Square” that is dedicated to remembering the

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69 Ibid., 151.
70 Ibid., 150.
71 Fulcher and Forester, 10.
73 Ibid., 148-149.
whittlers on the courthouse square. This group features photos and memories of the colorful individuals who once habituated the courthouse lawn. Some local stories even indicate that the benches on the lawn used by the whittlers were known as “liar’s bench.” The use of the courthouse lawn for whittling and social interaction also illustrates the vital importance of the courthouse to the community. As the National Trust for Historic Preservation has noted, “The older courthouse was a magnet that attracted people, and with their influx came business, trade, and the growth of the town. There was always a bustle of activity in the area of the square.”

Conclusion

The Clay County Courthouse has contributed to the life and culture of the region in a variety of ways since its completion in 1873. It has been the center of life for the community since its inception. As Arensberg states about nineteenth century towns, “. . . the courthouse, the jail, the registry of deeds, and the courthouse square of shops and lawyers’ row made a physical center of the far-flung community.” It has withstood the devastating floods that have periodically devastated Celina. It has seen famous (and non-famous) Tennesseans engage in the practice of law. It witnessed a dramatic trial resulting from one man’s relentless quest to bring his father’s killer to justice. It has seen innumerable gatherings of men and boys playing a popular regional game, an atmosphere that “provides young fellows an opportunity to emulate their fathers and other older men.” It is often the focal point of the community: “In virtually all situations the courthouse is the visual focal point of the town.” It is a spot that belongs to everyone in the community: “The square provides more room for socializing and a more attractive setting than a downtown devoted only to business and traffic. And it belongs to everybody.” For its citizens and visitors alike, the Clay County Courthouse has stood in the center of town both culturally and physically for well over a century.

76 National Trust for Historic Preservation, 7.
77 Arensberg, 1151.
78 Montell, Upper Cumberland Country, 149.
79 National Trust for Historic Preservation, 7.
80 Price, 140.
NEEDS ASSESSMENT

The Clay County Courthouse has received few alterations over the years. In many ways it retains its 1870s appearance, a rarity amongst Tennessee courthouses. As such, attention to the building and its concerns are overdue. With proper care, the Clay County Courthouse should remain as a focal point and landmark for the local community for generations to come.

![Figure 1. Undated image of the Clay County Courthouse. There are several features that are no longer extant, such as the rail fence. Also notice the presence of blinds on the lower level windows and the two chimneys rising above the roof. The cupola itself has louvered openings for ventilation. Image courtesy of Tennessee State Library and Archives, Library Collection.](image)

The Clay County Courthouse does have several building concerns to be addressed in order for the building to remain a vital part of the community. Maintenance recommendations will be made later in the report.
Exterior
The exterior of the building is in fair condition. Specific areas that need to be addressed are discussed in more detail below.

Brickwork
The brickwork of the Courthouse needs to be repointed at several places. Mortar is crumbling, and should be repaired, as shown in Figure 2. Mortar is missing entirely around some bricks, as shown in Figure 3. This is especially obvious at the front entrance (north elevation) to the building. Previous repairs to the brickwork are faulty, and add to the brickwork failure in places. The original mortar was made of clay and lime which is a soft bedding material. Previous repairs have been made using Portland cement, which is not recommended. The modern Portland cement is harder than the brick surrounding it. During temperature fluctuations, this difference can lead to the cracking of the surrounding bricks. Future repairs should not include the use of Portland cement.

Figure 2. Crumbling mortar, north elevation
Figure 3. Missing mortar, northwest corner
**Cornice Repair**

As shown in Figure 4, there is an opening in one of the soffits. This is the result of the failure of a previous repair job. A small panel, of either plywood or metal, was tacked to the soffit. This has come loose, creating the opening. Openings and voids in the soffits allow vermin to enter the building, which leads to unsanitary and unhealthy conditions inside. Other parts of the soffit, such as in Figure 5, need to have the woodwork repaired and repainted (Figure 5).

![Figure 4. Soffit](image1)

![Figure 5. Soffit in need of paint](image2)
Foundation

The paint is peeling on the foundation in several places (Figure 6). There are unsightly cracks in the foundation on more than one elevation (Figure 7).

Figure 6. Peeling paint on foundation, west elevation

Figure 7. Crack in foundation, east elevation
**Drainage/Gutter System**

There are four parts that make up a gutter system – the roof, the gutter, the downspouts, and the leaders. The downspouts should have leaders connected to them to divert water away from the building so that the foundation is not undermined. Figures 8 and 9 show downspouts that need leaders attached. Because this is a public building, the leaders should be installed in a bed of gravel beneath the ground.

![Figure 8. Downspout, southwest corner](image1)

![Figure 9. Downspout, northeast corner](image2)

![Figure 10. Gutter going into foundation, south elevation](image3)
**Doors**

There is a gap at the rear door threshold (south elevation) between the door and the steps (Figure 11). A piece of weatherstripping should be attached to the threshold, which would also improve energy efficiency.

![Figure 11. Gap at door threshold, south elevation](image.png)
Windows

The upper story window frames on several elevations are in need of new paint (Figure 12). The windows themselves should be reglazed as to improve energy efficiency. There is also a gap above the lintel on one of the windows on the east elevation (Figure 13). This admits moisture, and the gap should be filled to keep the moisture out.

A window on the north elevation has a crack in the window pane (Figure 14). This should be repaired as it could fail at any time. One of the bricks is jutting out beneath the lintel of an upper story window on the south elevation (Figure 15). Resetting and repointing this brick should solve the problem.
**Interior**

The interior of the building has several areas of concern that need repair in the near future.

**Electrical**

The electrical system is not up to code. As it currently stands, the electrical wiring is substandard. It is exposed in places (Figure 16). All exposed wiring should be placed in conduits. There is also frayed wiring going to the electrical outlet that the metal detector is plugged into (Figure 17). This fire hazard should be repaired immediately.

![Figure 16. Exposed wiring](image1)
![Figure 17. Frayed wiring at electrical outlet](image2)
The various electrical panels located on the wall at the first floor staircase (Figure 18) should be enclosed in a closet that can be locked so that the public cannot access the electrical system.

![Electrical panels should be enclosed.](image18.png)

Figure 18. Electrical panels should be enclosed.

**Courtroom/Jury Room/Judge’s Chambers**

The courtroom, located on the second floor, has a number of issues that will need to be addressed. The floor to the gallery has some damage (Figure 19). The floor could be scrapped and repainted, thereby repairing the problem.

![Gallery floor](image19.png)

Figure 19. Gallery floor

The railing that separates the audience from the judge’s bench and trial area has been broken and poorly repaired (Figure 21). The left side rail is particularly weakened, and
needs to be properly repaired or replaced because it could give way if too much pressure was placed upon it (Figure 20).

The brick in the fireplaces and chimney need to be repointed as the mortar in many of the joists is missing (Figures 22 and 23).

The paint on the walls is peeling and missing in spots, especially in the courtroom (Figure 24). Paint made before 1978 contains lead, and plaster made before 1980
contains asbestos. Peeling paint is a safety hazard as it lets lead particles into the air. It should be replaced or repaired by a trained professional.

The ceiling beneath the courtroom gallery has paint peeling in several places (Figures 25 and 26). Again, the peeling paint may contain lead, and should be treated with caution. The old paint should be removed, and it should be repainted in the near future.
The judge’s chambers also currently house the computer servers. The room was quite warm and humid when we visited on April 4, 2011. This room should be better ventilated and cooled so that the servers do not overheat.

**Stairwell**

The stairwell is worn and is in need of repair in more than one spot (Figures 27-30). Due to the number of repairs needed, it may be more cost effective to replace the stairs with a new stairwell.

![Figure 27. Worn tread](image1)

![Figure 28. Gap between the boards](image2)

![Figure 29. Split in the handrail](image3)

![Figure 30. Missing spindle](image4)
The steps are not uniform in height. It is a safety issue because each step must be the exact same height. If not, people can fall on the stairs. A difference of even ¼” could cause tripping. The bottom step on the first floor on both stairwells is not compliant with code because it is not the same height as the other stairs (Figure 31).

The balusters are missing in several places (Figures 32-33). This is a danger to children as a child could slip and fall between the balusters.
In addition to missing balusters, several balusters are loose, particularly on the west stairwell (Figure 34). The newel post on the east stairwell is loose as well. As you exit the second floor courtroom, the floor is canted downward, which could cause someone to fall down the steps (Figure 35).

Of major concern is the fact that the stairwell appears to be coming away from the wall on the second floor (Figure 36). This is happening at more than one spot (Figure 37).
There are also unlevel steps that need to be leveled (Figure 38).

![Uneven steps outside the courtroom](image)

**Walls**

There is dirt, grime and mold on the wall on the stairwell landing (Figure 39). This needs to be remediated as mold can be a health hazard. There is also a crack in the wall over the window in the attic (Figure 40). This crack appears to be old, but should be patched. The wall should be investigated to see if the crack is a symptom of more serious problems.

![Wall on north elevation, across from the courtroom](image)

![Crack in the wall in the attic](image)
There are also cracks to the lower half of the wall at the first floor level stairway (Figure 41) as well as above the windows in the courtroom (Figure 42).

Figure 41. Cracks in plaster, west stairwell wall

Figure 42. Cracks above the courtroom window
**Attic**

The attic has too much concentrated weight on a floor not designed to handle the load it is bearing. Figure 43 shows the overflowing file cabinets of court files currently being stored in the attic. Figure 44 shows that the attic is also home to the HVAC unit. In addition to the load the HVAC represents, the condensation reservoir should be checked to make sure it is not clogged. If it is not functioning properly, the moisture will leech out onto the floor.

![Figure 43. Files and filing cabinets in the attic](image1)

![Figure 44. HVAC unit in the attic](image2)
There appears to be water damage to the rafters in the attic (Figures 47 and 48). This damage appears to be from the previous roof. The current roof is not currently leaking. However, the wear on the shingles indicates that the remaining life of the current roof is less than five years.

**Doors**

The door on the north elevation does not close fully, and is only secured by barring the door with a wooden plank (Figure 49).
Cupola

Research seems to indicate that the four sides of the cupola, currently smooth, once had windows installed (Figure 50). In order to return the Courthouse to its original appearance, installing blinds or louvers to the cupola should be discussed (Figure 51). Louvers would help in ventilating the building.
MAINTENANCE RECOMMENDATIONS

The courthouse on the square in Celina has stood as a symbol of the law and local government in Clay County for over a century, and it is obvious from the citizens that the structure is important to the county’s appearance. The two-story brick building has not been well-maintained during its tenure of civic service, and it should be able to continue to play an important role in the cultural life of the area by accommodating some of the growing requirements of the county court, heritage tourism and other recommendations in the adaptive reuse section, after the needs and maintenance recommendations are taken into consideration.

Maintenance of a historic building is one of the most important aspects to keeping a building in use. Daily, weekly, semi-annual, annual and seasonal maintenance is what keeps a building in its best condition. Maintenance of historic buildings include things such as: taking out the trash, cleaning, inspecting for UV damage, applying protective coatings, painting, completing semi-annual inspections, maintaining all aspects of the interior and exterior of the building. Keeping a detailed record of what maintenance has been done or needs to be done is important. Making a list that shows what was done, when it was done and whom it was done by, will allow the historic building to keep track of its maintenance history. Maintenance should be consistent, so that the building will maintain an overall invariable appearance; this can be done by creating a “work instruction” for each specific job that has to be completed. Preventative maintenance allows for a building not to fall in to disrepair and can save money in the long run. Completing semi-annual inspections can help save money and fix any problems before they become too serious (see below for the suggestive semi-annual inspection in the recommendation table.)

Several issues should to be addressed in order for the courthouse to be viewed and used to its full potential. The National Park Service has prepared a series of pamphlets known as *Preservation Briefs* that cover in detail many problems that are associated
with historic buildings. Information about accessing the relevant pamphlet online has been placed in each section below and they are also available in hard copy.

**Hazardous Materials** - Before 1978, many types of building products contained asbestos. Plaster, drywall, mortar, linoleum, ceiling tile, felt paper, and shingles are just some of the materials that can contain significant amounts of asbestos. In addition, many types of paint manufactured before that date contained lead. A thorough inspection should be made to determine whether these materials are present and a mitigation plan developed before the building is reoccupied.

**Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing**
http://www.nps.gov/history/hps/tps/briefs/brief37.htm

**Outdated Wiring** – A considerable amount of unused or outdated wiring remains throughout the building, most of which is on the first floor. Besides being unsightly, this wiring poses a safety threat. The testing and removal of the non-functioning wire is highly recommended. Other wires being used can be covered using wire or electrical casing.

http://books.google.com/books?id=396sBYoT9eAC&lpg=PA52&ots=JETns0QJSY&dq=covering%20wires%20in%20old%20buildings&pg=PA52#v=onepage&q&f=false

**Repointing** -- A number of voids in the mortar of the exterior walls were observed during the inspection of the building. These joints should be repointed. Properly done, repointing restores the visual and physical integrity of the masonry; improperly done, repointing not only detracts from the building’s appearance, but may also cause physical damage to the structure itself.

The decision to repoint often is a reaction to some obvious sign of deterioration, such as disintegrating mortar. Often, however, repointing alone will not solve deficiencies that result from other problems. The actual cause of the deterioration,
such as leaky gutters and downspouts, should always be dealt with in conjunction with the repointing work.

Repointing Mortar Joints in Historic Masonry Buildings
http://www.nps.gov/history/hps/tps/briefs/brief02.htm

Discoloration on Exterior Surfaces – There is discoloration in some of the masonry work, which could have been caused by the courthouse being painted at one time. Returning the courthouse to its original appearance will keep its historical integrity.

Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings
http://www.nps.gov/history/hps/tps/briefs/brief01.htm

Exterior Paint Problems on Historic Woodwork
http://www.nps.gov/history/hps/tps/briefs/brief10.htm

Basement Dampness – The restrooms in the basement are damp. A potential cause is rainwater that does not drain away from the foundation. The installation of leaders to the ends of the downspouts would help alleviate this condition, as would grading the surrounding area away from the building. Another solution to this is to fill the basement and moving the restrooms to the first floor, this will also help with ADA compliances.

Holding the Line: Controlling Unwanted Moisture in Historic Buildings
http://www.nps.gov/history/hps/tps/briefs/brief39.htm

Interior —The interior of the building is in need of major repairs and maintenance, which include: fixing the peeling and cracked plaster, repairing the two staircases that lead to the courtroom, the floor of the gallery, the railings and seating in the courtroom and creating an ADA compliant building, while still retaining the buildings historic character and identity.

Rehabilitating Interiors in Historic Buildings Identifying and Preserving Character-Defining Elements
http://www.nps.gov/history/hps/tps/briefs/brief18.htm
Access – Handicapped access to the courthouse is somewhat problematic. As of now, there is not accessibility to the basement where the restrooms are, and the second floor, where the courtroom is located. There also needs to be a ramp or graded sidewalk that meets the level of the courthouse central doors.

Making Historic Properties Accessible
http://www.nps.gov/history/hps/tps/briefs/brief32.htm

A better solution would be the installation of an elevator inside the courthouse. This would provide almost total access to the building for all and would avoid disturbing the appearance of the historic exterior. Care must also be given to maintain as much of the original floor plan as possible. Suitable space can be found in either the northwest or northeast corners of the courthouse, where small offices are conducive to the creation of a new elevator shaft.

Financial assistance may be available for a project such as the installation of an elevator in order to provide increased community access. For example, Lewis County utilized a collaborative partnership between a USDA Rural Development program and the Meriwether Lewis Electric Cooperative that provided a zero-interest loan for the construction of an elevator in their 1930s courthouse. Another option, likely more costly, is the construction of a separate structure or tower near the courthouse to contain the elevator. This option should be utilized only if the retrofitting of the building with an interior elevator is deemed impossible. Besides being more costly, this significant addition also risks making the courthouse ineligible for listing in the National Register of Historic Places, the nation’s listing of historic buildings worthy of preservation. If determined ineligible, the courthouse would also lose some federal protections and the possibility of federal preservation grants through the Tennessee Historical Commission.

New Exterior Additions to Historic Buildings: Preservation Concerns
http://www.nps.gov/history/hps/tps/briefs/brief14.htm
An example of repointing work that needs to be done.

Inspecting the roof can help determine if there are signs of deterioration or places where the roof needs to be patched/worked on.

Inspecting trim, siding and weatherboard for wear is important part of preventing major damage. Wear in the woodwork can lead to holes that can lead to infestation of birds.

Example of load bearing issues behind the gallery above the second floor. This area is also poorly ventilated leaving court documents at risk of deterioration.
These cracks in the plaster need to be repaired, and once they are repaired, the wall should be painted. Keeping a maintenance record will also help to keep the paint type and color uniform throughout the building.

Inspecting woodwork for cracks, missing pieces and sturdiness should be done twice a year. This area of the stairs is missing a spindle, making the area dangerous for small children who could fall through the hole.

Inspecting windows for damage should be done periodically. This image shows a crack in one of the windows on the second floor and should be replaced.

Maintenance should also maintain all cooling and heating systems for the courthouse. Airconditioners should be checked to make sure that they are properly installed. Maintaining constant temperatures in the courthouse should help control the dampness in the building.
### MAINTENANCE AND RESTORATION RECOMMENDATIONS TIMETABLE

| Immediate | • Meeting ADA compliances  
|           |   1. Repairing doors and making them ADA compliant (automatic doors)  
|           |   2. Installing an elevator  
|           |   3. Leveling the floor/installing a ramp in the courtroom (if it continues to be used as a courtroom)  
|           |   4. Installing ramps to access the inside of the building  
|           |   5. Installing restrooms on the first floor  
|           | • Repointing masonry work  
|           | • Rewiring/covering exposed wires  
|           | • Repairing the rise/run of the stairs  
|           | • Leveling the steps  
|           | • Clearing out the attic because of load bearing issues  
|           | • Repairing and painting the exterior woodwork, including the cornices to cut down on any infestation  
|           | • Ventilating the server rooms  
|           | • Controlling water - liquid and vapor (dampness in the basement)  
| Daily | • Cleaning restrooms  
|       | • Taking out trash  
|       | • Maintaining uniform temperatures throughout the building  
| Weekly | • General cleaning (dusting, vacuuming, etc)  
| Seasonally | • Cutting grass  
<p>|           | • Snow/ice removal |</p>
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<td>3. Gutter and downspouts</td>
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<td>4. Interior woodwork (stairs, hand rails, balusters/spindles, etc.)</td>
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<td>5. Foundation (cracks, splitting)</td>
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<td>6. Interior and exterior furniture</td>
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<td>10. Brick (interior and exterior)</td>
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<td>11. Looking for signs of infestation (birds, mice, bugs)</td>
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<td>12. Grounds and landscaping (sidewalks, ramps, etc.)</td>
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<td>Repairing loose spindles/balusters on the stairs</td>
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<td>Addressing gutter and spouting issues</td>
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<td>Repairing windows</td>
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<td>Repairing the gallery floor</td>
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| Ten years:    | Restoring the cupola to its original appearance   |
ADAPTIVE REUSE POSSIBILITIES

Clay County, through its Main Street Revitalization Committee, Clay County Chamber of Commerce, and Clay County Museum, is to be commended for taking the time to seek community input and professional advice, and to weigh the options to determine the most appropriate new use or uses for the courthouse. With this new use plan in mind, decisions can be made determining the renovation of the building, particularly in terms of second floor accessibility. The new uses will dramatically shape the project phasing and construction decisions.

Comments from community members and the committee made it clear that the Clay County Courthouse is regarded as a landmark building and the focal point of the public square. While some communities have sought to tear down their older courthouse building, Clay Countians support the continued use of this building for county functions or new uses.

Community suggestions for new uses for the first floor included a welcome center/tourist center, small business and shops, and office spaces. A re-enactment gallery for tours and limited court functions were suggested for the second floor. These ideas, combined with examples of other successful adaptive reuses of historic buildings, are provided in the following pages.

POSSIBLE NEW USES FOR THE COURTHOUSE

Single New Use—Often, the size and other characteristics of a particular historic building are compatible with the needs of another organization or institution in the community needing a space to operate.

County Archives—Because Clay County does not have a records management or archives program, one possible new use of the historic courthouse is as the county archives. The Tennessee Local Government Record Directory notes that many early Clay County “court records have been lost and that the surviving
records are stored in the courthouse. The storage conditions are not conducive to long-term preservation or public access. The county does not have an active public records commission.”

This new use as a county archives would serve a need in the county for which funding and assistance are available through the Tennessee State Library and Archives and other organizations. Using the Clay County courthouse as an archive would build on the strong national interest in genealogy, bringing in both tourists and researchers. Such a use also shows a strong commitment to stewardship of Clay County’s unique and irreplaceable public records.

Three of the current offices could serve as collections storage and lab space for processing collections. The other current office could serve as restrooms and elevator space. The long hallways could be used to display brochure racks and for interpretive history panels. The courtroom could serve as a great reading room for researchers.

**Business Center/Non-Profit Center**-The business center model allows for individual professional offices in the existing downstairs rooms while the courtroom could be used as a conference center/meeting space. This arrangement might work well for attorneys or small non-profits.

**Multiple New Uses**-The best adaptive reuse for many of large institutional buildings is often a multi-use facility. Public space can be balanced with income-producing space. Comments provided by residents of Clay County support these multiple community uses, with many people desiring to have a welcome center or tourist center on the first floor and community space or continuing court use on the second floor.

**First Floor Possibilities**

**Welcome Center/Orientation Center**-The county may consider setting up a welcome center/orientation area in the hallway and within an offices on the first
floor of the courthouse. Brochure racks could promote visitation to other historic sites in the county and region. Full-color and wall-mounted interpretive display panels would give visitors a better understanding of Clay County history. Through its collaborative partnerships, the Tennessee Civil War National Heritage Area has funded interpretive display panels to tell Civil War and Reconstruction-era stories.

Welcome centers, unlike museums, do not accept or display artifacts, simplifying security and management issues. As the focal point of the square, the courthouse is an obvious landmark for tourists. For travelers, it can provide a convenient place to use restrooms, get maps, and acquaint themselves with the county’s recreational and historic sites before venturing out to see them in person.

A successful model of an orientation center is the Heritage Center of Murfreesboro and Rutherford County (http://www.hcmrc.org). The Heritage Center tells the story of Murfreesboro and Rutherford County through diverse exhibits, public programs, educational events, and downtown tours. The Heritage Center directs visitors to historic and cultural sites, resources, and events throughout the county. All events and services are free and open to the public.

**Small Retail/Professional Offices/Non-Profits/Art Studios**—Another possible use for the first floor would be to rent the office spaces as small retail space, professional offices, non-profits, or artist studios. Renting space to businesses would likely attract outside interest, increasing visitation downtown and increase revenue. Careful selection should be given to the types of businesses to ensure that their use is compatible with county’s management plan for the building. The revitalization committee will need to consider who would take ownership of the property should the building spaces be leased. Again, ADA standards will need to be taken into consideration for this recommendation.
Second Floor Possibilities

Event Rental Venue - Weddings, receptions, conferences, parties, dances could take place in a restored courtroom space. A use such as this necessitates having an event coordinator to handle rental scheduling and ensure the safety of the building. It might also mean that one of the former offices becomes a catering kitchen. In addition to these income-producing uses, the county could still utilize the space to host large community gatherings, town meetings, and forums.

Theatre - The large open courtroom and its gallery also lend themselves to a theater space. Longstanding institutions like the Cumberland County Playhouse to newer ones like the Strand Theatre Hohenwald (restored 2007, www.hohenwaldstrand.com) are attracting regional audiences. Depending on the arrangement, the county could still utilize the space to host large community gatherings, town meetings, and forums.

Retain Modified Current Use - Another option for space use would be to maintain the courthouse’s original use. To meet ADA standards, the first floor will need to be altered with the installation of restrooms and an elevator. Other space could be used as office space or records storage. As suggested by a community member, the courtroom on the second floor could serve as a space for limited court, perhaps juvenile court.

Courthouse Lawn - As the sections on rolley hole marbles and whittling (pp. 16-18) demonstrate, the courthouse lawn has been as much of a community gathering place as the courthouse itself. As plans are made to reconfigure and/or enhance the green space around the courthouse, consider spaces for rolley hole marbles and whittling. And for greater accessibility, provide a ramp from the street to the sidewalk.
NEW USES FOR OTHER TENNESSEE COURTHOUSES

Hardeman County transformed its two-story courthouse built in 1824 into a museum. Museum volunteers re-enact past county events and host exhibits during special events. The museum also serves as a community meeting space.

The former Hardeman County Courthouse (1824) currently serves as the Little Courthouse Museum.

Hickman County has recently sought out a new county use for its 1926 courthouse. The former courthouse now houses the Hickman County Archives and Hickman County Historical Society. The archive holds all of the county government records and the Historical Society holds the indexes to a portion of the county records. The county is also looking to turn the upstairs into a venue for the arts by developing a theatre for performances.

The former Hickman County Courthouse (1926) currently serves as the Hickman County Archives and Hickman County Historical Society.
ACCESSIBILITY CONSIDERATIONS

Regardless of the new use, careful consideration and planning will need to go into addressing accessibility concerns, mainly restrooms and elevator. These major alterations to this historic structure will require the advice of a restoration architect familiar with historic buildings. The staff of the Tennessee Historical Commission can also provide guidance, especially in regards to maintaining National Register eligibility.

Information about the full range of accessibility issues related to historic buildings is available in the technical following leaflet from the National Park Service, administrators of the National Register of Historic Places program.

Making Historic Properties Accessible
http://www.nps.gov/history/hps/tps/briefs/brief32.htm

The restrooms currently in the basement do not meet the requirements for the Americans with Disabilities Act (ADA), a law “prohibiting discrimination to persons with disabilities, by requiring, among other things, that places generally open to the public, such as restaurants and hotels, be made accessible. Special rules apply to historic buildings and facilities.” Consideration should be given to reconfiguring one of the first floor offices into a men’s restroom and a women’s restroom.

Installing an elevator inside the courthouse, or even as an exterior addition, will be one of the most costly new features of a rehabilitated courthouse. At least nine other county courthouses have installed elevators, including Bedford, Davidson, Decatur, Giles, Hawkins, Meigs, Rutherford, Sevier, and Wilson. These county officials may be able to offer valuable advice. For example, Lewis County utilized a collaborative partnership between a USDA Rural Development program and the Meriwether Lewis Electric Cooperative that provided a zero-interest loan for the construction of an elevator in their 1930s courthouse.
FUNDING AND ASSISTANCE SOURCES

Depending on the new use of the historic Clay County Courthouse, grant funding of varying amounts and uses is available from state and federal government agencies and non-profit organizations. The agencies and organizations provided here promote a better quality of life through education/interpretation, community enhancement, economic development, and tourism. Carefully review application materials as some funds are available for capital improvements while other funds are for programming.

1. **Tennessee Historical Commission (THC)** (See Appendices B, C, and D)

   The Tennessee Historical Commission accepts grant applications for historic preservation projects, particularly architectural, archaeological, and historic site survey projects. Surveys may be for sites associated with events significant in the state’s history, such as the Civil War. Priorities for funding survey projects will include areas that are experiencing rapid growth and development or other threats to cultural resources. In addition to historic surveys, assistance is available for other types of historic preservation projects. These may include preservation planning studies for towns and planning or pre-development work necessary to undertake restoration of an historic property. The grants are matching grants and will pay for up to 60% of the costs of approved project work. The remaining 40% must be provided by the grantee as matching funds.

   E. Patrick McIntyre, Jr., Executive Director
   Tennessee Historical Commission
   2941 Lebanon Road
   Nashville, Tennessee 37243-0442
   (615) 532-1550
   [http://www.state.tn.us/environment/hist](http://www.state.tn.us/environment/hist)

2. **Tennessee State Library and Archives (TSLA)** (See Appendices E, F, G, H, and I)

   TSLA, through its Local Archives Program, seeks to assist all of Tennessee’s ninety-five counties in preserving local records, the richest single source of information about our ancestors and the communities in which they lived. The program provides training, advice, and seed money at the local level and to
persuade interested citizens and government officials to improve their records practices and storage conditions.

With the establishment of a Clay County Public Records Commission, the county is eligible for $10,000 in grants, $5,000 through the Archives Development Program (ADP) and $5,000 through the State and National (SNAP). Both programs are administered through the Tennessee State Library and Archives.

Jami Awalt  
Archives Development Program  
Tennessee State Library and Archives  
403 Seventh Avenue North  
Nashville, TN 37243-0312  
(615) 253-3470  
http://www.tennessee.gov/tsla/aps/index.htm

3. Tennessee Department of Transportation (TDOT)  
More than $200 million in grants has been distributed by TDOT since the Federal Transportation Enhancement Program began providing funds to local communities in 1991. The Federal government will cover 80% of the project’s cost provided there is a 20% local match. Officials have used the funds to build sidewalks, bike and pedestrian trails, and to renovate historic train depots and other transportation-related structures. Whether large or small, the projects serve the same purposes: improving access and providing a better quality of life for people in the state. To view a comprehensive overview of the Transportation Enhancement program nationwide, and/or to access databases of state-specific Transportation Enhancement information, including project lists, examples and contacts, visit the National Transportation Clearinghouse at:

http://www.enhancements.org/.

Neil Hansen, Enhancement Program  
Tennessee Department of Transportation  
James K. Polk Building, Suite 700  
505 Deaderick Street  
Nashville, TN 37243-0349  
(615) 741-4850  
www.tdot.state.tn.us/local/grants.htm
4. **Tennessee Department of Economic and Community Development (ECD)**

   Department of Economic and Community Development  
   312 Rosa L. Parks Ave., Eleventh Floor  
   Nashville, TN 37243  
   (615) 741-3282 (877) 768-6374  

**Community Development Division**

This program offers guidance and resources for all aspects of strategic development and growth, from historic downtown development to infrastructure installment and improvement. Regional Economic Development Specialists across the state work with local leadership to formulate and implement action plans to improve quality of life, achieve growth readiness and recruit new industry. For more information about these services, call (615) 741-2373.

**Local Planning Assistance Office**

This program provides planning and technical services to communities on a contract basis. From the regional office in Cookeville, professional land use planners can help communities with planning, zoning, National Flood Insurance Program compliance and other advisory services. For more information about these services, call (615) 741-2211.

**Grants and Loans Division**

This program offers a multitude of resources for community leaders looking to improve their infrastructure, foster economic growth in their area and encourage sound environmental practices. The division administers state and federal government grant and loan funds. For more information about these services, call (615) 741-6201.

5. **Upper Cumberland Development District (UCDD)**

   The Tennessee General Assembly established the Upper Cumberland Development District in 1968 to serve as an economic development resource for the Upper Cumberland region. The Development District's mission is to improve
the quality of life throughout the Upper Cumberland area through programs and projects designed to meet the needs of the region. The Development District can help local governments and communities plan and prioritize transportation projects and write grants for infrastructure, environmental assistance, and parks and greenways. The UCDD administers programs and projects designed to protect, preserve and promote the unmatched cultural and natural resources of the region.

Upper Cumberland Development District  
1225 South Willow Avenue  
Cookeville, TN 38506  
(931) 432-4111  
http://www.ucdd.org/home.htm

6. **Appalachian Regional Commission (ARC)**
The Commission provides an annual series of grants aligning with the objectives of the ARC, a federal-state partnership aimed at creating self-sustaining economic development and improved quality of life for the people of the Appalachian region. Each state receives a protected allocation of funds and does not have to compete with other states. There is more flexibility in the utilization of ARC funds than in most other federally funded programs. Within Tennessee, the governor has the ability to respond to unique problems or opportunities that are presented by a community with an "opportunity projects" designation.

Paula Lovett, ARC Grant Program  
Department of Economic and Community Development  
312 Rosa L. Parks Ave., Eleventh Floor  
Nashville, TN 37243  
(615) 253-1895  
http://www.arc.gov

7. **Tennessee Civil War National Heritage Area (TCWNHA)**
The Heritage Area provides staff expertise and funding to build new educational, tourism, and recreational opportunities across the state. The Heritage Area offers citizens, agencies, local governments, and property owners the following statewide programs.
Professional Services and Outreach
This program provides trained staff and assistance at no cost to local governments, property owners, and organizations developing heritage programs and projects.

Collaborative Partnerships
This program allows local governments and non-profit groups to apply for matching funds for programs and projects including interpretive brochures, exhibits, educational materials, and heritage tourism and preservation plans. All funds received from the Heritage Area must be matched 1:1 with non-federal money.

Tennessee Civil War National Heritage Area
Box 80
Middle Tennessee State University
Murfreesboro, TN 37132
http://www.tncivilwar.org

8. Tennessee Preservation Trust (TPT)
The Tennessee Preservation Trust promotes the preservation of our state's diverse historic resources. TPT advocates for preservation issues across the state, while helping unify the diverse constituencies that make up the preservation movement in Tennessee. Their annual "most endangered" list gets media attention and can be used to leverage funding and other support for preservation.

Tennessee Preservation Trust
P.O. Box 24373
Nashville, TN 37202
(615) 963-1255
http://www.tennesseepreservationtrust.org

9. National Trust for Historic Preservation (NTHP)

National Trust Preservation Fund
This fund provides two types of assistance to nonprofit organizations and public
agencies: matching grants from $500 to $5,000 for preservation planning and educational efforts, and intervention funds for preservation emergencies. Matching grant funds may be used to obtain professional expertise in areas such as architecture, archeology, engineering, preservation planning, land-use planning, fund raising, organizational development and law as well as to provide preservation education activities to educate the public.

**Johanna Favrot Fund for Historic Preservation**
This fund provides nonprofit organizations and public agencies grants ranging from $2,500 to $10,000 for projects that contribute to the preservation or the recapture of an authentic sense of place. Funds may be used for professional advice, conferences, workshops and education programs.

**National Trust Loan Fund (NTLF)**
This fund supports preservation-based community development projects across the country. As a certified Community Development Financial Institution, it provides financial and technical resources to organizations that use historic preservation to support the revitalization of underserved and distressed communities. NTLF specializes in predevelopment, acquisition, mini-permanent, bridge and rehabilitation loans for residential, commercial and public use projects. Eligible borrowers include not-for-profit organizations, revitalization organizations or real estate developers working in certified Main Street communities, local, state or regional governments, and for profit developers of older and/or historic buildings.

National Trust for Historic Preservation Southern Office
William Aiken House, 456 King Street
Charleston, South Carolina 29403
(843) 722-8552
http://www.preservationnation.org/contacts/regionaloffices/southern-office.html

“All Flood Records Will Be Exceeded.” *Nashville Banner*, December 29, 1926.


*Journal of the Proceedings of the Convention of Delegates Elected by the People of Tennessee, to Amend, Revise, or Form and Make a New Constitution for the State*. Nashville: Jones, Purvis, & Co, 1870.


