

National Register of Historic Places Registration Form

1. Name of Property

2. Location

3. State/Federal Agency Certification

Signature of commenting official	Date
Title	State or Federal agency/bureau or Tribal Government

4. National Park Service Certification

Signature of the Keeper _____ Date of Action _____

McWhorter, Hon. Joseph Marcellus, House
Name of Property

Roane Co., West Virginia
County and State

5. Classification

Ownership of Property

(Check as many boxes as apply.)

<input checked="" type="checkbox"/>	private
<input type="checkbox"/>	public - Local
<input type="checkbox"/>	public - State
<input type="checkbox"/>	public - Federal

Category of Property

(Check only **one** box.)

<input checked="" type="checkbox"/>	building(s)
<input type="checkbox"/>	district
<input type="checkbox"/>	site
<input type="checkbox"/>	structure
<input type="checkbox"/>	object

Number of Resources within Property

(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
1	0	buildings
0	0	sites
1	0	structures
0	0	objects
2	0	Total

Name of related multiple property listing

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

N/A

Number of contributing resources previously listed in the National Register

0

6. Function or Use

Historic Functions

(Enter categories from instructions.)

DOMESTIC/ single dwelling

Current Functions

(Enter categories from instructions.)

DOMESTIC/ single dwelling

7. Description

Architectural Classification

(Enter categories from instructions.)

MID-19TH CENTURY: Greek Revival

Materials

(Enter categories from instructions.)

foundation: STONE/Sandstone

walls: WOOD/Weatherboard

roof: ASPHALT/Shingles

other:

McWhorter, Hon. Joseph Marcellus, House
Name of Property

Roane Co., West Virginia
County and State

Narrative Description

(Describe the historic and current physical appearance of the property. Explain contributing and noncontributing resources if necessary. Begin with **a summary paragraph** that briefly describes the general characteristics of the property, such as its location, setting, size, and significant features.)

Summary Paragraph

See continuation sheets

Narrative Description

See continuation sheets

McWhorter, Hon. Joseph Marcellus, House

Name of Property

Roane Co., West Virginia

County and State

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.)

Property is:

☐ 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.

Areas of Significance

(Enter categories from instructions.)

POLITICS/GOVERNMENT

ARCHITECTURE

Period of Significance

1856-1869

Significant Dates

1856

Significant Person

(Complete only if Criterion B is marked above.)

McWhorter, Hon. Joseph Marcellus

Cultural Affiliation

N/A

Architect/Builder

UNKNOWN

Period of Significance (justification)

See continuation sheets

Criteria Considerations (explanation, if necessary)

See continuation sheets

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Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance and applicable criteria.)

See continuation sheets

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

See continuation sheets

Developmental history/additional historic context information (if appropriate)

See continuation sheets

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9. Major Bibliographical References

Bibliography (Cite the books, articles, and other sources used in preparing this form.)

See continuation sheets

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: _____

Historic Resources Survey Number (if assigned): _____

10. Geographical Data

Acreage of Property 1/4 acre

(Do not include previously listed resource acreage.)

UTM References

(Place additional UTM references on a continuation sheet.)

1 17N 469487 4294671
Zone Easting Northing

2 _____
Zone Easting Northing

3 _____
Zone Easting Northing

4 _____
Zone Easting Northing

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

See continuation sheets

Boundary Justification (Explain why the boundaries were selected.)

See continuation sheets

McWhorter, Hon. Joseph Marcellus, House
Name of Property

Roane Co., West Virginia
County and State

11. Form Prepared By

name/title Frank D. Unger

organization Past Respects, LLC date November 23, 2019

street & number 412 Church Street telephone 304-927-1717

city or town Spencer state WV zip code 25276

e-mail frank@pastrespects.com

Photographs:

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map.

See continuation sheets

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 18 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.

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LOCATION and SETTING

Summary Paragraph

The McWhorter House was built on a parcel of land on the first hinterland immediately south of the newly platted Main Street in the 1852 formed New California, West Virginia. It is on the prominent knoll of the plat of 56 lots laid out south of town in the original 1859 plat of the newly formed Town of Spencer Corporation (Figure 2). The McWhorter parcel overlooked and ran continuously down slope to Spring Creek. Originally from a one and one half acre parcel sold by developer and town surveyor H.T. Hughes to J.M. McWhorter in 1856, the lots were sub-platted into one quarter acre parcels in 1859, which the McWhorter House today is maintained on two remnants of lots- 35 and 36, fronting Church Street (Figure 3). The town of Spencer experienced major fires in the last half of the 19th century and the first of the 20th century. This fueled the town's incorporation of Chrystal Water and Power Company. An adequate water supply would not only improve public safety and supply of potable water but would assist in curtailing such episodes. "On November 6, 1902, another major fire struck the downtown of Spencer. For the third time in fifteen years the first block of Church Street, from Main Street to Beauty Street, burned to the ground."ⁱ The McWhorter House, just to the south and having a large ownership tract discontinuous from the development nearby, was spared each episode.

Along the public right of way (Church Street) frontage of these remaining remnant lots is a four-foot-high poured concrete retaining wall, which was constructed in the 1970s and runs continuous across the front property line. Twelve feet of the right side of the retaining wall was cut in 2015 and a concrete driveway, intruding forty feet into the right side of the property, was poured and is used for access and was used for the placement of new underground utility services to the property. The Greek Revival two-story hall and parlor "I" house faces dominantly, about five feet in elevation above the level of Church Street and set back approximately twenty feet from the public right of way (Photo 1). On the left rear side is a two-story ELL, the first story dating to the construction of the main house and a partial second floor added in the 1920s was removed and a full second story was added in 2016. On the right side of the rear ell is a continuous porch, dating to original construction, enclosed in the early part of the twentieth century. A second story was added over the rear "ell" and the porch and an escape stairwell was also added (Photo 2). Other than the 2016 second story addition over the rear ell, the house exhibits a high percentage of original materials; its original layout has been only lightly altered (See Appendix for timeline floor plans). Just outside the enclosed porch, fifteen feet from the porch footprint, is a stone lined water cistern, fifteen feet deep and four feet in diameter, the original water source for the property (Photos 3 and 4 and Figure 3). The entire quarter acre property is very gently sloping, around four percent, with a generous back yard, historically used for gardens.

ⁱ William H. Bishop, *History of Roane County, West Virginia- from Settlement until 1927 A.D.*, p. 252.

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Narrative Description

The McWhorter House is a vernacular Greek Revival two story five bay - one room deep(main house), with a hall on the left and parlor flanking to the right of a central entry made up of a staircase and foyer/passage. A dining room and kitchen ell is to the left rear of the main house, behind the hall. The house sat vacant for fifteen years and the interior suffered from scavenging during its last year before its purchase in February 2015, when demolition appeared imminent. Fortunately, a neighbor reclaimed much of what was removed from inside the house (attached trim, window and door hoods) but the interior doors and hardware, with the exception of the two original upstairs bedroom doors, were not recovered.

Exterior

A one-story eight foot deep porch covers three bays across the dominant Church Street elevation and is graced by four ionic wood columns supported on unique "split-face" cherry red brick tapered piers (Photos 7 and 8), which visually "anchor" the columns all the way from three feet above the first floor level to the grade. This massing is reinforced and contrasted by locally hand cut continuous sandstone step slabs and stringers, which slabs are seventy-eight inches long by eight inches high by thirteen inches deep, with a peen finish inset and smooth one inch frame finish at all exposed sides, stringers, and risers (Photo 5). The column capitals are spanned with unique hand cut (from single large poplar boards) egg and dart scroll cut spandrels attached along the bottom edge of the entablature. The cornice bed mouldings are dentilated with an uninterrupted course of chamfered dentils on all three sides. The outside house wall along the porch is sided with horizontally laid tongue and groove. Rectilinear pilasters frame each edge of the porch, where the transition is made to the lap siding of the entire house. The main house cornice bed mouldings are dentilated, but the dentils are not chamfered as on the porch. This band is run unbroken around all four sides of the house, over capped corner pilasters, completely around the house under the full pediments of the gable ends. Four of the top story windows have hoods that abut the very bottom of the entablature, whereas the center window is set one siding lap lower. Evidence during rehabilitation work indicates that a door was once at this center window and that the porch roof was once a functioning widow's porch.

The windows are original single hung two-over-two sash with one and a quarter inch stiles rails, mounted into frames without parting strips, with many wavy glass panes still evident in the restored sash. This thickness, along with lack of parting strips and construction of local poplar, is a unique deviation from the normal one and three eighths or one and three quarters inch thick window sash standard found later and indicates that the sash were locally derived. Typically, window sash are sourced from abroad, in standard thickness, and milled from white pine. The first-floor windows are single hung and a few parts, such as sills and some missing hardware or a few badly damaged window frame/sash elements, were replaced with custom made sash in the local shop of Past Respects, LLC at 517 Church Street, just one block south. The second floor has restored fully operational double hung counter weighted sash, with eighty percent of their

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original (refurbished) elements, in place. Curiously, no fenestration was, or is, evident on the north facing wall of the parlor and the bedroom over, while the opposite side of the house, the hall and bedroom over the hall, have a window at each level.

All exterior finishes are original to the main house and restored in place, with the exception of the roof material. Approximately twenty percent of the siding and base/starter boards had to be replaced. The exception is the rear two story gable end wall facing the severe dominant weather direction. It was covered with a cement board lap siding, matching the five-inch exposure of the original house siding. The design elements of the main house, along with the details and roof lines, were carried along seamlessly onto the new second floor 2017 addition, as were the material types and the two openings, bathroom and closet, made for the 1920s upper addition, which were incorporated and reused into the new addition (Photo 2).

The hand dug and stone lined cistern was cleaned and extended above grade to a safe height with locally cut and reclaimed sandstone, and temporarily capped with a removable cover (Photos 3 and 4) for insurance purposes.

Interior

The front door was replaced, presumably in the 1940s, with a style appropriate vertical two panel slab with three top lites. The original overhead rectangular transom window is over the door slab. All are set in the original frame, including sill/threshold, which opening accesses into the foyer/passage. A typical two bay, hall and parlor on each side, have bedrooms above. The hall is entered immediately to the left through a three-foot-wide opening at the base of the staircase. The parlor is accessed halfway down the foyer/passage through original double two-foot paneled doors. Juxtaposed across the hall under the staircase is an alcove. The door at the end of the passage, at the rear of the main house, exits into the covered rear porch eight feet wide, fully enclosed in the early twentieth century, with a bank of one over one double hung windows running continuous with the enclosed porch of the house to the rear entry door. A first-floor bathroom was placed in this end of the covered porch in the 2015 work. The hall opening to the rear that flows into the dining room, the first of two rooms in the ell, was enlarged to nine feet wide at some point; possibly post World War II when gypsum wallboard was coming into fashion as a suitable replacement for plaster. It was at this point when all the walls and ceilings on the first floor were covered with this three eighths inch thick wallboard. The south wall of the dining area has a thirty-two-inch exit door opening with an over transom that was covered over at the time the drywall board was installed. The original operable door opening was restored in 2017, with a fully re-functioning transom fitted with a vintage solid brass transom operator.

The ceilings on the first floor are ten feet high and all are of single beaded poplar board tongue and groove. The back-porch ceiling is full tongue and groove installed in a barrel vault fashion. The second room on the

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ell is the kitchen and a simple one-inch thick vertical tongue and groove board partition with a thirty-inch opening separates the dining room and kitchen. This partition, of hand planed single beaded tongue and groove poplar, three-quarters of an inch thick, was restored and teak oil preserved in 2017. The 1920s kitchen wall cabinets were retained in the 2017 rehabilitation. The thoroughly rotten and deteriorated floor was replaced with a poured concrete and tile floor. All other floors, like all ceilings, were retained and restored in place. The oak tongue and groove plank floors were restored in place, with the exception of the badly damaged hall floor, which was poorly patched when an old floor furnace was removed years ago. It was thus covered over with locally harvested six-inch-wide by three-quarter inch thick white ash planks. All first-floor ceilings of painted poplar are original restored single beaded tongue and groove, except for the kitchen which was badly damaged and lowered six inches for a new matching single beaded plank ceiling was installed in 2017. All walls on the first floor are wood sheathed and have original wall covering layers in place. They were documented and recovered in the rehabilitation work in 2017. To both the dining room and parlor walls were added American Chestnut wainscoting from an "Eleanor" village concept house, reclaimed from the 2007 demolition of one of these homes in Eleanor, Putnam County, West Virginia. Too, picture rails and crown moulding were added downstairs. All first-floor doors and hardware that were not recovered at the time of the 2017 rehabilitation work were reclaimed late 19th century four panel door slabs and Eastlake solid brass hardware, reclaimed from the demolished Payne House, just a block away on Church Street.

The stairwell, covered in white latex paint presumably at the time of the 1940s drywall coverings, was restored to its original finish. Some fourteen risers up the staircase is a mid-level entry (originally serving the 1920s second floor bathroom addition which was demolished in 2017) to access the second floor 2016 full addition at rear, above the dining room, kitchen, and the enclosed porch. This full addition houses a bedroom, storage closet, laundry alcove, bath and escape staircase. The second-floor addition is accessed through the bath and closet doors in the 1920 second floor addition (See Floor Plans- Appendix). The upper two original bedrooms, five more risers above this mid level landing, are accessed via a small enjoining hallway. All upper floor ceilings are nine feet high and of plain boards, as are the walls. All were originally covered in fabric paper, over medium width oak and poplar sawn planks. Later (1940s) drywall and coverings were added. All original wall covering layers were documented and recovered in the rehabilitation phase. The bedroom over the hall has a small two-foot door at the rear wall, which doorway entered into a full walk-in closet and storage addition, circa the 1920s. It is now captured into the full second floor addition of 2017 and sports a full closet and bath. The two bedroom doors are believed to be the only two original door slabs and rim mortised hardware locksets from the original construction. The slabs are simple two panel mortise and tenon, pegged, old growth white pine, hand planed, with no shaper profiling or relief, and appear to be locally made.ⁱⁱ They were carefully stripped of layers of paint then stained. The locksets were

ⁱⁱ Per longtime local master wood worker, John Longwell, while assisting with millwork fabrication in the 2017 rehabilitation.

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refurbished as well. The second-floor planks are original random width rough three quarters inch thick oak tongue and groove. They were hand scraped, sealed and coated with Waterlox teak base clear finish system. About half of all original trim was in place or recovered from previous scavenging activity; new replacement parts were milled from these samples, matched in specie and detail.

Evidence of past wood/coal stove venting was uncovered in the ceiling of the hall and the back end of the kitchen ceiling framing. A six-inch diameter metal insulation thimble in the hall was uncovered and left exposed as a curio. A stone ceiling flue thimble was uncovered in the ceiling at the kitchen, over where the kitchen sink was placed in the 1920s when plumbing appears to have been added to the house, and where the current sink is located (See Historic Floor Plan- Appendix). It was enclosed under the dropped new bead board kitchen ceiling. The house was gas plumbed after the initial heating system, wood/coal stove, was rendered obsolete. All plumbing (gas, water, and sanitary) was reworked during the 2017 rehabilitation. Electricity was added in the early 20th century as well, for knob and tube insulators and wiring was uncovered throughout the house during the rehabilitation. Most was left in place and covered over. Some is still visible in the attic space above the main house.

The cistern just off the rear covered porch had been capped with concrete in the past, presumably to reconcile a hazard. Accessing it revealed a hand stacked stone lined pit some four feet in diameter. This was used for water, as public utilities didn't come to Spencer until the turn of the twentieth century.ⁱⁱⁱ

ⁱⁱⁱ See Chrystal Water and Power National Register nomination, Frank Unger, 2007.

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SUMMARY STATEMENT OF SIGNIFICANCE

The property is significant under Criterion B in the area "POLITICS/GOVERNMENT" at both the local and state level for the establishment of the residence and political career of Joseph Marcellus McWhorter. He figured prominently in both the organization of the newly formed Roane County, Virginia and County seat of Spencer, as well as organizing and serving in a leadership capacity on early administrative, legislative, and judicial bodies of government in the newly formed state of West Virginia, showing his value as an organizer, as well as an independent thinking, highly capable individual. Having resided in Roane County since his thirteenth birthday, he attained the following offices and positions early in his career while he and his family resided in the McWhorter House from 1856-1869: first County Clerk and Circuit Clerk in Roane County, Virginia, Spencer Corporation Trustee, Postmaster, first delegate from Roane County, West Virginia elected to the new legislature (serving immediately on the newly formed Judiciary Committee, the Committee on Private Incorporations and Joint Stock companies, as well as the Committee on Forfeited and Unappropriated Lands), Captain of a locally organized Militia, enlisted private in a Union Company, appointment as Director of the new state penitentiary, as well as elected to two terms as State Auditor. His role as a state leader is documented in a series "Child of the Rebellion", published by the West Virginia Department of Arts, Culture and History. The series currently includes thirty-five leaders of state distinction during the Civil War.^{iv}

The property is also significant under Criterion C in the area "ARCHITECTURE" at the local level. It embodies distinctive characteristics of a type, period, and method of construction, one whose floor plan, construction methods and materials exhibit a high degree of original integrity and is an excellent regional example of the classic farmhouse plan that was shortly thereafter duplicated all over the region, but which in its original form is disappearing from the local landscape.

NARRATIVE STATEMENT OF SIGNIFICANCE

Criterion A: POLITICS/GOVERNMENT- State and Local Level

McWhorter was a man of keen abilities, of honor, integrity, with a self-sacrificing courage, purpose, and a clear sense of judgment and decisiveness. The roles he occupied in early Roane County, Virginia, against the tenets of the popular culture, the three committees that he was appointed to in the state's inaugural legislative session, during a period of demanding organizational and reformatory issues, along with his tenure as State Auditor during the period of extreme insolvency, attest to both these personal qualities as well as to his dynamic leadership in uncertain times. The detail of record left behind during this period of West

^{iv} First West Virginia Legislature: Biographical Sketch, Wheeling Intelligencer, September 10, 1863.

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Virginia statehood and the Roane County formation carved from "Old Virginia" are sketchy, and most have come down through general biographical sketches, as well as inferences gathered in scholarly contextual work. Comprehensive state records of the period are simply not available. There were also three moves of the capital between Charleston and Wheeling in those early years of state government, along with the total destruction by fire of the State Capital in Charleston in 1921. Aside from the Deed Books and primary courthouse books, which were snatched from the fires, both the court houses in newly formed Roane County, the ones built in 1856 and 1887, burned to the ground.

The property is significant at both the state and local levels under Criterion B: Politics and Government for its association with Joseph Marcellus McWhorter, a prominent figure in the early organization and administration within the newly formed governments in Roane County, Virginia and the newly formed Government of the State of West Virginia in Wheeling. He served multiple and simultaneous key roles in newly formed judicial, legislative, and administrative offices at both the local and state levels, demonstrating an all-inclusive skill set of inestimable value to the fledgling governmental and public agencies he served. He, too, was zealously involved, self-sacrificing, and passionate for both the Union cause and the subsequent action of that cause in his supportive roles in forming and nurturing the newly created state.

West Virginia was unique among states in its formation, declared by a President but never ratified for statehood by Senate vote. It lie hotly contested on the borderline between Union and Confederate sympathies, often pitting brother against brother; and as such, it presented leadership challenges all its own during the war and in the reconstruction following. According to biographical information on McWhorter, he abandoned his ancestral allegiance after the 1860 election to support the newly elected President Lincoln, bucking the prevailing separatist tide coming over the mountains from Richmond even though he was appointed as both County and Circuit Clerk in the newly formed Roane County by the State of Virginia. The 1860 election results from Roane County, Virginia, showed 517 returns for the presidential election: 237 for Bell, 264 for Breckinridge, 16 for Douglas, 0 for Lincoln^v. He thus swam against the political current of the staunch Old Virginia Democrats and believed in the Union of States, was opposed to slavery, and could not sanction separation. He watched his friends and companions donning the Confederate gray while he decisively joined the local Union Army Company as an enlisted private, drawing a definite line without looking back.

The climate was ripe for local insurrections and guerrilla attacks during the formative years in West Virginia. Confederate rebels plundered the Roane County seat of government. At personal risk to himself he "packed up his public records and hid them in the house of a man in the country where they were preserved until a re-organization of civil authorities was effected after the confederates plundered and destroyed the court

^v source: Richmond Daily Enquirer, 1860 Election Results.

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house"^{vi}. During the War and the first term in the legislature of the newly formed state, he served on multiple inaugural committees: the newly formed Judiciary Committee, the Committee on Private Incorporations and Joint Stock companies, as well as the Committee on Forfeited and Unappropriated Lands. He once again bucked the political tide by leading opposition to his own party's strong support of the Test Oath^{vii} and overturning the Right of Forfeiture of Property, which were major parts of reconstructive agenda by Republicans to disenfranchise all ex-confederates and supporters of the Confederacy^{viii}.

"The first legislature of the state dealt severely with the soldiers who had joined the Confederacy. They were declared to be enemies of the Commonwealth, and their property was forfeited. [Also], "all those whose loyalty to the state was questioned had to take an oath to support the Constitution of the United States and the Constitution of West Virginia. The oath also extended to election laws, which included the statement that 'every person present and offering to vote shall, in time of war, insurrection, or public danger, if required by any voter of the township, take before the supervisor or one of the inspectors, an oath that he will support the Constitution of the United States and the Constitution of the State."^{ix}

McWhorter witnessed the effects of intoxication on the daily order of public affairs at the time. "In Roane County, secessionist leaders committed great depredations upon the Union people, laying their plans to do the mischief while under the influence of bad whiskey."^x In neighboring Jackson County "the conspirators toiled incessantly. In their meshes they had caught all the lawyers of the County, the clerks of the courts, the sheriff, all magistrates save four, and all but two of the constables. Any man identified with the Union was threatened with a coat of tar and feathers and a rail."^{xi} McWhorter was thus a man of courage, for he was County Clerk and a lawyer, as well as a Methodist, in the neighboring county. "They branded him an Abolitionist, because he was a member of the M.E. Church."^{xii} Seeking temperance and good sense, especially on election days, as a member of the Judiciary Committee he succeeded in procuring passage of

^{vi} U.S. Data Repository. *Men of West Virginia, Volume II*. Biographical Publishing Company, Chicago, Ill, 1903, pp. 588-594.

^{vii} U.S. Data Repository, pp. 588-594.

^{viii} James P. Mylott, *A Measure of Prosperity- A History of Roane County, West Virginia*, pp. 36, 37, Mountain State Press, Charleston, WV, 1984.

^{ix} Oscar Doane Lambert, *West Virginia and Its Government*, D.C. Heath and Company, Boston, 1951, pp.143-145.

^x Matthew Tyler Foulds, *Enemies of the State: Methodists, Secession, and the Civil War in Western Virginia-1845-1872*, Dissertation, Ohio State University, 2012, p. 155

^{xi} p. 155

^{xii} First West Virginia Legislature: Biographical Sketch, *Wheeling Intelligencer*, September 10, 1863.

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reformatory legislation making it a penal offense to offer intoxicants on election days; other states followed suit.^{xiii} McWhorter noted that "frequently the voter would be unable, by reason of the custom, to read the names on his ballot".^{xiv}

Hostilities were so great in this border state during the War that Governor Boreman called upon the people "to organize themselves into companies for their own protection and to capture or kill these outlaws. There is no law for them, but the law of force to be administered wherever and whenever they may be found."^{xv} McWhorter thus "held a commission as captain of militia two or three years. He was its principal drill officer, and was in all the fights at Spencer, the capital of Roane, between the home guards and the guerillas."^{xvi} Too, while he was in session in Wheeling, General Morgan made a raid through Kentucky, crossed the Ohio River, and plod his way north along the Ohio River, seemingly to get back into West Virginia. It was supposed that the Wheeling Bridge was his destination. A company of defenders was formed, chiefly of members of the legislature; manning a boat with two pieces of artillery, and bales of hay as a barricade and armed with Enfield rifles, they started up the river to prevent the Confederate General's crossing. This was viewed by the enemy as a gunboat, turning back the forces.^{xvii}

In the face of all the foregoing persecution, he was not swayed by the pressure of his party to enact vengeful unlawful penalties against those involved in the civil insurrections, the secessionists, even though they were a source of great suffering for the Union supporters and McWhorter personally, both locally in Spencer and while he was in session at Wheeling.

The Law for the Forfeiture of Property was passed in 1863, on which committee McWhorter served. The Act was passed in that inaugural session as a major piece of reform legislation in anticipation of Union victory. This was key legislation, designed to head off the punishment targeting those who had cast their fortunes with the Confederacy. Under the Forfeiture Law, confiscated properties of Confederate soldiers were restored.^{xviii}

^{xiii} usgarchives.net/wv/greenbrier/bios/colebios/jmmcwhorter.

^{xiv} U.S. Data Repository, pp. 588-594.

^{xv} Richard Ellsworth Fast and Hu Maxwell. The History and Government of West Virginia, The Acme Publishing Company, 1901.

^{xvi} First West Virginia Legislature: Biographical Sketch, Wheeling Intelligencer, September 10, 1863

^{xvii} U.S. Data Repository, pp. 588-594.

^{xviii} Fast and Maxwell, p. 149.

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When McWhorter assumed the office of Auditor, the public revenue, owing to the civil unrest previously outlined, could not be collected from many counties. "In 1864 the governor reported in his message to the Legislature that about one-half of the counties in the State had paid no revenue at all and [several others] fell short. The state could not meet ordinary expenditures or construct much needed [infrastructure]." ^{xix}

In the face of such fiscal uncertainty and insolvency, McWhorter evidently proved worthy of the office, for he was re-elected Auditor in 1866, but declined another nomination to that office in 1868 and also refused to be considered as a candidate for the position of governor. He was strongly backed by his party and the Wheeling Intelligencer." ^{xx}

It was at this time that he was experiencing extreme domestic circumstance back home in Roane County, for his wife Julia Stalnaker-McWhorter died there on August 26, 1869, leaving several surviving children. Once more in 1869 his administrative abilities were tapped when he was elected secretary of the newly formed West Virginia Insurance Company, filling that position until Governor Stephenson appointed him to a vacancy on the circuit court in Lewisburg, where he was removed from Wheeling.

He first served on the local level in 1856 as the first clerk of the newly formed Roane County, Virginia; he also served, by Virginia statute, as the first Clerk of the Circuit Court of Roane County. ^{xxi} He was the only person in Roane County to hold both positions, as West Virginia did not incorporate this Virginia statute when statehood was formed eight years later. Henceforth, the record keeping and business of both of these county offices is now connected to his establishment of them.

The Circuit Court duties had jurisdiction of misdemeanors, recovery of money due on contracts or damages, it impaneled grand juries to investigate crime and return indictments for all classes of crimes, tried the felonies, trial juries, probated wills, administered estates, appointed administrators and guardians, laid the levies on real estate and property of the county for funds for the county's share of the maintenance of the State, compensation of its own officials and for making roads and bridges. ^{xxii} McWhorter thus had a formative part in duties now divided into all manners of local governmental agencies other than the contemporary duties of a Circuit Court Clerk: magisterial court, county commission, Assessor. Current longtime Roane County Clerk Charles B. White, Jr. submitted the following to the author, attesting to his predecessor McWhorter's influence on the records of the office to this day:

^{xix} Fast and Maxwell, p. 149.

^{xx} U.S. Data Repository, pp. 588-594.

^{xxi} George Wesley Atkinson, *Prominent Men of West Virginia*. Harvard University, 1890, p. 385.

^{xxii} Bishop, p. 97.

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J. Marcellus McWhorter set up his record keeping in large books, beginning with Deed Book 1 and Will Book 1. These were all obviously handwritten in very neat and legible handwriting. There is also a large book for births, deaths, and marriages. These original books are still in the office of the Roane County Clerk. The Deed Books have an alphabetical index in the front of each book, which has the deed grantors in the left column, and the deed grantees in the right column of each page. The Will Book is the same. The Birth, Marriage and Death books are in the same book from 1856-1896, and we still use these today. These books also have an alphabetical index in the front of the book, which process I assume was set up by McWhorter, the first county clerk. It is basically the same process we use today, except the alphabetical index and deeds are on computers.

Criterion C: ARCHITECTURE - Local Level

The house, both floor plan and design elements, embody the distinctive characteristics of Greek Revival vernacular architecture that is a rare antebellum resource in Roane County, WV. It maintains a high degree of its Greek Revival appointments. While not perfect in all its elements and proportions, the classic Greek is evident: full pediment gable ends, dentils under both the main eaves and the front porch, Ionic order columns, with egg and dart scroll hand sawn spandrels between the column capitals, a symmetrical five bay front with a central entry door and accompanying rectangular transom, and a classic hall and parlor floor plan and rear ell. All exterior features survive except the following: first floor entry door, porch flooring and railing and widow's porch above. The first-floor railing was re-fabricated accurately using uncovered "paint shadows" in adjoining millwork. It is not surprising that a man of McWhorter's ideology would select this style, the National Style (Greek Revival), for his domicile, constructed during the foundational years of his public service career (See photo 9).

That the house was the one built by McWhorter, entire with the rear ell and porch, and dates to the time period of significance (1856-1869) is supported by the following evidences:

The Greek Revival style (lost favor after the War); the property in 1883 was still referred to as the McWhorter Residential Gardens; he was in debt with a five-hundred dollar lien placed on the real estate in 1869, which lien he settled and property was sold outright in 1873; an eight by ten inch continuous oak sill beam exists on the common south wall from the front corner of the house through the rear ell; and the earliest townscape photo from the old Goff farm, predating the Spencer State Hospital (constructed late 1880s), shows the house clearly as it exists today. The construction predates major transportation development and all the heavy construction materials were highly dependent on both local craftsmanship and the surrounding landscape. All the stone work is in place- the hand cut local sandstone steps and foundation piers. The lumber was circular milled oak and poplar. All the extant framing and siding/trim fasteners are cut nails and largely still functioning in place, as are the uniquely sized and detailed window sash.

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The author, having resided in this region for thirty-five adult years and extensively travelled the back roads, with the past twenty in keen awareness of local architecture, can attest to its integrity in relation to other houses built later in the nineteenth century than this one; there is especially nothing antebellum, at the time of the county's formation, to compare it to. As such an example, this archetypal framed house form will enlighten future generations.

HISTORY

Joseph Marcellus McWhorter was born in McWhorter's Mill, Virginia (West Virginia), April 30, 1828, in the cabin home of his Trans-Allegheny pioneering statesman great grandfather, Henry McWhorter.^{xxiii} After relocating his family to Marion County, Ohio from 1833-1841, his father, Fields McWhorter, returned his family to Virginia and settled in what became Roane County.^{xxiv} Largely self- educated from this point forward, Joseph taught schools locally to supplement his income and to learn under tutelage at subscription schools, as public schools were unavailable in Roane County, Virginia.^{xxv} He married Julia Ann Stalnaker from Harrison County Virginia (West Virginia) on May 24, 1853.

The property where the McWhorter house is located was initially owned by H.T. Hughes, a lawyer, land speculator and surveyor who arrived in the area (then known as Cassville, Virginia) in 1851.^{xxvi} A year later, Hughes surveyed the town with the new name, New California, appearing on the survey plat. Meanwhile plans were under way to establish Roane County.

On March 11, 1856 the Virginia legislature created Roane County, Virginia from parts of Kanawha, Jackson, and Gilmer Counties and named both the new county and county seat after a Piedmont Virginian, Judge Spencer Roane. Hughes, grandson of the famous Indian scout Jesse Hughes, sold a prime one-and-a-half-acre parcel mapped on his plat to JM McWhorter in 1856. Three years later, in 1859, Hughes was involved in the creation of the newly incorporated county seat and drafted another map of the newly incorporated Town of Spencer. This time his map included well-defined parcels platted just south of Main Street, within the new corporate boundaries. McWhorter owned lots 34 to 37 on this new map. Lots 35, 36, and 37 were each one-quarter acre, while lot 34, a sloping lot from what is now Church Street to Spring Creek (before the U.S. Route 119 bypass was constructed in 1956) contained three-quarters of an acre.^{xxvii}

^{xxiii} This cabin was moved in 1927 to Jackson's Mill, West Virginia and is a contributing resource to the Jackson's Mill Historic District

^{xxiv} McWhorter, Minnie S. History of Henry McWhorter Family of New Jersey and West Virginia, p. 38, Charleston Printing Co., 1948.

^{xxv} U.S. Data Repository, pp. 588-594.

^{xxvi} Deed Book 1, p. 41, Roane County Courthouse.

^{xxvii} Deed Book 1, p.334, Roane County Courthouse.

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In 1856 McWhorter was appointed as the first Clerk of the newly formed Roane County, Virginia. He also dually served, by Virginia statute, as the first Clerk of the Circuit Court of Roane County.^{xxviii} He was the only Roane Countian to hold both positions, as West Virginia did not incorporate this Virginia statute when statehood was formed a few years later. As the first and only one to hold both of these county offices simultaneously, he was responsible for setting up and establishing their internal organization and structure; henceforth, the affairs of both these strategic county offices are connected to his establishment of them. Too, his later aspiration to the bench in the Lewisburg circuit was no doubt served by his experiences as both the Roane County Circuit Clerk and County Clerk. As a member of the Bar and a Republican, he also served simultaneously as Postmaster General and as a Trustee in the newly formed Spencer Corporation.^{xxix} These two positions were inaugural ones as well and testified to his sought-after abilities in administration and organization.

Still residing in Spencer, McWhorter was elected as the first legislator from Roane County, West Virginia in 1863, where he was immediately placed on the Judiciary Committee. In this role he voiced his opposition to the "test oath" and succeeding in championing as bill sponsor the law passed making the sale of election day intoxicants a penal offense. McWhorter opposed the test oath on grounds of its unconstitutionality. His party advocated and passed the divisive bill in light of expediency, in spite of his opposition^{xxx}. "The net effect [was the disenfranchisement of] both the ex-Confederates and those who had supported the southern cause, and this greatly increased the feelings of bitterness and resentment that were prevalent at the time. It [the bill's passage] also gave the Republican Party complete control of the state". This radical measure was deemed necessary by the Republican Party as Unionists, which included many Roane County Democrats who opposed the creation of a new state, jumped ship and allied with the dissidents who broke with the Republican Party to support the Union Conservative Party, which in popular circles was known as the Copperhead Movement^{xxxi}. This left McWhorter in a tenuous position, a staunch Republican and supporter of Statehood, in a county where his party's numbers were in a minority. This could have been one motivation to turning his attention towards the new seat of government in Wheeling.

After adjournment of the first legislative session, his role within state government took center stage and he would now be more oriented to Wheeling than ever. Immediately after the first legislative session, the Governor appointed him as Superintendent of the Penitentiary.^{xxxii} "He won his way into favor with the representative men from every portion of the state, and thus unintentionally cut the grooves leading to a

^{xxviii} Atkinson, p. 385.

^{xxix} Bishop.

^{xxx} U.S. Data Repository, pp. 588-594.

^{xxxi} Mylott, pp. 36, 37.

^{xxxii} J.R. Cole, "History of Greenbrier County", Lewisburg, West Virginia, 1917, pp 110-112.

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future nomination for Auditor, to be in control of the revenues and finances of the state".^{xxxiii} In 1864 he was elected as State Auditor and re-elected in 1866.

Joseph and Julia Ann Stalnaker had ten children in Roane County from 1854-1868. Julia Ann Stalnaker died on August 26, 1869 at 37 years of age. Joseph then married Julia Ann Kinsley from Pennsylvania on October 26, 1870, in McWhorter, Harrison County, West Virginia.^{xxxiv}

The years 1863 through 1869 were his dynamic political ascension at the state level and were also the most busy and turbulent years for this eldest son of Fields McWhorter, shuttling back and forth between his obligations in both Wheeling and Spencer. Three of his children were born in Spencer during these years leading up to his wife's death in 1869. Two of his eight children also died in this interim, leaving his wife to care for eight young ones. Also, during these years his younger sibling Henry C. McWhorter studied law under the preceptorship of his older brother Joseph Marcellus, even serving as Deputy County Clerk under his brother. Following this tutelage Henry was admitted to the Bar in 1866 and would go on to have a distinguishing political, administrative, and judicial career of his own.^{xxxv} Joseph McWhorter was located in Wheeling at the time of his wife's passing in Roane County, in August 1869. All ten of their children, two deceased were born in Spencer. The last was born on December 16, 1868.^{xxxvi} Deed Book 3 p.565 records a lien, executed on June 9, 1869, against the property in Spencer and records party of first part-"J.M. McWhorter of the City of Wheeling". Thus, at the death of Joseph's first wife his influence in the county and town was evidently severed as he was already relocated to Wheeling, before finally settling in Lewisburg, West Virginia where his second wife gave birth to four children.^{xxxvii} There is physical evidence in the house itself, as well as in the local court house, to paint a grim picture of McWhorter's finances when his wife died and his subsequent departure from Roane County. They had ten children in Roane County in the span of time they lived there, seven of which were born local. Two died in infancy, leaving them with eight children to in a house of only thirteen hundred useable square feet. He sold two of the four parcels before selling out entirely in 1873, according to Deed Book 5, p. 373. As per an entry in Deed Book 3, p. 565, McWhorter was indebted for over five hundred dollars when he was removed from Spencer in 1869. A legal trust, between he and two other parties, one a lawyer from Ravenswood, was drawn up and is on public record at the courthouse. This trust is a promissory to pay these debts in a specified time period or risk foreclosure of the whole McWhorter Spencer real estate holdings on the courthouse steps. Being a man that the public record attests as having an impeccable record, he made good on this obligatory note, for in 1873, four years later, according to the entry in Deed Book 5, p. 372, he sold the estate and improvements unencumbered to

^{xxxiii} Atkinson, P.385.

^{xxxiv} McWhorter, pp. 373-374.

^{xxxv} McWhorter, pp. 41, 42.

^{xxxvi} McWhorter, pp. 373-374

^{xxxvii} *ibid.*

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Robert S. Brown. Though he left Roane County for good, it was in this setting where he was firmly established in high public office. Simultaneous to his move to Wheeling he was appointed Secretary of the West Virginia Insurance Company in 1869. He then moved his new wife and large family to Lewisburg in 1870 when Governor Stevenson appointed him Circuit Judge to fill a vacancy in the circuit composed of Greenbrier, Monroe, Pocahontas, and Nicholas Counties. From here on he was referred to as Judge McWhorter; and Lewisburg would be his final resting place. Though his burial plot was established in a town cemetery in 1913, the house where he resided in Lewisburg was demolished many years ago.^{xxxviii}

Therefore, the only known private resource associated with McWhorter, outside his relocated birthplace cabin in Jackson's Mill, is the vernacular Greek Revival with the current address 412 Church Street, Spencer, West Virginia, where he first established a residence and from where he rose to achieve state level prominence. After the expiration of his appointed term as Judge in 1872, he was appointed Superintendent of Public Schools in Greenbrier County and served as Postmaster General of Lewisburg. In 1887 he was elected Mayor of Lewisburg. He would again serve as Circuit Judge when he was elected to the bench in 1896 and served until his term expired in eight years. From 1905 until his death in 1913, he was actively engaged in the practice of law in Lewisburg.^{xxxix} These entirely new roles he assumed in Lewisburg further illustrate his dynamic administrative and oversight abilities, along with his versatile skill set.

The house itself was coveted from this point forward. After serving two terms as prosecutor in both Roane and Wirt Counties, Robert S. Brown, who purchased the house from McWhorter, served on the bench as Judge of the Tenth Judicial Circuit of West Virginia, comprising Jackson, Roane, Calhoun, and Gilmer, for a six year term, beginning in 1869. This date was curiously when McWhorter left Spencer, yet he held title to the property for four more years, until 1873, when he sold outright to Brown. One could imply that a tenancy agreement between the two friends was struck for the four years between 1869 and 1873, for Brown needed someplace to stay while in court locally and a relatively new house would not have been left idle by a man like McWhorter in financial need. In 1878, Judge Brown began a four-year stint with the state senate, which leads to 1882, the date that the property again exchanged hands, when Brown retired from public life to his large Jackson County holdings along the Ohio River. According to the entry on page 527 of Deed Book 10, the property was then conveyed to another judge in 1883, when local Justice of the Peace Wm. C. Poole purchased the domicile and remaining lots 35 and 36, known as the "Old McWhorter Property". So, it was still associated with McWhorter fourteen years after his departure from Spencer. The home finally found rest with the Cleavenger family shortly after Poole's purchase; it remained in this family line for over one-hundred years.

^{xxxviii} Frank Unger, per correspondence with Larry Heffner of the Greenbrier Historic Society, 2015.

^{xxxix} McWhorter, p. 39.

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Summary

We can infer that Joseph Marcellus McWhorter was not a wealthy man by any means. He was not a businessman, though, with his keen ability for organization, for which he was highly valued, he would have been successful in the private sector had he chosen this path. Outside the Greek Revival appointments on the exterior, the home is representative of what could be expected of a moderately successful farmer or merchant in the latter nineteenth century. It is thus a fine early example of the commoners framed two-story house, an early secession of the pioneer hewn log cabin.

He was, however, a career executive administrator, politician, jurist and attorney with abilities that were both noticed and exploited by higher level public officials; this leveraged him rapidly to the highest offices in state government. That he turned down his party's nomination as Governor in 1868 with strong backing from *The Wheeling Intelligencer* attests to his meteoric rise from obscurity in Roane County government just a few years earlier. That he turned down the nomination just before his wife succumbed to death, leaving eight surviving children behind, speaks to the uncertainties of life's fragile circumstances at the time. These circumstances no doubt imposed restrictions on the upwardly mobile ambitions of McWhorter, who seemingly had few other limitations.

Constructed in the settlement era with few outside resources available, both the materials and the labor methods employed in construction were mostly locally sourced and maintain a high degree of integrity as well as stylistic Greek Revival elements. It is the only known resource still in existence associated with this McWhorter.

Local Context - Architecture

The very earliest dwellings in central West Virginia were log constructed, owing largely to the easy procurement of the raw material and the difficulty in processing it. They were quickly constructed shelters when mill lumber and transportation systems to deliver it were primitive. The McWhorter House represents both a rare and early example of its type in the area. The following two are the best local examples of the framed I-house, hall and parlor plan with central entry and rear service ell, comparable to the McWhorter House. They are both in the vicinity of Spencer Corporation, one a three bay and the other a five bay.

The Keplinger House- circa 1869 - The house in the photo below sits five miles out of town at 1013 Lion Fork. It is a three-bay two-story with a two-story rear service ell. It, too, has original windows and siding and is proudly maintained in a "mothballed" setting, with the most complete collection of farm service buildings surrounding it of any Roane County era domicile from this time period. Included are two hewn log barns, a chicken coop, and two or three older outbuildings within the domestic yard space. Still, it is a simply constructed, practical version of the two-story farmhouse, lacking the ornamentation of a particular style.

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The Craig House- circa 1880 - Like the McWhorter House, the home below is a five-bay two-story with a rear service ell. It is different in that it has an original bedroom on the second floor of the ell. The crook in the ell even has a porch, which was typically later closed in. Even though it bears some striking similarities to the McWhorter House, it differs in style by sporting a Gothic cross gable, giving indication that it was built some time later. It is in a state of disrepair, yet maintains integrity, with original windows and clapboard siding.



The Charles White residence- circa 1860 - The home below is located three miles south of Spencer, along State Route 36, the owners of this home maintain a hand seamed metal roof to shelter their historic home from the elements. While a three-bay, it's aluminum siding clads a hewn log cabin. It can be compared to the McWhorter House in its hall and parlor configuration, which was a type of layout incorporated into the earliest homes constructed in early Roane County, but which layout was widely prevalent in the state from which West Virginia was carved from in 1863.

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The Cox Residence - circa (?) - The home in the photo below is North of Spencer at 1705 on the old Parkersburg Road, now State Route 14. This home is another example of the few remaining log hewn homes. It is ornamented with a handsome, yet early twentieth century front porch.



The following three houses, while dating close to the time period of the McWhorter House in the City Limits, are only represented here because of proximity to the time period. The last two are the closest in approximation to the representative house type, though they, like the Craig House, have the cross gable and style deviation and were constructed some time later.

The house in the following photo appears in the earliest town landscape photos shot in the first part of the 20th century. It is located mid hill behind the McWhorter House. Located within the bounds of the first town plat mapped when Spencer was incorporated in 1859, it appeared in the earliest photos rather isolated among the hillside pasture, before the adjacent lots were developed.

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The house in the following photo, the Campbell House, was thought to be the oldest existing home in Spencer Corporate limits for several years. It was thoroughly renovated in the early 2000s with replacement windows and vinyl siding.



Per a walking tour promotional by the Roane County historical Society:

The Campbell House was built about 1859 and is likely the oldest existing home in Spencer's city limits. It is located at 833 Black Walnut Avenue, just as travelers enter Spencer by way of U.S. Route 119. The two-story house has been restored and still has white siding similar to that found on the original structure. It has six spacious rooms, three on each floor and a fireplace in each room. In its history the house once served as a hotel. The house is also thought to have had the first indoor bathroom in Spencer. There is a large, round copper cistern in the attic which was used to catch rainwater that was used for flushing. The Henry Payne family were the original owners and was once part of a 2,500-acre estate which had many owners over the years. The Ralph Campbell family owned the property the longest.

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The house below is a gothic influenced two-story within the city limits at 105 Prospect Street with little in common with the McWhorter House, this home is well maintained and exhibits a high degree of original materials. It is thought to have been constructed in the late 1860s early 1870s.



Two more post Civil War cross gabled two-story farm houses within the city limits at 114 and 116 Front Street. While the home on the right is central entry 5 bay, the home on the left has an off centered entry, which empties directly into the living area, with no formal entry hall. With its offset entry and front porch, 114 Front Street seems to have some Victorian era influence.



The antebellum period, as heretofore argued as the date of construction for this house in this nomination rests on three lines of proof: 1) McWhorter purchased the property where the house was constructed in 1856, 2) into the 1880s it is referred to as McWhorter Residential Gardens on the property deeds, and 3) The Greek Revival style of the residence lends weight to its being constructed before the War between the states, as 1860 is widely recognized as the last of The National Style period and also to its being the oldest house of a popularly recognized type in the region, as Gothic Revival and Italianate came into fashion post-War.

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VERBAL BOUNDARY DESCRIPTION

The northern half of two lots, numbers 35 and 36, of a platt of fifty-six lots laid out by H.T. Hughes in the original Town of Spencer Corporation Map of 1859 (Figure 2).

BOUNDARY JUSTIFICATION

The original one-and-a-half-acre property sold by H.T. Hughes to J.M. McWhorter was carved from an unplatted parcel belonging to Hughes, just south of Main Street, of then New California, West Virginia. It was the first choice of this farmland that J. M. McWhorter purchased from Hughes, the most prominent positioning on a knoll, the front of which purchased parcel sloped less than a hundred yards down to the banks of the meandering Spring Creek. It was three years later, at the drafting of the Corporation of Spencer map, that Hughes divided his property into fifty-six parcels, four of which he assigned to what McWhorter had purchased three years prior. The lots were divided into one-quarter acres.^{xl} The extra property that McWhorter purchased was no doubt not only in anticipation of further development, but also to serve the family for residential gardening. Bishop has a romantic description of two pages in his history book about the appearance of the village of Cassville about the time it became New California in 1852. "Every household had its large vegetable and flower garden of fertilist soil, on which they soon had several fruit bearing trees..."^{xli} We can infer that this family had their gardens as well on the remaining lots 35 and 36 immediately around the domicile, for a deed referenced earlier describes the whole of the remaining property in 1869 as "A Residence Garden" of that family. Two lots were sold and two lots, 35 and 36, were remaining when McWhorter sold out in 1873. These lots, each comprising one-quarter of an acre, for a total of one-half acre, were the property remaining at the end period of the time of significance for the property in 1873. These lots historically ran in dominant dimension north-south; today they run east-west. These oversize lots were sometime post-1873 carved in half, as were lots 35 and 36. So the current configuration of the property is the northern half of both lots 35 and 36, comprising a total of one of H.T. Hughes' original lot sizes of one-quarter acre (Figure 2).

^{xl} Deed Book 1, p.334

^{xli} Bishop, pp. 322,323

Joseph McWhorter House

Name of Property

Roane County, West Virginia

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PHOTO LOG:

Name of Property: Joseph McWhorter House

Address: 412 Church Street Spencer, WV 25276

Town: Spencer

County: Roane

Photographer: Frank D. Unger

Date Photographed: 2014-2018

Photo(s) 1	Southeast Elevation (Before and After Rehabilitation)
Photo(s) 2	West Elevation (Before and After Rehabilitation and Addition)
Photo 3	Cistern
Photo 4	Renovated Cistern
Photo 5	Front Steps
Photo 6	Foundation Pier Stones
Photo 7	Porch Detail
Photo 8	Porch Column Base
Photo 9	Contemporary House Constructions

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Photo(s) 1: Southeast Elevation before and after rehabilitation



Photo(s) 2: West Elevation- before, during and after 2015 rehabilitation and addition

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Photo 3: Cistern- Water source



Photo 4: Renovated Cistern top w/o cover



Photo 5: Fronts Steps



Photo 6: Foundation Pier Stones

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Photo 7: Porch Detail- Hand sawn Egg and Dart



Photo 8: Porch Column Base

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Photo 9: Contemporary House Constructions - Is it coincidental that such an ardent supporter of the Union cause as McWhorter would choose a strikingly similar approach as The National Style for his house , which was constructed shortly after the Lincoln's completed the second story addition to their home in Springfield, Illinois?

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The home of James M. Cleavenger is located on Church Street in Spencer. He was a merchant and a Civil War veteran, joining the Union army when 14 years of age. He carried on various businesses and held public office. (Courtesy of Dr. Harry H. Camp Sr. family.)



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Figure 1, circa 1913, known as the Cleavenger home

Joseph McWhorter House
Name of Property

Roane County, West Virginia
County and State

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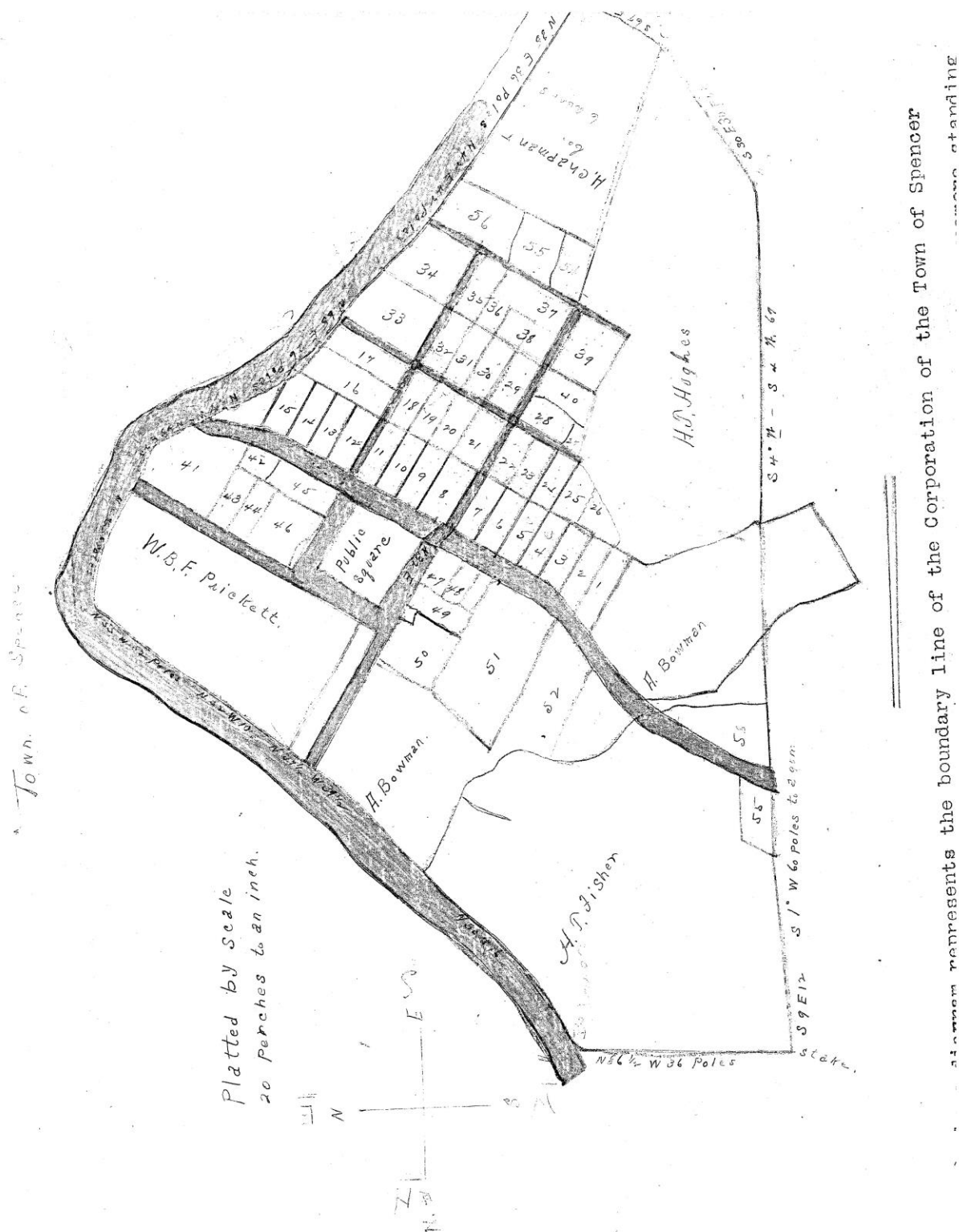
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See following page for:

Figure 2- Town Map of Spencer Corporation 1859

Name of Property

County and State

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Joseph McWhorter House
Name of Property

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See following pages for:

Figure 3- Historic Lot map and floor plans- drawn by Frank Unger

Joseph McWhorter House

Name of Property

Roane County, West Virginia

County and State

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Project Information		Site Plan	
LOCATION	DATE	SCALE	DATE
412 Church St. Spencer, WV			
McWhorter-Cleavenger House			
PROJECT			
DRAWING TITLE: SITE PLAN		DRAWING NO: ST	
DRAWN BY: FDU		CHECKED BY: [Signature]	
ALL DIMENSIONS IN THIS DRAWING ARE IN FEET AND INCHES. DIMENSIONS ARE APPROXIMATE. DIMENSIONS OF THE PROPERTY ARE BASED ON THE RECORD SURVEY. DIMENSIONS OF THE PROPERTY ARE BASED ON THE RECORD SURVEY.			

Lot Number	Area (sq. ft.)	Notes
Historic Lot 34		
Historic Lot 33		
Historic Lot 35		
Historic Lot 36		
Historic Lot 37		
Historic Lot 38		
Historic Lot 32		
Historic Lot 31		
Historic Lot 30		
Historic Lot 29		

Historic Location Spring Creek

CONCRETE PADS

CAPPED CISTERN

McWhorter/Cleavenger House
Remnant of lots 35 and 36

Caphart Street

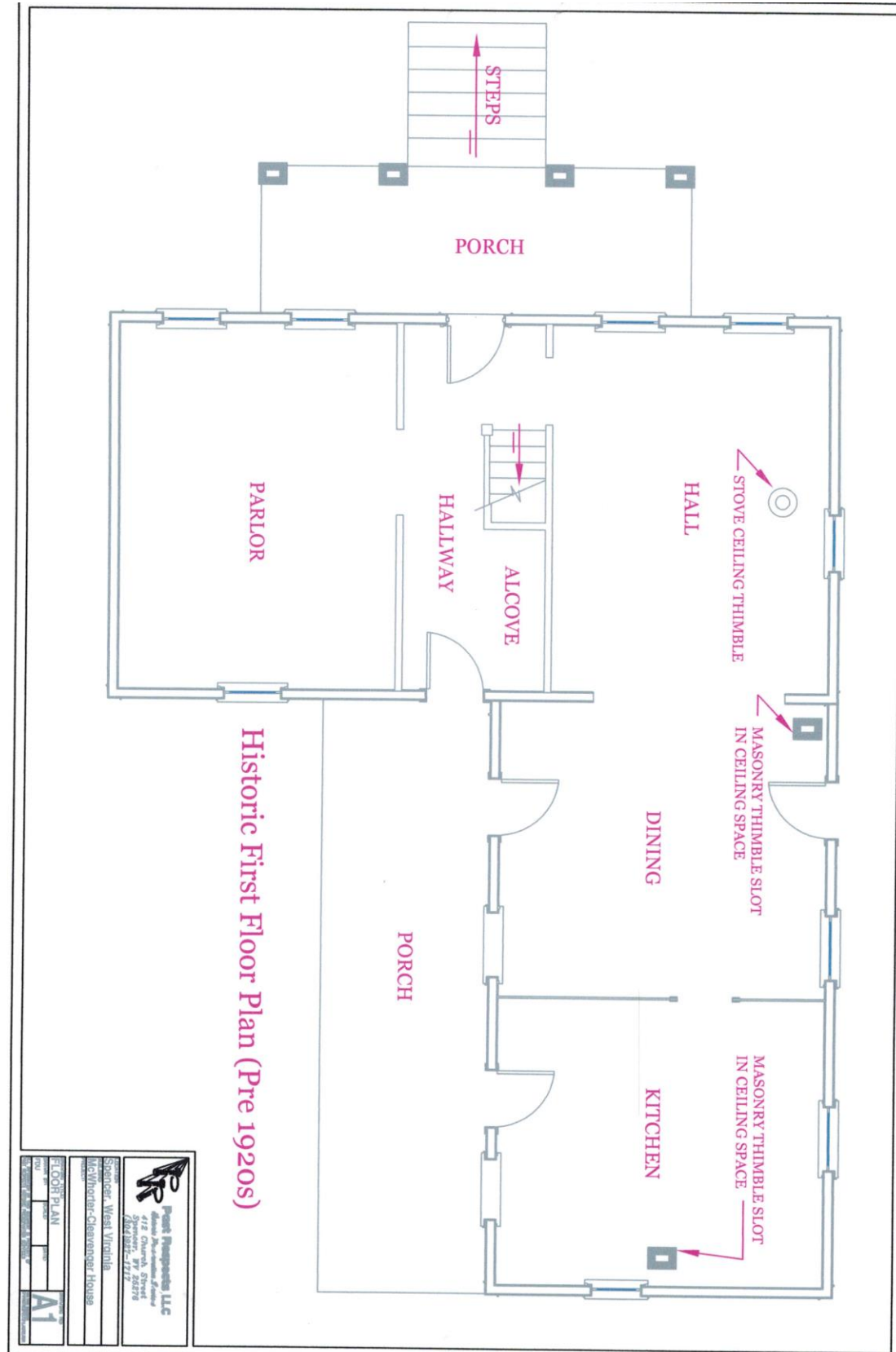
Church Street

Beauty Street

Market Street

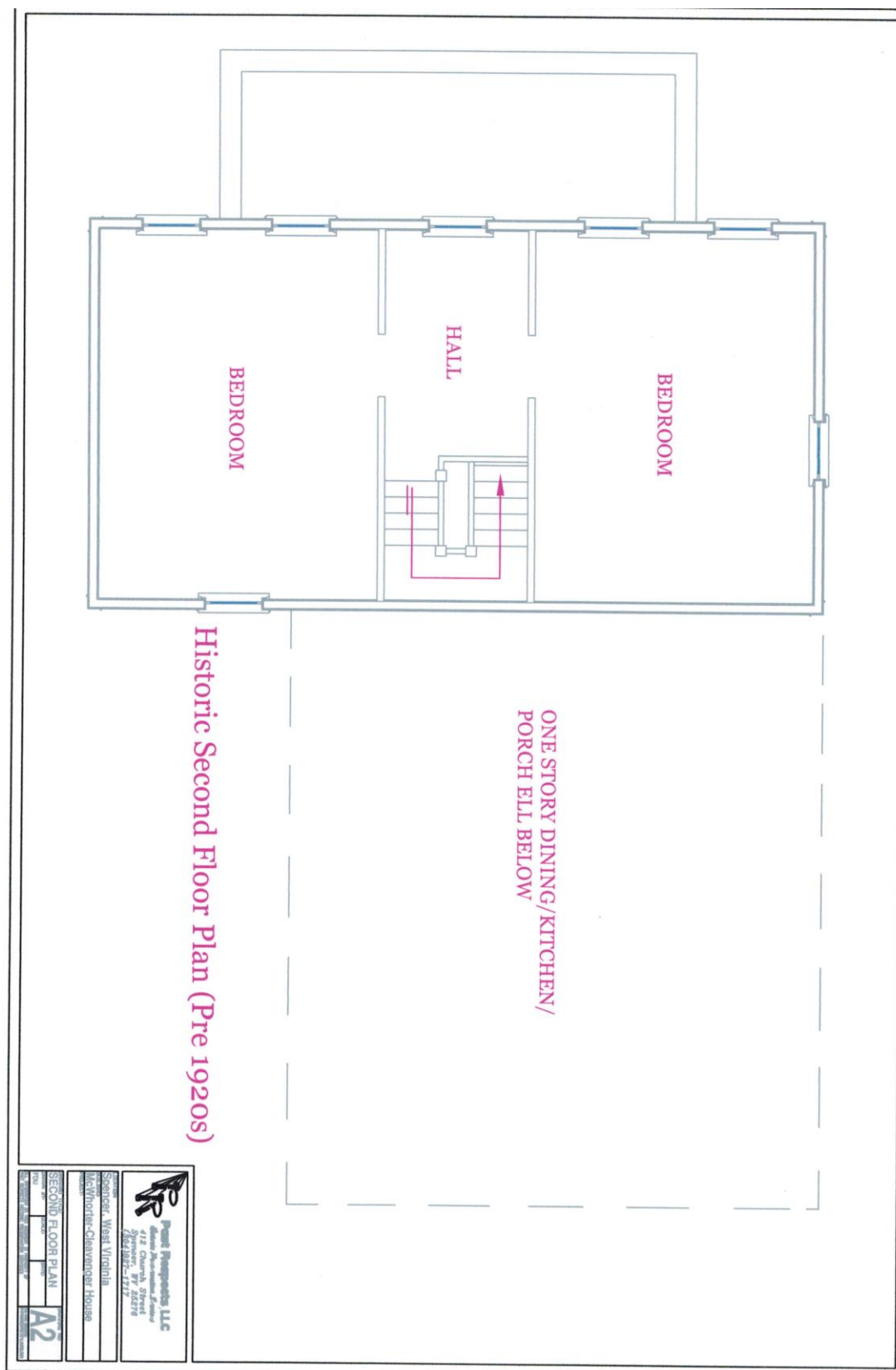
United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet



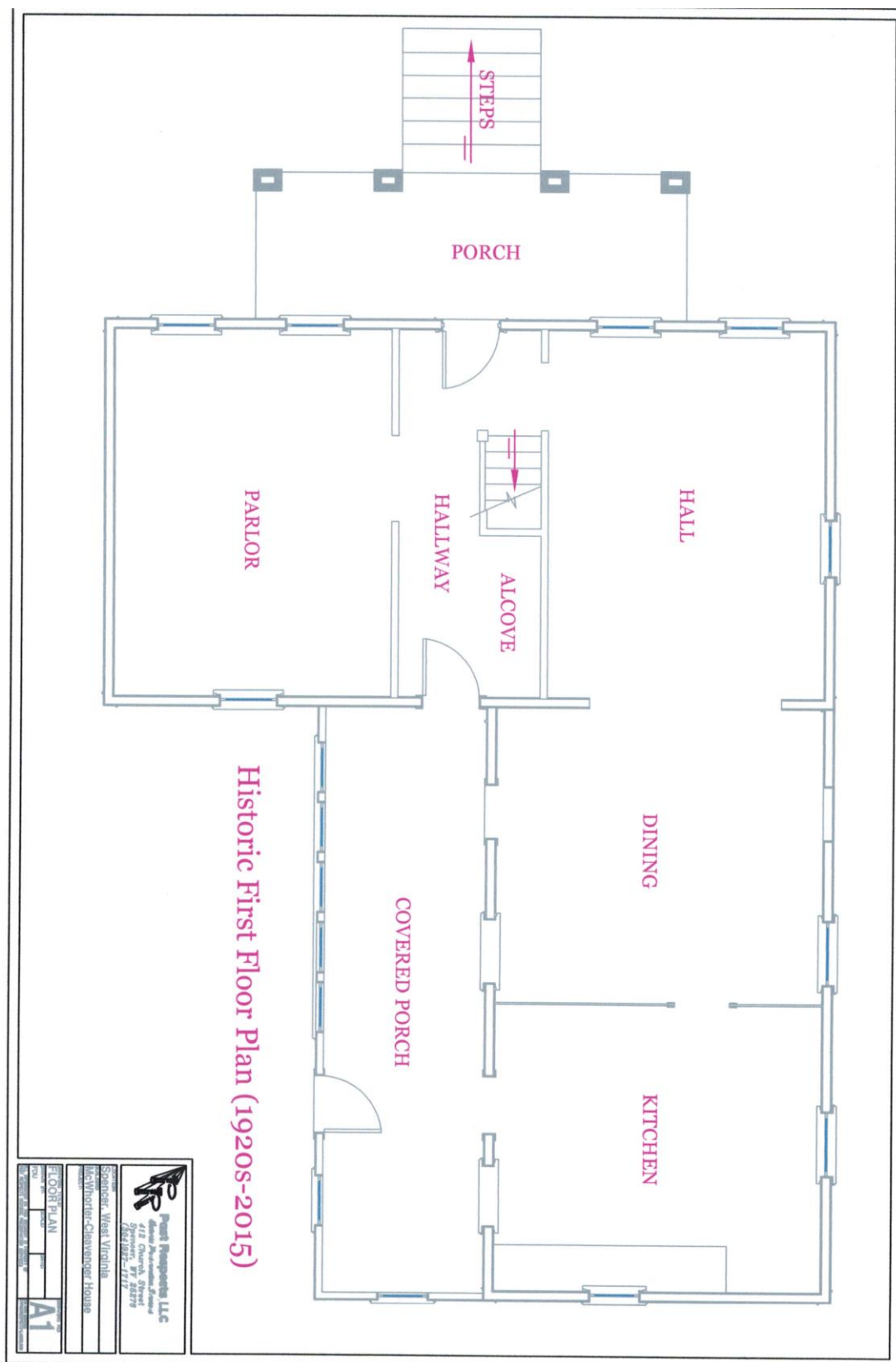
United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet



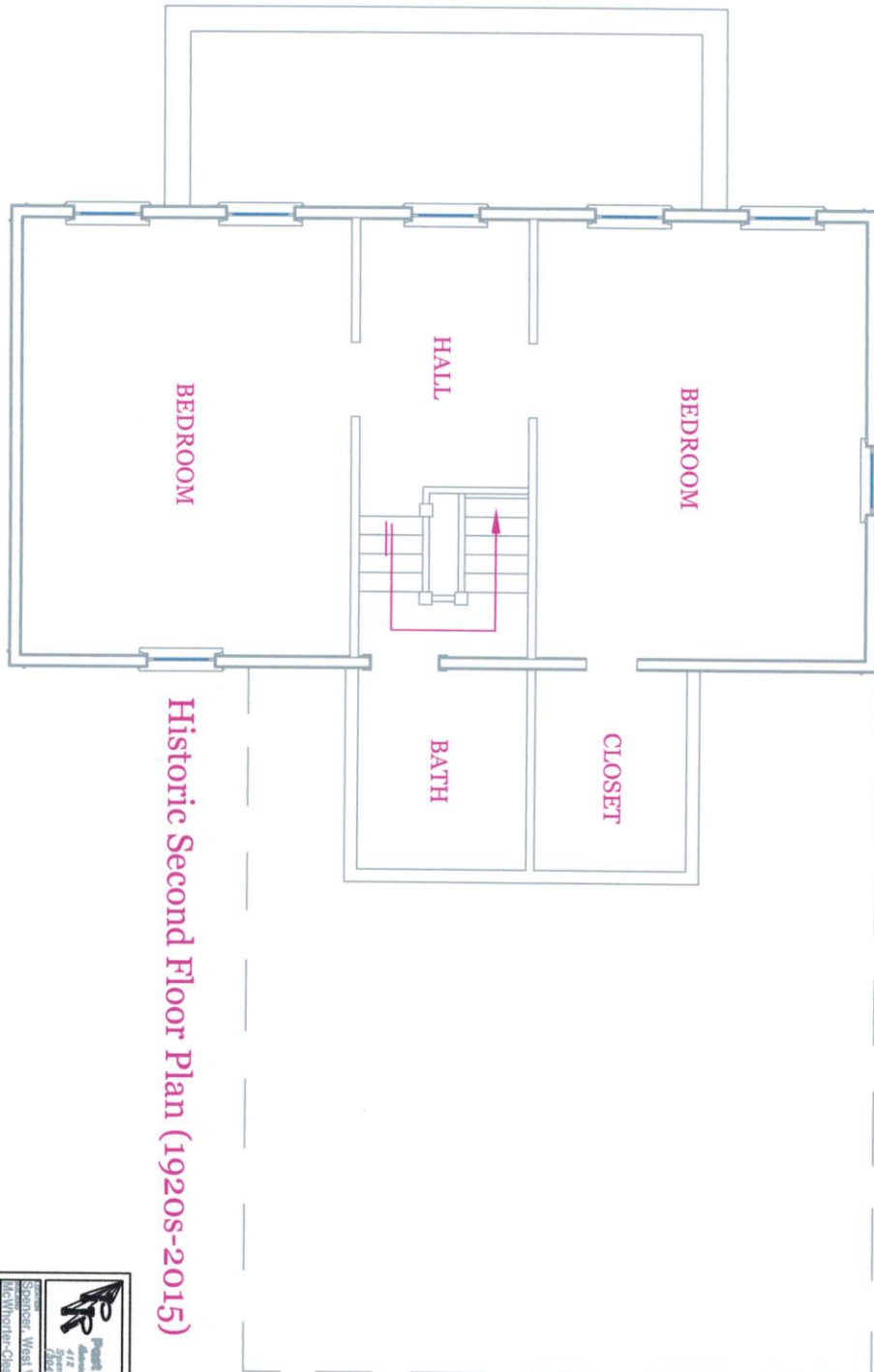
United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet



United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

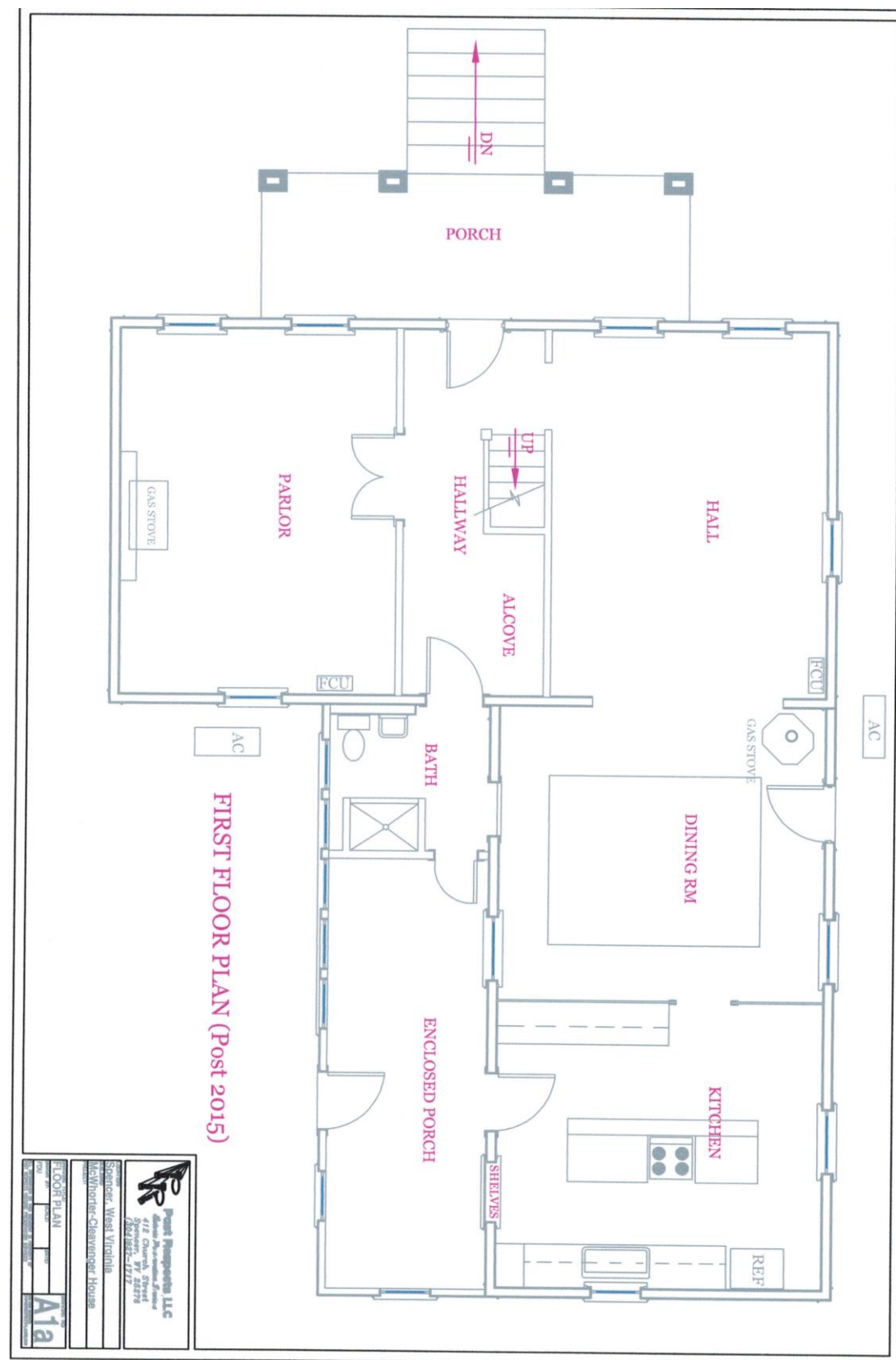


Historic Second Floor Plan (1920s-2015)

	
Park Properties LLC 418 Cherry Street Martinsburg, WV 26101 304.271.1717	
Roane County, West Virginia	
McWhorter-Cleaver House	
SECOND FLOOR PLAN	A2

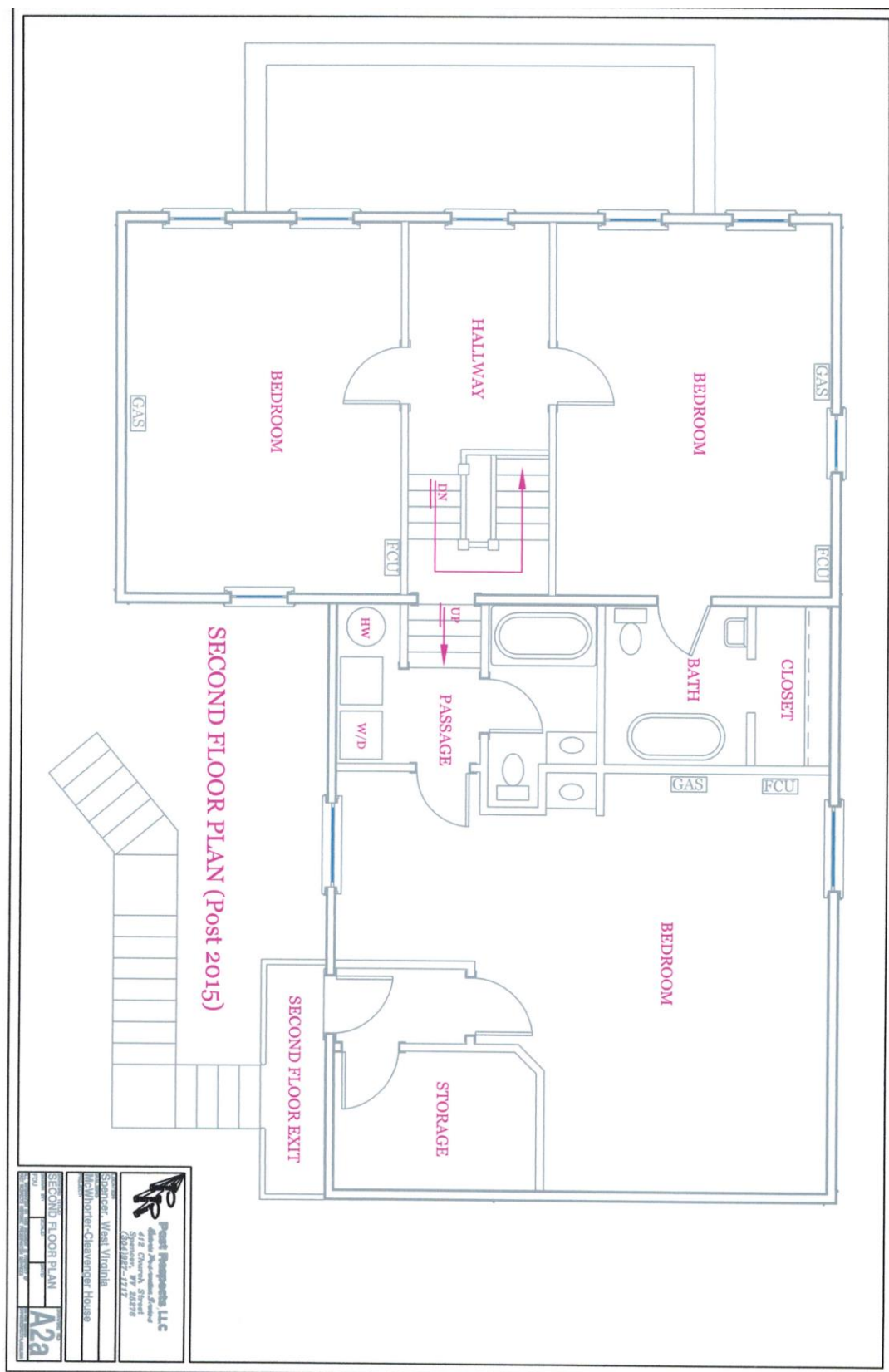
United States Department of the Interior
National Park Service

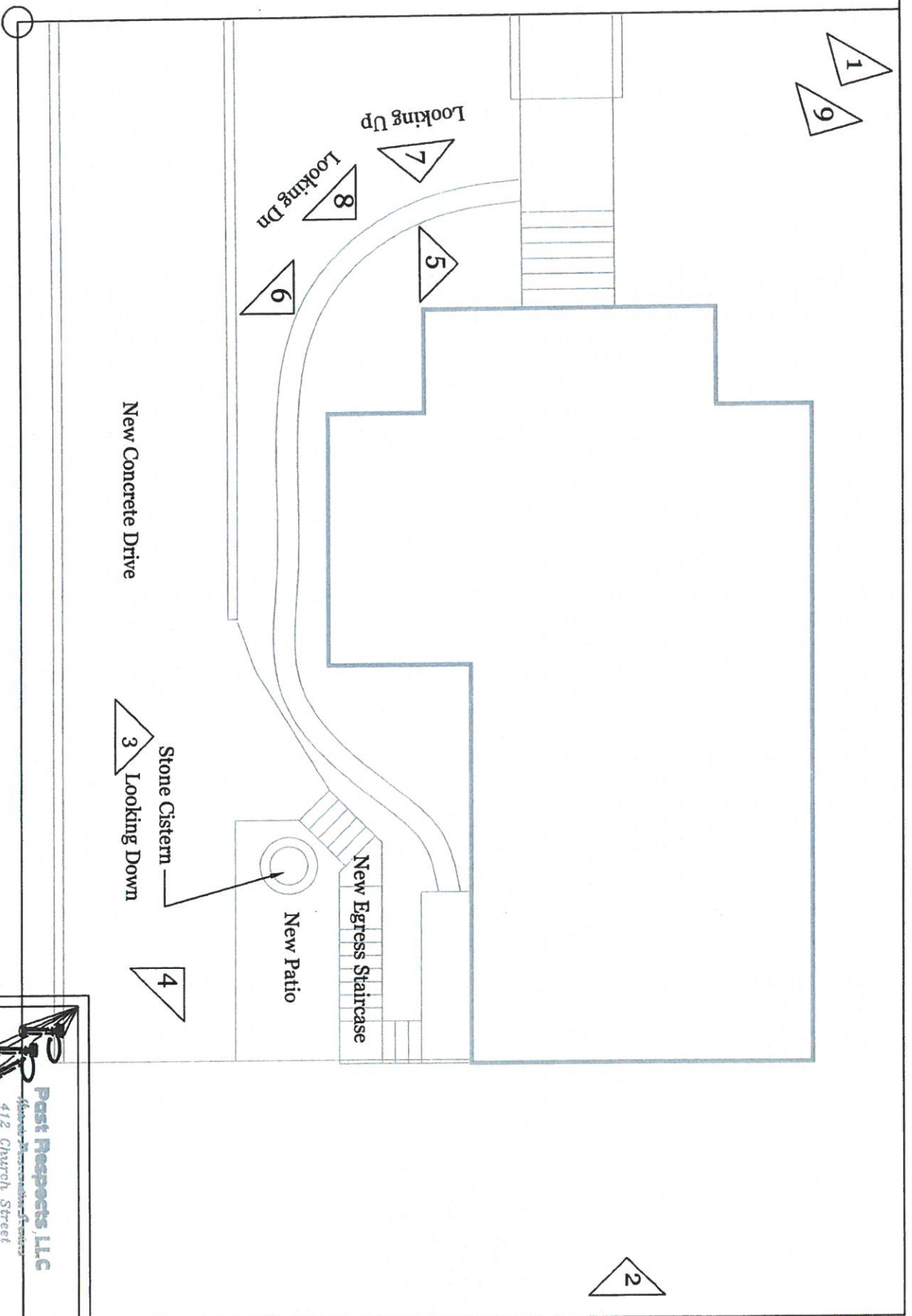
National Register of Historic Places
Continuation Sheet



United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet





New Concrete Drive

Stone Cistern
Looking Down

New Patio

New Egress Staircase

McWhorter House Photo Key



Past Respects, LLC

412 Church St. Spencer, WV
Spencer, WV 25276
(304) 927-1717

EDUCATION
412 Church St. Spencer, WV

BUILDING
McWhorter-Cleavenger House

PROJECT

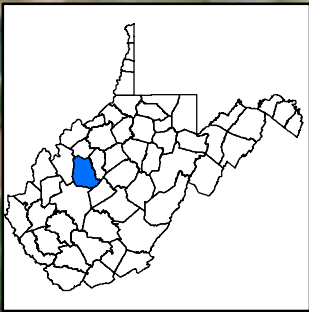
SITE PLAN

DATE: _____
SCALE: 1" = 10'

FDU

ST

NOT PREPARED BY THE ARCHITECT OR ARCHITECTS ASSOCIATES
FOR HISTORIC ARCHITECTURAL SERVICES



Acres: 0.5

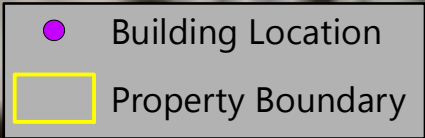
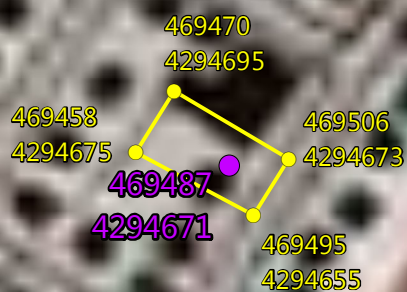
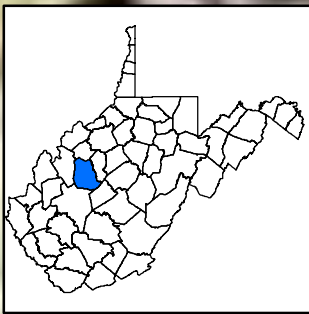
Quad: Spencer

Date: 2/7/2019

Site Location

Honorable Joseph M. McWhorter House
Spencer - Roane County - West Virginia





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Acres: 0.5
Quad: Spencer
Date: 2/7/2019

Site Location
Honorable Joseph M. McWhorter House
Spencer - Roane County - West Virginia

