

**County Seat Battles and the 1851 Mahoning County Jail**  
*An Architectural Analysis*

by

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Submitted in Partial Fulfillment of the Requirements

for the Degree of

Master of Arts

in the

History Program

YOUNGSTOWN STATE UNIVERSITY

December, 1997

# County Seat Battles and the 1851 Mahoning County Jail

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Charlotte Agustin

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## ABSTRACT

County jails are one of the most ubiquitous facilities of the American justice system, but historians have ignored them. In an attempt to address that gap, this thesis focused on the first county jail Mahoning County, Ohio, built in 1851. The 1851 jail was a key component of the county seat competitions that dated from 1796.

The county seat battles became the defining moment of Mahoning County, as materialized in the courthouse and jail. An architectural analysis of the 1851 jail was used to understand the controversy and the place of the jail in American society. To establish the placement of a front entrance, for example, was to uncover local stories of defeat and triumph, which took on greater meaning when located within their community, county, and national contexts.

Situated beside the courthouse, the 1851 jail gave substance to the authority of the government. Competition for that authority, beginning with the county seat contest, determined local variations on traditional architecture, location and orientation, construction materials, and interior design of the county structures.

Driving this research were these primary questions: what is a county jail, where is it located, what is its purpose, and how are its goals accomplished. The unusually intense and enduring county seat battles provided a unique window of knowledge that generated some intriguing answers. Mahoning County demonstrated that the county jail can be an agent of change.

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## Introduction: To Know a Jail

*The jail is indispensable to the way we live*

---Sean McConville<sup>1</sup>

Noted criminologist Lewis N. Robinson once observed that the jail “is a living record of mighty political struggles.”<sup>2</sup> Mahoning County is a prime example of that assessment. County jails became the focal point of struggles that began in 1796 when the first white settlers arrived in the area later known as northeastern Ohio. Even before title to the region had been secured, “the rival villages of the Reserve had catalogued their respective claims to the privilege of being the seat of government for the anticipated new county.”<sup>3</sup>

Because it was anticipated that the county seat “would be the virtual capital of a commonwealth larger than several of the individual eastern states, and business and

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<sup>1</sup>Sean McConville, “Local Justice: The Jail,” in Norval Morris and David J. Rothman, eds., *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York: Oxford University Press, 1995), 325.

<sup>2</sup>Louis N. Robinson, *Penology in the United States* (Philadelphia: The John C. Winston Co., 1933 reprint of original 1920 edition), 33. Lawrence M. Friedman wrote that a history of criminal justice is “a history of power.” *Crime and Punishment in American History* (New York: Basic Books, 1993), 10. David R. Struckhoff claimed a study of the American sheriff is a study of the conflict between local and centralized power struggles. *The American Sheriff* (Chicago: Justice Research Institute, 1994), 1.

<sup>3</sup>Joseph G. Butler, Jr., *History of Youngstown and the Mahoning Valley, Ohio*, (Chicago: American Historical Society, 1921), I: 159. Please note: numerous quotes are employed in this paper to document the perceptions that drove the events and the context in which public concepts were formed. In the case of local historians Joseph G. Butler, Jr. and H. Z. Williams, they had personal contact with some of the participants, and at the very least, the quotes from these historians reflect the enduring prejudices and myths surrounding the topics described. Given the virtual absence of historical scholarship on county jails, it is important to use actual quotes to avoid misunderstandings on a little-known topic. H. Z. Williams, *History of Trumbull and Mahoning Counties, Ohio* (Youngstown, Ohio: Youngstown Printing Co., 1882).

growth of population would center about the seat of justice,” the county seat location was foremost on the settlers’ priorities.<sup>4</sup> The key communities of Warren, Canfield, Youngstown, and Poland “were talking county seat about the time the first pioneer cabins were being put up.”<sup>5</sup> The lure of prestige and wealth set neighbor and friend against each other.

Regardless of the realities, the *perception* of public safety, economic gain, political power, and enhanced prestige, as materialized in the courthouse and jail, fueled the county seat debates. Furthermore, it is suggested that the power struggles surrounding the location of the county seat became the defining moment for the tri-county area, beginning and ending with courthouses and jails. What transpired in the battles led to the creation of Mahoning County, framed the circumstances for the erection of the Canfield courthouse and jail, and through the county jail, put the county in the spotlight. Under that spotlight, the county seat war exposed the place of the county jail in American Society.

Jails have defied explanation.<sup>6</sup> As one of the oldest public institutions<sup>1</sup>, their persistence in the face of common sense has baffled experts. Even more

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<sup>4</sup>Butler, *Youngstown and the Mahoning Valley*, I: 159.

<sup>5</sup>*Ibid.*, I: 159.

<sup>6</sup>Hereinafter, for this paper, jails refer to county jails, not municipal or city jails, and not prisons. Essentially, county jails detained individuals for county court and other government jurisdictions such as city, town, state, and federal authorities. Municipal and city lockups provided temporary detention of up to twenty-four hours. County jails were designed for detention and punitive incarceration lasting up to a year. Prisons were long term residential rehabilitation facilities for felons whose sentence was more than a year. See Appendix A: Jails and Prisons: Definitions and Differences and Table 1: Features of Jails and Prisons.



perplexing is that the democratic society of the United States possesses one of the highest number of jails per capita in the world.

Despite its significance, the 1851 Mahoning County jail (like those in the rest of the nation), has suffered from neglect by historians.<sup>7</sup> This is surprising, especially since county jails affect an estimated twenty per cent of the national population, but the answer lies within the jail itself.<sup>8</sup> Notorious for their lack of record keeping, sheriffs and their staff have been reluctant to release information to the public. Under constant scrutiny and frequently the target of negative publicity, sheriff departments have often reverted to defensive, secretive positions—a condition antagonistic to probing research. Sheriff Edward P. Nemeth (1985-1996) provided the inspiration for this thesis from his desire to know more about the history of the department he administered. He and his staff gave support and access helpful to this study.

Previous literature on jails, written mainly by non-historians, lacks historical perspective and context. *The American Jail: Its Development and Growth* (1980) by J. M. Moynahan and Earle K. Stewart, was one attempt to correct this oversight, but it is a national history written by criminologists that does not elaborate on the distinctions between county jails and municipal lockups, and does not question the assumptions

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<sup>7</sup>McConville, "Local Justice: The Jail," 321.

<sup>8</sup>*Ibid.*, 326. Hastings Hart stated "few people realize that the jail is the most important prison in the land." "The Rural Jail," in *Proceedings of the National Conference of Social Work* (1927), 152. As quoted in Frank William Hoffer, Delbert Martin Mann and Floyd Nelson House, *The Jails of Virginia: A Study of the Local Penal System* (New York: D. Appleton-Century Company, 1933), 5.

behind the existence of jails.<sup>9</sup> As jail researcher Billy L. Wayson and others found, “The current condition and future prospects for the local jail can be understood only in light of the institution’s historical development, unique characteristics, and position in the nation’s criminal justice system.”<sup>10</sup> Add to that list county jails as a positive urban force and as an agent of change, and perhaps the persistency of local incarceration can begun to be understood.

The Sheriff’s Department plays a major role in county affairs through its jail administration, judicial service, political patronage, and law enforcement activities—and the jail is the pivotal point of that activity.<sup>11</sup> Sheriffs differ significantly from other law enforcement bodies by jurisdiction, scope of duties, and historical political role.<sup>12</sup> One of the primary duties of the sheriff is “to keep the peace,” and he “shall pursue, apprehend and commit to gaol, all felons and traitors.”<sup>13</sup> As the only law enforcement body for the rural and unincorporated areas of a county, the sheriff’s department (and hence the county

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<sup>9</sup>J. M. Moynahan and Earle K. Stewart, *The American Jail: Its Development and Growth* (Chicago: Nelson-Hall, 1980).

<sup>10</sup>Billy L. Wayson, Gail S. Funke, Sally F. Familton, and Peter B. Meyer, *Local Jails: The New Correctional Dilemma* (Lexington, Massachusetts: D. C. Heath & Company, 1977), 99.

<sup>11</sup>Struckhoff, *The American Sheriff*, vii, 1-2, 50-9; and Wayson, *Local Jails*, 11. A sheriff exerts considerable influence as an institution of political patronage. Robert A. Harvie, *Keeping the Peace: Police Reform in Montana, 1889 to 1918* (Helena, Montana: Montana Historical Society Press, 1994), 36, 41, 51, 53. See Table 3: How County Jails Implement Sheriff Responsibilities.

<sup>12</sup>Harvie, *Keeping the Peace*, 79; and John Paul Sargent, Jr., *An Exploratory Study of the Perceived Impact of the Stress-Complex upon Sworn Deputy Sheriff Personnel with Thirty-Two Counties*, dissertation (Kent, Ohio: Kent State University, 1989), 6-13.

<sup>13</sup>*Laws of Northwest Territory* (Ch. II, 23 August 1788), as cited in R. E. Heiges, *The Office of Sheriff in the Rural Counties of Ohio*, dissertation (Findlay, Ohio: Columbia University, 1933), Appendix A.

jail) in Ohio, is the only statutory law enforcement/corrections agency within county boundaries, an historical legacy.<sup>14</sup>

That responsibility gives the sheriff and the jail a unique position in the community, in law enforcement, and in correction history. To provide some historical context on the American jail, this study focused on the 1851 Mahoning County jail at Canfield, Ohio. In attempting to establish information on the structure and its role in the county, it became necessary to closely examine its architecture and to include events surrounding the creation of the county and the location of the county seat. This methodology demonstrated that the 1851 jail, through its architecture was an “active agency in the world rather than a representation of it.”<sup>15</sup>

Mahoning County suggests that the American county jail is also a center of balance for diverse, opposing groups.<sup>16</sup> The 1851 Mahoning County Jail mediated the needs of conflicting groups by meeting local agendas through traditional means. For example, the Canfield jail was an early American example of the use of jails as punishment tools. The 1851 jail reflected the development in American jails from holding cells to “a subtle and brilliant retribution that vested in a place properties that had

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<sup>14</sup> John G. Crocker, *The Duties of Sheriffs, Coroners and Constables, with Practical Forms* (New York: Banks & Brothers, 1890), 22, 39-40.

<sup>15</sup> Robin Evans, *The Fabrication of Virtue: English Prison Architecture, 1750-1840* (Cambridge, England: Cambridge University Press, 1982), 417.

<sup>16</sup> Richard Wrangham and Dale Peterson stated that “the shift from personal to institutional power actually describes not so much a single event as a process: a widening of the distribution of control away from individuals and cabals toward a more democratic spread.” *Demonic Males: Apes and the Origins of Human Violence* (Boston: Houghton Mifflin Co., 1996), 245.

hitherto been vested in persons.”<sup>17</sup> For example, with a forbidding facade aimed at potential lawbreakers, the 1851 jail used its features to discourage county seat competitors while fighting social anarchy.

Driving this research were these primary questions: What is a county jail, where is it located, what is its purpose, and how are its goals accomplished. The unusually intense, enduring battles over the location of the county seat in Mahoning County provided a unique window of knowledge that helped answer the research questions.

Mahoning County followed tradition while fulfilling personal, community, political, regional, and national agendas. This local history illustrates how one county adapted and maintained a national institution—the county jail. In doing so, Mahoning County shows how the American county jail facilitates democracy.<sup>18</sup>

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<sup>17</sup>Evans, *Fabrication of Virtue*, 419; and Friedman, *Crime and Punishment*, 209.

<sup>18</sup>This thesis supports David R. Struckhoff’s findings that the United States sheriff is “a very successful effort to keep local power within the county,” and as such, is “a unique symbol of democracy.” *The American Sheriff*, 1, vii. Lawrence J. Marzulli is more specific: “Whatever one’s concept of democratic government, the principle of local control has been a major force in Ohio since its early days of statehood.” *The Development of Ohio’s Counties and Their Historic Courthouses* (Columbus, Ohio: County Commissioners Association of Ohio, n.d.), based on content, this was published after 1982.

## Chapter One: The Battles Begin

### **Trumbull County Turmoil**

#### *Role of Politics: Warren as Seat*

Shortly after 1796, the key Northeastern Ohio communities of Warren, Canfield, Youngstown, and Poland “were talking county seat about the time the first pioneer cabins were being put up.”<sup>1</sup> In 1800, Arthur St. Clair, the territorial governor of the Northwest Territory, created Trumbull County with boundaries that included all of the competing villages.<sup>2</sup> With a population of about a hundred by December, 1800, Warren became the county seat before a single street was surveyed.<sup>3</sup> Youngstown at that time was the largest settlement and took the defeat bitterly. Youngstown’s sentiments were best summarized in a January 7, 1848 letter from Judge William Rayen to Asahel Medbury:

The Warren people . . . when they got the seat of justice made at Warren they got it by every kind of villainy, fraud and deception that probably could be practiced and contrary to the then known will of the very large majority of the citizens of what was then Trumbull County, and have retained it still, against the will of the people.<sup>4</sup>

Warren prevailed because “Warren residents had the ear of the federal Government and of the territorial governor.”<sup>5</sup> It was no small matter that a few residents

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<sup>1</sup>Joseph G. Butler, Jr., *History of Youngstown and the Mahoning Valley, Ohio*, (Chicago: American Historical Society, 1921), I: 159.

<sup>2</sup>The Northwest Territory originally included the area now known as the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and parts of Minnesota. See map in Butler, *Youngstown and Mahoning Valley*, I: 43. The Western Reserve was the northeastern corner of Ohio, and Trumbull County included the Reserve and the western Fire Lands. See map in Butler on I: 165.

<sup>3</sup>*Ibid.*, I: 405, 410-11.

<sup>4</sup>*Ibid.*, I: 190.

<sup>5</sup>*Ibid.*, I: 160.

around Warren were stockholders of the Connecticut Land Company, which possessed title to the region.<sup>6</sup> In rephrasing Rayen's words, local historian Joseph G. Butler, Jr., highlighted the true nature of the controversy with his analysis:

Actually, the respective qualifications possessed by each of the towns that were rival for the county seat had little to do with the selection. Then—as is often the case now—secret maneuvering and wirepulling were far more potent factors in public life than legitimate business and geographical considerations.<sup>7</sup>

#### *Warren Jail Renews Battle*

The debate deepened after Ohio became a state in 1803, and every local election through 1849, centered on a candidate's sympathy for or against county seat removal.<sup>8</sup> When the Warren jail burned down in 1804, the "fire was the signal for a general county-seat war" and "all parties raised the battle-cry."<sup>9</sup> Warren's claim to the county seat had appeared to be "confirmed finally with the erection of county buildings" in 1805 and 1807, but competitors continued their fight wherever they could.<sup>10</sup>

#### *Widespread Strife*

Prior to 1810, "the rivalry between the claimants became so animated, even bitter, that it was carried into business, social life, and sports," throughout the region to such an extent that "even dog-fights and bull-fights were interpreted as having some relation to

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<sup>6</sup>Butler, *Youngstown and Mahoning Valley*, I: 160, 187-89, 412-13, 421-22, 563.

<sup>7</sup>*Ibid.*, I: 160.

<sup>8</sup>*The Mahoning Index* 16 September 1846; Butler, *Youngstown and Mahoning Valley*, I: 161, 412-13; H. Z. Williams, *History of Trumbull and Mahoning Counties, Ohio* (Youngstown, Ohio: Youngstown Printing Co., 1882), I: 68-71.

<sup>9</sup>Williams, *Trumbull and Mahoning Counties*, I: 68.

<sup>10</sup>Butler, *Youngstown and Mahoning Valley*, I: 185.

the location of the county-seat.”<sup>11</sup> One horse race in particular illustrates the universal concern in Trumbull County over the county seat. Run in Youngstown prior to 1810, “Warren and Youngstown alike suspended work and turned out en masse,” to see the outcome.<sup>12</sup> Wagering and competitions were common at this time, being favorite sources of entertainment in the harsh pioneer environment, but this race was noteworthy for its cause. Feelings were so strong over the location of the county seat that many spectators and participants “bet what money they had, then bet their watches, penknives, coats, hats, vests, and shoes.”<sup>13</sup> Youngstown’s entry won the horse race, but Warren retained its position in the county. However, the county seat contest from 1803 to 1815 prevented Warren from building a courthouse separate from the jail until 1816.

#### *1840s Battle*

The “continued uneasiness and contention” for the seat repeated itself many times in the intervening years, culminating in 1840, when the Warren courthouse and jail again needed repair.<sup>14</sup> The request for replacement county structures resulted in countywide “strife between envious sections.”<sup>15</sup> Confrontation escalated: “other towns were

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<sup>11</sup>Williams, *Trumbull and Mahoning Counties*, I: 69.

<sup>12</sup>*Ibid.*, I: 69.

<sup>13</sup>Butler, *Youngstown and Mahoning Valley*, I: 133-34.

<sup>14</sup>Contemporary reports stated that, “The jail in Trumbull has long ago been declared a nuisance, and a new one must shortly be built. The courthouse is an old, inconvenient dilapidated building, which may be, with continued repairing be used some little time longer. . . the court house in Columbiana, is also an old and very poor building and a new one must soon be put up.” *The Mahoning Index* 30 September and 5 August 1846. The Warren courthouse in 1840 had problems: “Its floors were shaky, roof leaky, offices cold.” Williams, *Trumbull and Mahoning Counties*, I: 71. By 1840 the courthouse and the brick jail (built in 1824) “had served their purpose” and needed replaced. Butler, *Youngstown and Mahoning Valley*, I: 421.

<sup>15</sup>Williams, *Trumbull and Mahoning Counties*, I: 71.

ambitious too to become county capitals and there was an immediate protest against erecting any new buildings at Warren.”<sup>16</sup> Warren was forced to postpone building plans and instead mounted “a vigorous defense of her rights to retain the county-seat.”<sup>17</sup>

Youngstown’s opposition and bitterness to its rivals reached new levels, framing the county seat debate for the next several decades.<sup>18</sup> In Youngstown, the weekly *Olive Branch & New County Advocate* newspaper began publishing in 1843 to “advocate the project of the erection of a new county, the county seat of which shall be located in this village.”<sup>19</sup>

The 1843 county seat battle occurred at a time when retrenchment was “an active, burning issue,” and government costs were being challenged and denied by the public.<sup>20</sup> This austerity move made the need for repairs at the Warren jail more important than under normal circumstances. Warren’s courthouse had deteriorated for some time, but the additional need for repairs to the jail made a request for major capital improvements a necessity. Thus, the repairs needed at the Warren jail, occurring simultaneously with the need for a courthouse, intensified the response from “envious” and opportunistic neighbors.

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<sup>16</sup>Butler, *Youngstown and Mahoning Valley*, I: 421.

<sup>17</sup>Williams, *Trumbull and Mahoning Counties*, I: 71; and Butler, *Youngstown and Mahoning Valley*, I: 414.

<sup>18</sup>The Ohio legislature complained in 1846 about the constant strife in the Trumbull County area as “wasting the time of the Legislature, as well as of the people, and incurring expenses.” *The Mahoning Index* 5 August 1846.

<sup>19</sup>*Olive Branch & New County Advocate* 25 August 1843. This was Mahoning County’s first newspaper.

<sup>20</sup>Butler, *Youngstown and Mahoning Valley*, I: 186.



## Columbiana County's Opposition

### *Central Seat: New Lisbon*

In Columbiana, the county seat designation of New Lisbon (now Lisbon) did not create dissension within the area, despite the fact that East Liverpool was an established settlement and had greater commercial value at the time.<sup>21</sup> Originally part of Jefferson and Washington Counties, Columbiana County was created March 25, 1803—the year Ohio became a state.<sup>22</sup> As Columbiana County lost acreage to Stark County in 1808, Carroll County in 1832, and Mahoning County in 1846, New Lisbon remained as the centrally-located county seat.<sup>23</sup> Since this was usually the first and predominate rationale in Ohio for choosing a site as a seat in the early 1800s, the location of the seat in Columbiana County did not become an issue.<sup>24</sup> Another factor in the lack of prolonged dispute over the county seat was that the competitors accepted the New Lisbon decision.<sup>25</sup>

### *Motives for Dispute*

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<sup>21</sup>Horace Mack, *History of Columbiana County, with Illustrations and Biographical Sketches* (Philadelphia: D. W. Ensign & Co., 1879), 27-9, 31, 173-75.

<sup>22</sup>*Ibid.*, 24-25.

<sup>23</sup>The town of New Lisbon was first platted on February 16, 1803, one month before it become the county seat of the newly formed Columbiana County. By 1840, though, Lisbon and its surrounding township (Centre Township), had the highest population in Columbiana County. Mack, *History of Columbiana County*, 106.

<sup>24</sup>As Lawrence J. Marzulli stated, “The original platting of the township centers and county seats set limits to the distances which residents had to travel. . . A trip to the centrally located county seat entailed a half day’s ride so that, presumably, business at the courthouse could be completed in a day.” Also, “The township nearest the center of the county was often chosen as the site of the seat of justice.” *The Development of Ohio’s Counties and Their Historic Courthouses* (Columbus, Ohio: County Commissioners Association of Ohio, n.d. Based on content, this was published after 1982), 7, 13.

<sup>25</sup>One 1803 competitor for the county seat had been Fawcettstown (now East Liverpool), established in 1800. The town accepted the defeat, though it lost the decision by four votes. Mack, *History of Columbiana County*, 175.

Instead, controversy focused on new county division plans, the cost of county buildings, and nostalgia.<sup>26</sup> North Benton, a town north of Sebring and Beloit, took advantage of the battle in Trumbull County to present its own county division plan.<sup>27</sup> North Benton wanted to be the seat of a new county created from Columbiana County, and parts of other counties. The town pursued its goal with an intensity that matched Youngstown's. In this way, without competing against New Lisbon, a Columbiana County community joined Youngstown and others in fighting the proposal to create Mahoning County with Canfield as the seat.

The townships of Smith, Goshen, Green, Beaver, and Springfield were the part of Columbiana County that became part of Mahoning County in 1846. The voters in these townships did not want to spend any money for county buildings because they had contributed toward a replacement of the Columbiana County jail in 1839.<sup>28</sup> By the 1840s, the Columbiana County courthouse also needed substantial investment for repair or replacement, and those northern townships saw the plan for a new county as a way to avoid that responsibility. They strongly supported the no-tax issue, which called for a new county formation with county buildings provided at no cost to the taxpayer.<sup>29</sup> Leading the push for tax-free county buildings was Clement L. Vallandigham.

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<sup>26</sup>In a letter to the newspaper, a "voter of Goshen Township" stated he was "warmly and strongly attached to Old Columbiana, and determined not to be driven into a new county if I could possible help it" because of his desire "to live and die with its limits." *The Mahoning Index* 7 October 1846.

<sup>27</sup>*Ibid.*

<sup>28</sup>Mack, *History of Columbiana County*, 29.

<sup>29</sup>*The Mahoning Index* 30 September and 7 October 1846; Williams, *Trumbull and Mahoning Counties*, I: 71-2.

### *Vallandigham*

A State Representative for Columbiana County, Vallandigham and his family of doctors, lawyers, ministers and publishers were prominent members of New Lisbon.<sup>30</sup> Vallandigham had moved to Dayton in 1845 and won the legislative office the same year that the plans for Mahoning County were debated. As Columbiana County's representative, Vallandigham was one of the chief opponents of Canfield's plan during the final Ohio House discussion in January 1846 on the creation of Mahoning County.<sup>31</sup> He produced stacks of signed statements from residents supposedly against the county division. Mr. Buell Barnes, a representative from Trumbull County, demonstrated to the House Committee on New Counties that many of the Vallandigham affidavits had been fraudulently obtained and had been recanted by the original signers. Barnes delivered to the legislature hundreds of petitions supporting Canfield's plan that outnumbered the Vallandigham affidavits. The petitions effectively countered Vallandigham's argument that the plan for Mahoning County was against the will of the public.

### **Legislative Strategy**

The state legislature required Warren's approval of any realignment of county

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<sup>30</sup>Born in New Lisbon, Vallandigham was a state representative from Dayton 1845-47. His anti-war stance during the Civil War caused him and his influential family to be discredited, eliminating them as important allies to Youngstown when the county seat battle renewed in 1873. Vallandigham himself died in 1871 after a turbulent career as a newspaper publisher and unsuccessful gubernatorial candidate. Mack, *History of Columbiana County*, 36, 102, 114; Eugene H. Roseboom, *The Civil War Era: 1850-1873*, Volume IV, Carl F. Wittke, ed., *History of the State of Ohio* (Columbus: Ohio State Archaeological and Historical Society, 1942), 406-23.

<sup>31</sup>The details in the paragraph are based on reports in *The Mahoning Index* 5 August 1846.

borders. Canfield's longstanding ties to the power brokers in Warren were pivotal during the legislative votes from 1843 to 1846.<sup>32</sup> One key reason for Warren's support of Canfield's county division plan was that it was the first plan to include townships outside the Western Reserve, leaving Warren in the center of the reduced Trumbull County. By stipulating that the seat would remain in Warren, Canfield's plan benefitted several interests except Youngstown's. On the other hand, Youngstown originally sought to change Trumbull County's seat to Newton Falls, partially because Youngstown "had not yet forgiven Warren" for gaining the seat in 1800.<sup>33</sup> Another motive for Youngstown was that it had attempted to remap Trumbull and surrounding counties in a way that would place Youngstown in the center of a new jurisdiction because that was "one of the strong arguments used heretofore by the various petitioners for new counties."<sup>34</sup>

And finally, because arguing factions prevented a suitable site from being found in Youngstown, that village was removed from legislative discussions on the county seat.<sup>35</sup> Effective March 1, 1846, Canfield was given conditional approval as the county seat of a new county—if it provided a privately-donated courthouse, jail, and lot for the

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<sup>32</sup>Butler, *Youngstown and the Mahoning Valley*, I: 185, 187-89, 421-22, 563.

<sup>33</sup>Youngstown gained two seats to the State House of Representatives in 1843 "by taking advantage of the clamor of other towns for county seat honors." But Youngstown was defeated by the selfishness of its county plans and by private lobbyists from Warren. Butler, *Youngstown and the Mahoning Valley*, I: 183-192, 422.

<sup>34</sup>*The Mahoning Index* 7 October 1846.

<sup>35</sup>In one example in 1843, Youngstown gave the legislature its proposal for a new county called Orange, but "a dispute arose between some of the chief landholders as to the *location* of the county buildings. Neither would subscribe unless the court house should be put on or near his land." *The Mahoning Index* 29 July 1846.

buildings.<sup>36</sup> The legislature then formed Mahoning County from Trumbull County's ten southern townships and five northern Columbiana County townships, placing Canfield in the geographical center of this new territory.<sup>37</sup>

### **The Marks of Battle: No-Tax Issue**

The county seat battles did not end with the official formation of Mahoning County. Vallandigham continued to lobby for the Youngstown interests, partially because Youngstown's plan would include fewer Columbiana County townships, a factor favorable to North Benton's plan. Also, when Vallandigham failed to prevent the formation of Mahoning County, he successfully proposed a no-tax stipulation on the new division.<sup>38</sup> The restriction satisfied both Columbiana and Trumbull County contenders. An April 1846 public referendum on the no-tax issue clearly showed that "the people would not tax themselves for the erection of county buildings."<sup>39</sup> Vallandigham claimed the referendum results had certified public support for Youngstown's proposition as a county seat in a break-away county called Orange. A re-examination of the referendum votes proved that a majority of residents actually backed Mahoning County.<sup>40</sup>

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<sup>36</sup>See Appendix B: Law Erecting Mahoning County; and *The Mahoning Index* 7 October 1846. The plan to form Mahoning County passed the House 35 to 26 on January 23, 1846. *The Mahoning Index* 5 August 1846.

<sup>37</sup>Columbiana County surrendered Smith, Goshen, Green, Beaver, and Springfield Townships to form Mahoning County. Trumbull County contributed Milton, Jackson, Austintown, Youngstown, Coitsville, Berlin, Ellsworth, Canfield, Boardman, and Poland Townships. Butler, *Youngstown and Mahoning Valley*, I: 189-90. Refer to Figure 1: 1874 Mahoning County Map.

<sup>38</sup>Aside from the general antagonism toward higher government costs, Youngstown was hoping the restriction would force Canfield to withdraw from bidding for the seat. *The Mahoning Index* July through September 1846.

<sup>39</sup>*Ibid.*, 17 June, 12 August, and 16 September 1846.

<sup>40</sup>*Ibid.*, 8 July, 5 August, and 30 September 1846.

The no-tax issue was a clever move by Canfield's competitors, since it insured Columbiana County's initial opposition to Canfield's plan. Avoiding government costs was a major underlying point of contention in the county seat battles, and Canfield's opponents used it effectively. Canfield claimed that the April election was actually intended "to prevent the erection of public buildings till after next winter in order to give those interested in removing the county seat to their own locality a chance to press their claims upon the next legislature."<sup>41</sup> In fact, after the April, 1846, election, the no-tax supporters began calling themselves "repealers" of the formation of Mahoning County and its Canfield seat.<sup>42</sup> With the no-tax issue, the "envious sections" sought "to prevent the permanent location of the county seat at Canfield" by eliminating financial support for the county buildings.<sup>43</sup>

### **The Use of Perception**

#### *Rewards of a County Seat*

The county seat fights demonstrate the centrality of county buildings, namely the courthouse and the jail, to the formation, structure, and development of the county. Especially noteworthy is the use of the term, "seat of justice," as the all-encompassing description of what was important to all parties and what motivated the dispute.<sup>44</sup> All

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<sup>41</sup>*The Mahoning Index* 17 June 1846.

<sup>42</sup>Repealers wanted to repeat the Ohio law that created Mahoning County with Canfield as the county seat. Some repealers did not want a division of the counties at all, preferring Trumbull and Columbiana Counties as they were before Mahoning County was formed. *Ibid.*, 1 July and 23 September 1846.

<sup>43</sup>Williams, *Trumbull and Mahoning Counties*, I: 71; and *The Mahoning Index* 17 June 1846.

<sup>44</sup>See Judge Rayen's letter on page one of this chapter. Also, the term was used in law that created Mahoning County. *The Mahoning Index* 7 October 1846.

other county government functions were seen to take place under or within the realm of this “seat of justice.” This term is found repeatedly in legal or public discussions about the county seat, suggesting that nineteenth-century Mahoning County residents understood the courthouse and jail to be central to their existence.<sup>45</sup>

In other words, the county courthouse and jail were viewed as crucial to the survival and growth of all within the county. In anticipation of that growth in July 1846, developers in Canfield created Wadsworth Street one block from the courthouse construction site as an access to a future housing project. Butler confirmed that even in 1800, Youngstown knew a county seat “meant increased land values and was certain to result in the establishment of a preeminence that it would be difficult for any other community to overcome.”<sup>46</sup> *The Mahoning Index* declared on May 20, 1846, that the first court session of Mahoning County drew people from a multi-county region to “the great edification and delight” of the hotel owners. This coincided with the positive reactions of the Canfield residents “who saw in everything connected with the court, an assurance that hereafter they should have justice done them.”<sup>47</sup>

#### *Rumors of Canfield's Inadequacy*

Canfield also chose to concentrate on erecting “a Court House with all reasonable dispatch,” to fend off criticism that the town was unworthy of the county seat.<sup>48</sup> Rumors

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<sup>45</sup>Butler, *Youngstown and Mahoning Valley*, I: 159, 206-09. In 1874, the state passed an act moving the county “seat of justice” to Youngstown, indicating the prevalence and endurance of the description.

<sup>46</sup>*Ibid.*, I: 159.

<sup>47</sup>*The Mahoning Index* 20 May 1846.

<sup>48</sup>*Ibid.*, 1 July 1846.

were spread that the partially completed courthouse at Canfield had cracks in its walls and crumbling bricks due to poor workmanship.<sup>49</sup> County seat competitors like Ellsworth, Austintown, and Youngstown claimed that, “If Canfield wants the county seat let her put up the public buildings; if she does not there are other places that will.”<sup>50</sup> Youngstown had raised money for the county buildings, but could not procure a site for the county. In reply to queries about the erection of the courthouse, Canfield stated that the work was in progress, and “our public square is literally covered with blocks of stone” because “it is the intention of the [building] committee to put up the building on a magnificent scale—taxing no one—and making a court house which shall reflect credit on the county.”<sup>51</sup>

Since the courthouses in Trumbull and Columbiana Counties were in greater need of repair or replacement than the jails, it was reasonable for Canfield to assume that the courthouse was the most important to address first. The Columbiana and Trumbull County jails could still be utilized by Mahoning County. But in the case of a courthouse, Mahoning County had to create one, paying rent on offices throughout Canfield for county officials until the courthouse was completed.<sup>52</sup>

### *Fear of Anarchy*

While using hyperbole to fan public fears if the “repealers” should win, *The*

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<sup>49</sup>*The Mahoning Index* 2 and 30 September 1846.

<sup>50</sup>*Ibid.*, 17 June 1846.

<sup>51</sup>*Ibid.*, x 27 May 1846.

<sup>52</sup>*Ibid.*, 20 May and 30 September 1846; and *Mahoning County Commissioners' Journals* 3 August 1846, 1A: 8; and 14 Sep 1846, 1A: 11. The commissioners' journals of 3 August 1846 state that \$10 was paid to the Methodist Episcopal Church, “for the use of their house in Canfield for holding court ,” for one week.



*Mahoning Index* argued that pushing the legislature to renege on the “permanent” location of the Mahoning County seat at Canfield would result in anarchy. The newspaper’s comment showed the state of mind of the participants in the county seat battles as well as highlighting the issues surrounding the construction of the courthouse and jail. If Canfield lost the seat, the paper maintained, the act of repeal would

leave us without a civil organization, or in other words, a state of nature, without officers to execute the laws, and where every man could do that which seemed right in his own eyes, unmolested and unpunished by the arm of the law.<sup>53</sup>

Said another way, the following was used by Canfield to defend itself while it built the courthouse, dramatizing the perception of county government, and what was perceived as at risk in the county seat rivalry:

The government which spreads its broad shield of protection over you, which guaranties to you the full and free enjoyment of your property, liberty and life; and without which you yourself, and all that you hold dear, and all that you have, would be but the sport of the oppressor, the plunder of the vicious and the prize of the strongest.<sup>54</sup>

Canfield was under attack and felt the need to defend itself. It used the courthouse and jail as a first line of defense against its competitors in society, just as the jail was used by society against its outlaws.

#### *Public Safety*

The role of the jail in the county seat battles highlighted another crucial public attitude—one of public safety. Obviously a courthouse was desired as a showcase for the

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<sup>53</sup>*The Mahoning Index* 24 July 1846.

<sup>54</sup>*Ibid.*, 15 July 1846.

county's stature, and expansion created a need for greater facilities, but the condition of the jail prompted the necessary action in Warren.<sup>55</sup> Perhaps the real or imagined threat to personal and commercial safety provided the means to enlist public support for the tremendous commitment of wealth and resources required for new county buildings. In the public mind, overcrowding at the tax office was easier to overlook and accommodate than the potential presence of dangerous individuals at large.

### **Summary: The Costs of War**

By 1851, all present day eighty-eight counties had been created in Ohio. The criteria for choosing a county seat during that time emphasized accessibility for the county residents and, to a lesser extent, commercial value or potential. Population was not a major consideration, as many seats—like Warren and New Lisbon—were chosen before formal settlements existed at the chosen sites. A predominate factor in the selection of a county seat was the political influence of the contenders, as in the case of Canfield. When a particularly intense competition occurred, there were lasting consequences, most obvious in the courthouse and jail. In Mahoning County, the 1851 jail became a critical component of the county seat battles.

Historians have concluded that the battles for the county seat, “had the effect of demoralizing the movement for new modern county buildings” in Trumbull County prior to 1846.<sup>56</sup> Indeed, the strife was costly. Warren would not be able to prevail and erect a

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<sup>55</sup>Williams emphasizes the importance of perception with his comment that the 1840 courthouse had “an appearance unworthy the growing pretensions of Warren.” Williams, *Trumbull and Mahoning Counties*, I:71.

<sup>56</sup>Butler, *Youngstown and Mahoning Valley*, I: 422, 421.

new courthouse until 1854—and a new jail until 1871—long after Youngstown had become part of the newly formed Mahoning County.<sup>57</sup> Columbiana County continued using an 1817 brick structure until the county replaced the courthouse in 1871.<sup>58</sup> In Mahoning County, use of the courthouse was delayed at Canfield until 1848, and the county seat battle contributed to the lack of a jail until 1851.<sup>59</sup>

The Mahoning County jail, within its position as the fulcrum of the “seat of justice,” was a source of conflict in the county seat debate. In this light, the county jail can be viewed as a nexus for diverse, hostile groups within a community. Regardless of the realities, the *perception* of public safety, economic gain, political power, and enhanced prestige, as materialized in the courthouse and jail, fueled the county seat debates. Furthermore, it is suggested that the power struggles surrounding the location of the county seat culminated as the defining moment for the tri-county area, beginning and ending with courthouses and jails. The 1843-46 county seat battle was a testament to the wide contemporary understanding of the jail’s role as a vital component of American society, and as a perceptual bulwark against anarchy.

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<sup>57</sup>Williams, *Trumbull and Mahoning Counties*, I: 71-72.

<sup>58</sup>Mack, *History of Columbiana County*, 28.

<sup>59</sup>*Mahoning County Commissioners’ Journals* 29 June 1848, 1A: 113; and 28 January 1851, 1A: 225.

## Chapter Two: Negotiation Through Architecture

### **Anatomy of a Donation**

The county seat contests created deep anxiety among those who rallied behind Canfield, and Eben Newton is one example of the group mind behind the raising of the Mahoning County courthouse.<sup>1</sup> The men supporting Mahoning County, known as anti-repealers, attempted to use the courthouse and jail as a means of silencing the opposition to the creation of the county led by repealers. Newton donated to the county land inherited by his wife, the former Mary Sophia Church, as a site for the courthouse and jail.<sup>2</sup> The story of the deed itself carries information about the conditions under which the county buildings were planned and implemented.

#### *An Inheritance*

About five months after construction began on the courthouse, Eli T. Boughton transferred title to the site to Mary Newton on October 5, 1846.<sup>3</sup> Boughton was Mary's stepfather, who had been holding in trust title to land inherited by Mary. The land had passed to Mary upon the death of her father Ensign Church, but under state laws prior to

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<sup>1</sup>The Canfield newspaper stated, "the citizens feel a deep anxiety on this subject" of the county seat fight. *The Mahoning Index* 16 September 1846.

<sup>2</sup>*Eli T. Boughton and Jerusha Boughton to Mary S. Newton, Quit Claim Deed*, 5 October 1846, recorded 1 May 1848: Deed Vol 2: 583. As stated in Mahoning County, *Abstract of Title and Encumbrances*. Order V-11528, reference E. 18012, No. 5984: 5 October 1846 to 24 May 1923 (Youngstown, Ohio: Abstract and Real Estate Company), p. 4. Also see *Eben Newton and Mary S. Newton to Mahoning County Commissioners, Warranty Deed*, 5 October 1846, recorded 1 May 1848: Deed Vol 2: 584. As stated in Mahoning County, *Abstract*, p. 5-6. Information on Newton in Jackson Truesdale, M.D., *Scraps of History* (Canfield, Ohio: Mahoning Dispatch Printing Co., 1936), 100-10.

<sup>3</sup>*Boughton to Newton*, 5 October 1846, Deed Vol 2: 583.

1846, a woman could not hold title to property in her own name.<sup>4</sup> The land could have transferred to Mary through her husband upon her marriage in 1826, but for some reason did not.<sup>5</sup> Perhaps for that same unknown reason the title did not pass to Mary until after the work had begun on the courthouse. Possible distrust of Eben Newton's modest background, his enthusiasm for new and risky ventures, or family differences could have compounded a situation made tenuous by the county seat controversy.

The county seat debate caused the deed not to be recorded until May 1, 1848, since the county commissioners repeatedly rejected the deed.<sup>6</sup> Even as the deed was recorded in May, it was not formally accepted by the county officials until June 29, 1848.<sup>7</sup> Given the events surrounding this deed transfer, it is understandable that the Newtons donated the land under the condition that if the county ceased to use it for county purposes, the title would revert to Eben and Mary or their heirs.<sup>8</sup> This was a legal expression of the anxiety felt by the Newtons and all those backing Mahoning County.

There were other personal circumstances of Eben Newton that had a significant impact on the placement of the courthouse and jail in Canfield. In 1845-46, Newton

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<sup>4</sup>Abraham E. Gwynne, *A Practical Treatise on the Law of Sheriff and Coroner: With Forms and References to the Statutes of Ohio, Indiana, and Kentucky* (Cincinnati: H. W. Derby & Co., 1849), 314-15.

<sup>5</sup>Dr. Jackson Truesdale, *Scraps of History* (Canfield, Ohio: Mahoning Dispatch Printing Co., 1936), 100.

<sup>6</sup>*Boughton to Newton*, 5 October 1846, Deed Vol 2: 583; and *The Mahoning Index* 16 through 21 September 1846.

<sup>7</sup>*Mahoning County Commissioners' Journals* 29 June 1848, 1A: 111-13.

<sup>8</sup>*Eben Newton and Mary S. Newton to Mahoning County Commissioners, Warranty Deed*, 5 October 1846, recorded 1 May 1848: Deed Vol 2: 584.

owned more than one hundred acres on the northeast corner of the town square.<sup>9</sup> On this property stood Newton's home and law office at the top of the square on an elevation overlooking the center of town.<sup>10</sup> Aside from the financial consideration of moving or replacing his house and business, Newton may have been motivated to tap into his wife's assets because of time constraints, his personal financial state, and a recent change in state law.

An Ohio law enacted on February 28, 1846, protected a wife's property from her husband's indebtedness after the effective date of July 4, 1846.<sup>11</sup> Eben was a tireless investor in economic growth and a personally generous man, which often left him in debt, despite the wealth of his holdings.<sup>12</sup> Eben's heavily invested lifestyle, a natural byproduct of his commercial ambitions, was common for frontier businessmen. The others on the courthouse building committee, of which Eben was a member, also had substantial assets that were committed to their business activity.<sup>13</sup> Nonetheless, despite other potential sites in Canfield, it appears Eben was the only one who could ultimately

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<sup>9</sup>See Figure 2: 1874 map of Canfield. *Atlas of Mahoning County* (Titus, Simmons & Titus, 1874).

<sup>10</sup>Truesdale, *Scraps*, 101-02, 107.

<sup>11</sup>Ohio Law, XLIV: 75, as quoted in Gwynne, *Law of Sheriff*, 235-36, 314-15. Eben Newton was a State Senator 1842 to 1844, and may have played some part in this measure as a way to protect his wife's inheritance from the vagrancies of his business investments, which often incurred losses. Truesdale, *Scraps*, 103, 108.

<sup>12</sup>Mahoning County, *Abstract*, abstract of *Will of Eben Newton*, 12-15; *Mahoning County Commissioners' Journals* 9 June 1847, 1A: 31, for example; and Truesdale, *Scraps*, 101, 103, 105-08, 110. Truesdale was a contemporary of Eben Newton, sharing in Newton's business and political endeavors.

<sup>13</sup>Other members of the Committee to Superintend Construction of the Courthouse and Jail were John Wetmore, John R. Church, John Clark, and Nathan Hartman. See Chapter Three for more details.

deliver real estate that had “no encumbrances upon the property.”<sup>14</sup>

### *Goals of the Planners*

Beyond his personal concerns, Newton was one of several individuals who were committed to Canfield as a county seat.<sup>15</sup> He, like others, had donated substantial time, materials, and money to see the county buildings quickly built.<sup>16</sup> It appears that the building committee and its supporters had three overriding goals: (1) the construction of the courthouse and jail; (2) affirmation of their county seat victory through architecture, construction materials, and building orientation; and possibly, (3) homage to their crucial allies.

The first two goals could have been satisfied by other locations, but the third was only possible by facing the courthouse and jail to the north, toward the direction of Warren and Kinsman.<sup>17</sup> Whatever the multiple reasons behind the planners' actions, Mary Newton's inheritance neatly met all of Canfield's needs in 1846, and the road she and her husband promised to install for the county, insured an accessible, carefully

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<sup>14</sup>*Mahoning County Commissioners' Journals* 29 June 1848, 1A: 113.

<sup>15</sup>One noteworthy individual was Elisha Whittlesey. Whittlesey was a former U.S. Congressman (1823-1838) and law partner of Newton's (1822-1841) who, appointed by President William Harrison, was serving as auditor to the treasury of the U.S. Post Office (1841-1843) when the county seat war broke out in the 1840s. Whittlesey resigned his Washington position in September, 1843, to return to Canfield one month after the *Olive Branch & New County Advocate* began publishing for Youngstown as a county seat. Whittlesey remained in Canfield until 1847, when he was chosen to take charge of the Washington Monument Association. Even from that position, Whittlesey could have continued to use his political connections to aid Canfield and Mahoning County, a likely possibility. Truesdale, *Scraps*, 104, 52.

<sup>16</sup>Eben himself donated \$1,000.00 in cash toward the county buildings in addition to the land transfer. *Ibid.*, 103.

<sup>17</sup>As illustrated in the 1874 maps of Mahoning County (Figure 1) and Canfield (Figure 2); and Appendix C. Finding the Front Door: Artifact-Centered Historical Study.

chosen site for Mahoning County's "seat of justice."<sup>18</sup>

In an attempt to understand the intentions of the planners and builders of the courthouse and jail, alternatives must be examined. For instance, it is a common assumption that early American courthouses were built by tradition to face into the village center and be oriented in the direction of the town's greatest development. Area examples disprove this. After 1871, the Columbiana courthouse sat on the town square, but faced east, away from the center of Lisbon. In Trumbull County, the courthouses faced south after 1815, even as Warren developed eastward. The examples of Columbiana and Trumbull Counties caution against answers that do not consider context and the ability of people to influence what they produce.<sup>19</sup>

*To the East, To the West*

In 1846, there were other available potential sites in Canfield. Unoccupied sections sat on the northwestern and southeastern corners of the square and in the middle

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<sup>18</sup>The promised fifty-foot wide street in front of the courthouse was named Plank Street (now Court Street), and was a precursor of the Mahoning Plank Road company incorporated by Eben Newton and others in 1849. *The Mahoning Index* 25 April 1849. Plank Street indicates Eben's hopes concerning the benefits of the county seat. The Mahoning Plank Road, a toll road following approximately the current Route 62, was routed from New Lisbon through Canfield (past the front of the courthouse) and Warren to Kinsman. The road did not enter Youngstown. The actual planks appear on an 1860s map at the Mahoning Valley Historical Society in Youngstown, Ohio. The presence of the planks shows how far Eben was able to take his dream of economic growth. It also demonstrates the areas Canfield deemed most important and hoped to help develop. The road was designed to complement projected railroad lines in such a way as to provide direct access to Lake Erie, going through Canfield. The company went bankrupt in 1862 after the toll was challenged by Sheriff Samuel Smith (1858-61). *Mahoning Herald* 15 August 1861.

<sup>19</sup>See Appendix C: Finding the Front Door: Artifact-Centered Historical Study.



of the northern part of the square.<sup>20</sup> Assuming Canfield was determined to place the front of the county buildings facing into the town square, the sites in the middle of the square would have oriented the courthouse due east or due west. Disadvantages of an east or west orientation included a reduction of landscape prominence due to the other buildings (stores and lawyer offices) nearby, as well as a less dramatic traffic pattern that would have been diverted by neighboring businesses and homes. The courthouse and jail would not have been readily visible from any of the entry points into the town. The complete messages of the frontal facades would not have been fully delivered except to those who approached from across the square.

Facing east or west, the county structures could have fronted toward their main opponents in Youngstown, Newton Falls, or North Benton, but not at the same time. When using the county seat controversy as a frame of reference, Canfield could be visualized as being forced to choose which adversary to face, while placing the others behind the courthouse and jail, a vulnerability Canfield may not have wanted to risk. With so much at stake in 1846, the county seat battles must be considered as a factor in the building process. From that perspective, any loss of prominence or symbolism in the courthouse and jail could have been interpreted too easily as a weakness on Canfield's part. Repeated statements by the building committee from 1846 to 1848 that Canfield was worthy of the county seat seem to confirm that these intentions were publicly displayed in the county architecture.<sup>21</sup>

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<sup>20</sup>Refer to Figure 2: 1874 map of Canfield.

<sup>21</sup>See *The Mahoning Index* May 1846 to November 1848.

*To the South*

Situating the courthouse and jail on the northwestern corner could have met the goal of dramatically affirming the county seat location, but it would have placed the back door or building sides toward Canfield's benefactors and detractors in Trumbull County.<sup>22</sup> A south-facing orientation of the buildings also could have served as a victorious defiance toward Clement L. Vallandigham and homage to Columbiana supporters, but would have left more critical groups unaddressed. An analysis of voting patterns from 1846 through 1848 show that of the five former Columbiana townships, two were for Mahoning County, two against, and one split in its support and opposition to the new county.<sup>23</sup> In contrast, of the ten former Trumbull County townships, six exhibited clear opposition to Mahoning County with a Canfield seat, while four townships supported the 1846 county. Canfield's strongest opponents were to the north, east, and west of it. Its staunchest legislative allies were to the north. It is possible that from Canfield's viewpoint, south-facing county structures could have left key groups unchallenged and unappreciated.

The northwestern corner had an additional disadvantage in that Judson W. Canfield's home was near the site. The home could have been moved, or the county

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<sup>22</sup>The *Trumbull Democrat*, published in Warren, backed Vallandigham, claiming Mahoning County was created by a minority. This claim was disproved in the Ohio House 1846-48. The paper's position was not widely held, because it was through Trumbull County's agreement that Mahoning County was formed. *The Mahoning Index* 16 September 1846.

<sup>23</sup>Canfield maintained a narrow majority with strengths in areas other than the ballot box: delivery of legal requirements, lobbyists at the state capitol, and a central location. *The Mahoning Index* 13 October 1846, 13 October 1847, 18 October 1848.

facilities placed around it, but that would have entailed additional time and money.

Furthermore, the courthouse and jail could not have been placed side by side facing the same direction on the northwest corner site unless Canfield's home was moved.

### *Consequences of Competition*

On the southeast corner, however, there were not any standing structures to delay construction of the county buildings. It would have been fitting to have the county facilities on the land that held the 1803 Elijah Wadsworth homestead, one of Canfield's original founders.<sup>24</sup> The southeast corner could have capitalized on Canfield's past, and given subtle recognition to Canfield's role in anchoring the county seat in the town of Canfield. But perhaps the most significant factor against location of the courthouse and jail on the northwest and southeast corners was the refusal or inability of the landowners to donate such choice spots. The loss of future commercial development and potential income may have dissuaded the landowners from making that commitment to the county because there was "a hot competition between themselves to realize speedily upon their investments."<sup>25</sup>

The four corners of Canfield's square where Route 224 crossed Routes 46 and 62 would have been the most visible location for the courthouse and jail, but all corners were filled with commercial structures. As Youngstown had found in 1843, competition for potentially profitable real estate could force compromises on the location of county

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<sup>24</sup>Refer to 1805 and 1830 maps in Richard Ulrich, *An Early History of Canfield: 1776 to 1876* (Canfield: Canfield Historical Society, 1980), 22, 61. See also early Mahoning County maps located at the Canfield Historical Society, Canfield and the Mahoning Valley Historical Society, Youngstown, Ohio.

<sup>25</sup>Truesdale, *Scraps*, 30.

buildings.<sup>26</sup> Assuming Canfield wanted to acknowledge key supporters, a southern site on the village green would have accomplished a northern orientation most dramatically. To orient a respectful facade toward Canfield's most influential supporters in Trumbull County, the courthouse and jail had to face the north.

By positioning the courthouse and jail at the end of the square, all traffic had to pass the county buildings, and in the process, be confronted by inescapable architecture. In the middle of the square, the presence of the courthouse and jail would have been diluted. Under the circumstances, the evidence suggests that Canfield could not afford anything that would lessen the impact of its position as the county seat.

### **Controversy and Construction**

As soon as the weather permitted, construction of the courthouse began in May 1846 on Newton's donated lot that measured 173 feet deep.<sup>27</sup> The rectangular lot was later divided into two lots, giving an indication of the dimensions of the county buildings. The lot for the courthouse was 156.8 feet wide, while the jail sat within a section that was 66 feet wide.<sup>28</sup> That made the jail lot less than one half the width of the courthouse lot.

The courthouse was built in two sections, the first in 1846-48, and an addition that was done in 1872-73.<sup>29</sup> The original courthouse, completed by August 1848, measured

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<sup>26</sup>*The Mahoning Index* 29 July 1846.

<sup>27</sup>Mahoning County, *Abstract*, (1846, Deed Vol 2: 584) 4-5.

<sup>28</sup>*Ibid.*, (1924, Deed Vol 316:161) 13, (1931, Deed Vol 416: 503) 27, (1923, Deed Vol 298: 417) 1.

<sup>29</sup>Butler, *Youngstown and Mahoning Valley*, I: 191; and *Mahoning County Commissioners' Journals* 29 June 1848, 1A: 113; and 24 October 1872, 2: 87.

approximately 40 feet wide by 60 feet deep and cost more than \$10,000 in private funds.<sup>30</sup> The 40 foot wide by 50 foot deep jail was not raised until 1850-51.<sup>31</sup> The Ravenna, Ohio, courthouse and jail provided the design model and dimensions for the Canfield buildings.<sup>32</sup> One of those contracted to construct the courthouse was William Meeker of Boardman.<sup>33</sup> He agreed to complete the wood work, including the forty foot, fourteen-inch by seventeen-inch beams that framed the courthouse. Taken from local poplar trees, the beams are still in their original location, serving their same functions today.<sup>34</sup> The wood in the courthouse is a clue to the probable wood used in the framing of the jail, since poplar of that size disappeared from the area in the mid-1850s.

Meeker was noteworthy for his role in Canfield history and the county buildings. An active member of the Canfield Congregational Church and the Mahoning County Democratic Party, Meeker was a well-known, accomplished carpenter/architect.<sup>35</sup> His

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<sup>30</sup>The dimensions are based on a 1907 map of Canfield in *Insurance Maps: Youngstown, Ohio* (New York: Sanborn Map Company, 1884-1928), plate 93. Joseph G. Butler, Jr., *History of Youngstown and the Mahoning Valley, Ohio* (Chicago: American Historical Society, 1921), I: 191; Truesdale, *Scraps*, 104.

<sup>31</sup>Jail dimensions computed from 1907 Sanborn Maps. *Insurance Maps: Youngstown, Ohio*, Volume One (New York: Sanborn Map Company, 1907), plate 93; see Figure 5. *Mahoning County Commissioners' Journals* 28 January 1851, 1A: 225-26.

<sup>32</sup>*The Mahoning Index* 30 September 1846. See Figure 3: 1830/1836 Ravenna courthouse and jail.

<sup>33</sup>*The Mahoning Index* 30 September 1846.

<sup>34</sup>Structural information was obtained from interviews and tours with Lewis Speece, Jr. and Dr. Adam Costarella (owner of the courthouse), November 1991 and December 1996. Mr. Speece did the last remodeling and design modifications to the courthouse in 1974-76 that uncovered the above features.

<sup>35</sup>Due to his strong political, religious, and social connections, Meeker was a likely choice for the critical role of job foreman and carpenter. His network enabled him to get elected sheriff 1850-51, after the courthouse was built. He had run for sheriff in 1848, but lost to a repeal candidate. H. Z. Williams, *History of Trumbull and Mahoning Counties, Ohio* (Youngstown, Ohio: Youngstown Printing Co., 1882), 53-4; and *The*

connections suggest that even the construction of county buildings had political overtones. Also, to counter rumors of poor workmanship, it was critical to employ craftsmen who were recognized by the public as competent.<sup>36</sup> Though the county commissioners entrusted the masonry to a man from Beaver, Pennsylvania, many courthouse workers were related to people from Canfield, as Meeker was.

### **Courthouse Refused**

Even while the courthouse was being constructed in 1846, two of the three county commissioners would not accept Canfield's and Newton's donations of land and promised buildings.<sup>37</sup> The commissioners refused to accept Canfield's required bond for the public buildings, on the hopes that Youngstown could maneuver the county seat from Canfield.<sup>38</sup> The refusal was supposedly based on technical deficiencies in Canfield's offer, but the commissioners admitted they considered themselves elected "to do nothing tending to perpetuate the county of Mahoning."<sup>39</sup>

To Canfield supporters, speed in constructing the courthouse became a priority. By the fall of 1846 the walls of the Canfield courthouse were completed, with the roof and some interior work in progress.<sup>40</sup> Despite the progress on the courthouse, and the

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*Mahoning Index* 12 October 1848.

<sup>36</sup>*The Mahoning Index* 2 and 30 September 1846.

<sup>37</sup>*Ibid.*, 16 September through 21 October 1846. From a letter published 7 October 1846 in the paper, it seems that Josiah Bowman and Robert Turnbull were the two commissioners who were against Canfield as the county seat. The third commissioner, James Justice, did not sign his name to statements against Canfield. Refer to Table 3: Analysis of 1846 Mahoning County Election Returns.

<sup>38</sup>*The Mahoning Index* 23 September and 7 October 1846.

<sup>39</sup>*Ibid.*, 7 October 1846.

<sup>40</sup>*Ibid.*, 30 September 1846.

failure of Youngstown to find a potential site, all three commissioners were re-elected in October 1846. The two “repealers” who favored Youngstown as a county seat retained their office by margins of under twenty votes.<sup>41</sup> The margin was so close, and the county seat location so hotly contested, that the election split the local Democratic Party.<sup>42</sup> Aiding Canfield’s cause, one commissioner lost his seat to “anti-repealer” Daniel Parshall in the October 1847 elections, but this did not resolve the county conflict because acceptance of the courthouse did not happen immediately.<sup>43</sup>

The courthouse was ready for partial use by the fall of 1847, but the county commissioners continued to rent offices throughout Canfield rather than relocate to the courthouse.<sup>44</sup> Until June 29, 1848, the commissioners repeatedly rejected the building committee’s demand that the Canfield lot and courthouse be accepted by the county. The building committee had requested that the courthouse and lot be accepted in lieu of the \$5,000 payment mentioned in the act that created the county.<sup>45</sup> The Ohio state law that created Mahoning County stated “that before the seat of justice shall be considered permanently established at Canfield, the proprietors or citizens thereof shall give bond” in the sum of \$5,000 toward “erecting public buildings” on a “suitable lot of ground”

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<sup>41</sup>Repealers were those who fought for the repeal of the 1845 law that created Mahoning County with the county seat at Canfield. Repealers wanted to form other counties with Youngstown, North Benton, and Newton Falls as the county seats. *The Mahoning Index* 21 October 1846.

<sup>42</sup>*Ibid.*, 19 August 1846, and July through October 1848.

<sup>43</sup> Daniel Parshall replaced Robert Turnbull. *Ibid.*, 13 October 1847; *Mahoning County Commissioners’ Journals* 13 Dec 1847, 1A: 39; and Williams, *Trumbull and Mahoning Counties*, I: 81.

<sup>44</sup>*The Mahoning Index* 24 March 1847.

<sup>45</sup>*Mahoning County Commissioners’ Journals* 7 June 1848, 1A: 103-05.

donated by Canfield citizens.<sup>46</sup> Canfield treated this wording as a legally binding contract with the state, and once requirements were fulfilled, would guarantee forever the county seat designation at Canfield. Using the same assumption, the commissioners wanted to avoid any activity on their part that could be construed as accepting Canfield's offer, especially an action that would acknowledge the \$5,000 payment as received.

Under the intense spotlight of county seat competition, it was reasonable for the commissioners to attempt to fulfill their obligation by waiting for the completion of the jail before accepting anything from Canfield. But, by their own words, the commissioners were openly working to gain the seat for Youngstown and other opposing factions. In answer to Canfield's dismay over the persistent refusal, the commissioners stated that "They would take no part in the selection of a lot of land, on which to erect the Court House, for by so doing they might commit themselves in favor of the Canfield interest."<sup>47</sup>

### **The Fight Continues**

#### *Canfield Repealers*

As the courthouse neared completion in February of 1848, the Ohio legislature received a written proposal from five Canfield residents requesting the dissolution of Mahoning County.<sup>48</sup> The signed statement asked that a new county be formed with

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<sup>46</sup>*The Mahoning Index* 7 October 1846. Refer to Appendix B: Law Erecting Mahoning County.

<sup>47</sup>*Ibid.*, 23 September 1846.

<sup>48</sup>One signer was James Blocksom, an unsuccessful anti-repealer candidate for county prosecutor in 1846. By 1848 Blocksom was an active repealer, hoping to gain the prosecutor's office by switching sides. It worked. He narrowly won the office on the repealer ticket in 1848. *Ibid.*, 19 July 1848, and 12 October 1848.



Youngstown at its center. The proposal further stipulated that voters would choose the county seat. By placing Youngstown in the center of a new county, repealers presumed it would be the natural choice for the seat. The petition became publicly known in June of 1848, one month after the county commissioners formally accepted the courthouse and lot—and as repealers were beginning to organize for the October 1848 elections.

*Courthouse Accepted*

By gaining acceptance of the courthouse when it had a political majority in the summer of 1848, Canfield weakened the ability of repealers to move the county seat.<sup>49</sup> Due to the narrow margin between Mahoning County supporters and repealers, it was critical to remove the advantages Canfield's opponents could have used to change the seat. By itself, the courthouse could not bring peace to the controversy, but there was the possibility that the jail might resolve the county seat fight.

The wording of the acceptance motion passed June 19, 1848, by the county commissioners clearly omits the jail. By not including the jail, the commissioners agreed to accept Canfield as the county seat without the promised tax-free jail. With these words Canfield was formally accepted as the county seat:

The Board ordered that the deed of Said Lot together with the building Standing thereon be accepted as the property of the county and that the Said building be accepted in lieu of the five thousand Dollars which the Citizens of Canfield were required to pay or Secure to be paid to the Commissioners by the act Erecting Said County and that Said Lot of Ground and building thereon be accepted in Satisfaction of the enactment of the 8<sup>th</sup> Section of Said act." Signed James Justice, Daniel Parshall, Josiah Bowman, Commissioners. and Benjamin Votaw, Clerk of the

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<sup>49</sup>Refer to Table 4: Analysis of 1848 Mahoning County Election Returns.

Board.<sup>50</sup>

As written, the acceptance motion effectively blocked opponents from contesting the seat on grounds of inadequate performance on the part of Canfield. Josiah Bowman, an ardent repealer, may have given his consent to the act hoping a new effort by Newton Falls would unseat Canfield.

#### *Newton Falls Proposal*

Using “essentially the same as the one the Youngstown folks tried to get through last winter,” petitioners from Newton Falls sent a new county proposal to the legislature in July of 1848, one month after the courthouse and lot were accepted by the Mahoning County commissioners.<sup>51</sup> The attempt was unsuccessful, just as Youngstown’s had been in February of that year. The continued pressure to disassemble Mahoning County in favor of Youngstown and Newton Falls, made building a jail at Canfield more of a priority. After the failure of the Newton Falls proposal, the repealers concentrated on winning the fall election. It appeared that the courthouse alone could not bring an end to the county seat fight. Canfield’s competitors were as relentless as ever.

#### *1848 Elections*

Every year a county commissioner was elected; thus opponents of the Canfield seat were aiming in 1848 to regain the political primacy that they had lost in 1847. Amidst heavy negative publicity and proven cases of fraudulent election activities, repealers held their own Democratic convention in August. Those who organized and

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<sup>50</sup>*Mahoning County Commissioners’ Journals* 29 June 1848, 1A: 113.

<sup>51</sup>*The Mahoning Index* 26 July 1848.

attended this second Democratic convention were labeled “bolters” from the regular Democratic party.<sup>52</sup> Charges were made against the bolting Democrats that they were actually “a hungry set of office-seekers” campaigning under the banner of opposition to Mahoning County and Canfield.<sup>53</sup> The repealers garnered sufficient votes to win all the county offices, a possibility Canfield had feared and planned against with acceptance of the courthouse.

### **Summary: Negotiation Through Architecture**

The three-story courthouse contained Classical architectural features at a time when Latin, Greek, and philosophy were being taught in the Canfield Seminary.<sup>54</sup> The local high-school-equivalent curriculum reflected the social deference to classical cultures as the courthouse used those components to declare and affirm its authority to surrounding communities. By size, distinctive architecture, location, and construction materials, the courthouse dominated the square, demanding attention to its messages of importance and permanency.

Competition for prime land in the heart of commercial centers is one reason some counties and states place their government centers in smaller, less developed communities. Mahoning County seems to confirm that pattern. Through political and commercial competition, purposeful design, well-planned legislative moves, and opportune circumstances, Mahoning County supporters placed the courthouse and jail in Canfield in such a way as to promote and declare their agenda. With a courthouse,

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<sup>52</sup>*The Mahoning Index* 23 Aug 1848.

<sup>53</sup>*Ibid.*, 4 October 1848.

<sup>54</sup>*Ibid.*, 30 November 1846. Refer to Figure 4: courthouse in 1900s.

Mahoning County supporters attempted to quiet the assaults on the county formation, but found themselves still under attack during the construction. A jail was needed to secure a peace.

## Chapter Three: A County Without a Jail, 1846-1851

### **Limited Resources**

Under pressure to perform its legal requirements to provide county buildings before the legislature changed its mind, Canfield chose to focus its resources on the building that required the greatest investment. The courthouse was completed by August 1848, but the jail was not opened until after January 28, 1851.<sup>1</sup> By postponing construction of the jail, Canfield appeared to merit claims that it did not have sufficient resources to provide the county buildings.

Erecting the courthouse took more resources than initially anticipated, so it is reasonable to assume that the burden of the construction depleted reserves set aside for a jail. The state had required only a \$5,000 commitment toward the provision of county buildings, but Canfield had initially raised \$9,000 to insure both courthouse and jail would be constructed tax-free.<sup>2</sup> Despite its public promises to donate both structures, Canfield had not anticipated the final \$10,000 cost of raising the courthouse.<sup>3</sup> Architectural responses to unrelenting attacks were costly.<sup>4</sup>

Most of the private support for the courthouse had been in the form of materials and labor, and some participants found that they had to return to their businesses before the building program was completed. John Clark was one example. Clark publicly

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<sup>1</sup>*Mahoning County Commissioners' Journals* 28 January 1851, 1A: 225-26.

<sup>2</sup>*The Mahoning Index* 2, 16, and 30 September 1846, and 7 October 1846.

<sup>3</sup>Butler, *Youngstown and Mahoning Valley*, I: 191; and Truesdale, *Scraps*, 104.

<sup>4</sup>For example, massive brick walls and a cut stone foundation were used to counter charges of inadequacy. Time consuming craftsmanship answered charges of incompetency. Classical facade details were made of hand carved wood.

announced on May 21, 1846, that he had reopened his harness shop.<sup>5</sup> Clark's background illustrates the depth of his commitment to the erection of public buildings and his disinclination to be distracted from that project. He was a business owner who had lobbied intensely for Canfield, personally donated at least \$1,000 in money and materials, and who served on the Committee to Superintend Construction of the Courthouse and Jail.

Other members of the building committee were: John Wetmore, a grocer; John R. Church, a judge and variety store owner; Nathan Hartman, a machine shop owner; Eben Newton, farmer and judge; and Elisha Whittlesey, a lawyer.<sup>6</sup> These men had obligations that limited their involvement in the project, regardless of their commitment. They were also practical men who, as in Clark's case, felt the market pressure of increased competition that accompanied the influx of people and businesses in the spring of 1846—a direct result of the county seat location at Canfield.<sup>7</sup>

#### *“Prison Tax”*

In 1849, a “prison tax” appeared for the first time on Mahoning County tax tables.<sup>8</sup> The 1849 tax was designed to raise \$2,000 “for building prison” at Canfield.<sup>9</sup>

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<sup>5</sup>*The Mahoning Index* 17 June 1846.

<sup>6</sup>*Ibid.*, 17 June 1846, 16 through 30 September 1846; and Truesdale, *Scraps*, 104.

<sup>7</sup>Increase of business is based partially on advertisements and new business profiles in the Canfield newspaper, *The Mahoning Index* 1846-47.

<sup>8</sup>In the nineteenth-century, as it is done today, the terms of prison and jail are often used interchangeably. Due to a devastating fire in 1849 at the state prison in Columbus, it was first thought this tax was for the state facility. However, the “prison” tax was created by the county commissioners and used only in Mahoning County. There was a separate tax for state purposes that was shown in annual Treasurer's Reports as being disbursed directly to the state after collection. *Ibid.*, 29 August 1849.

<sup>9</sup>*Mahoning County Commissioners' Journals* 5 June 1849, 1A: 161.

Originally three and one half cents per one hundred dollars (3.5 mills) of assessed value of taxable property, it was increased in 1850 to five cents (five mills).<sup>10</sup> In 1849 and 1850, the county jail tax was a separate assessment, in addition to the traditional category for “county purposes”.<sup>11</sup> The tax for general county purposes amounted to fifteen cents in 1850. To put this in perspective, the tax rate for all county expenses was fifty cents in 1849, rising to sixty cents by 1850. Out of that, six to ten percent was slated for the county jail, and another ten per cent for county schools, at a time when the average tax bill was less than three dollars.<sup>12</sup> When the money was disbursed by the county government in 1851 for the finished jail, the commissioners paid the contractors out of the county budget.<sup>13</sup>

The prison tax is one indication that Canfield supporters had stretched their assets to the limit in erecting the courthouse. If Canfield had lost its supporters, then the failure to produce a tax-free jail in 1850-51 would have given competitors additional leverage to aggressively, and perhaps successfully, change the county seat. There is no mention in any of the surviving records that this was ever used by Youngstown to gain the county seat.

Canfield’s position was strong enough to endure having a tax levied, collected, and used to pay for building the county jail after Canfield had publicly promised to donate one. In 1848, when the courthouse and lot were accepted by the commissioners,

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<sup>10</sup>*Mahoning County Commissioners’ Journals* 5 June 1849, 1A: 161; and 6 June 1850, 1A: 204.

<sup>11</sup>*Ibid.*, 5 June 1849, 1A: 161; and 6 June 1850, 1A: 204.

<sup>12</sup>*Mahoning Index* 18 November 1846, for example.

<sup>13</sup>*Mahoning County Commissioners’ Journals* 28 January 1851 1A: 225-26.

two of the three commissioners, James Justice and Daniel Parshall, were Canfield supporters.<sup>14</sup> This backing was not strong enough in 1848 to garner approval for a tax-free jail. Or, perhaps more pointedly, Canfield did not want to risk further refusal of its donations by admitting the town did not have the funds to build a jail. It is likely that Canfield did not make the request for jail funding until its position improved. Obviously there was hope that the courthouse would settle the issue of the county seat.

After the complete repealer ticket won the October 1848 election. Canfield's position remained the same because Josiah Bowman, an ardent repealer, was replaced by Jacob Leyman, another repealer, for the county commissioner seat.<sup>15</sup> The balance of power remained in Canfield's favor. With the 1848 election being a close vote, Canfield was able to gain county payment for the jail in such a way as to avoid further conflict.<sup>16</sup>

So, it was not a question of Canfield losing crucial political or popular backing, but it seems conditions were not favorable for raising additional private funds. Perhaps Canfield foresaw the county seat controversy as interfering with fund-raising efforts when the building committee declared in 1846 that it would be "much easier for them to raise the necessary amount for the erection of public buildings during this summer than at any

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<sup>14</sup>The third commissioner, Josiah Bowman was a repealer. *Mahoning County Commissioners' Journals* 13 December 1847, 1A: 39.

<sup>15</sup>*Ibid.*, 3 December 1849, 1A: 177; and *The Mahoning Index* 12 October 1848.

<sup>16</sup>Despite defeat at the polls, Canfield declared victory because repealers were "forced to accept the Court House, adopt a resolution in favor of the present limits of the county and location of the county seat, and take up as their candidates for the most important offices men who have always acted with us and for the county." *The Mahoning Index* 12 and 18 October 1848. See Table 4: Analysis of 1848 Mahoning County Election Returns.



subsequent period.”<sup>17</sup> The committee had been pleading for a quick acceptance of the donated lot and courthouse. While Canfield struggled against its opponents, resources were depleted under conditions that did not permit Mahoning County supporters to raise the additional means to build a tax-free jail.

### **Design of Jail**

The specific-use design of the jail could have contributed to the delay in constructing the facility. If Canfield’s resources were limited, as seems likely, then the building committee and their supporters would have been reluctant to invest precious capital too hastily. When the future of the county seat at Canfield was tenuous, the jail could have quickly become superfluous—an embarrassing and costly construction. The specific design of the jail was incompatible with the surrounding business district unless the building was serving its original purpose. Otherwise, the structure would be occupying valuable land in a way that would drain community assets, not enhance them.

### **The Mexican War**

One unplanned interruption to the courthouse project and jail building schedule was the Mexican War, which had Nathan Hartman and Sherman Kinney (probably the head architect for the courthouse) mustering out their militia units on combat readiness orders.<sup>18</sup> In their units were others who were working on the courthouse, including

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<sup>17</sup>*The Mahoning Index* 30 September 1846.

<sup>18</sup>*Ibid.*, 25 August and 1 September 1847. The conclusion about Sherman Kinney (William Meeker’s cousin) being the Canfield courthouse architect is based on information in the Canfield newspapers from 1847 to 1864; and Williams, *Trumbull and Mahoning Counties*, 43-4, 53-4. Kinney had the necessary expertise, regional reputation, and connections to have been the most likely choice for the time-pressed, frugal Canfield supporters.

William Meeker.<sup>19</sup> Though their stints were brief, the matter troubled everyone, with battle stories appearing in local newspapers next to progress reports of the construction. That meant that increased militia drills and public rallies interrupted the construction, causing lost work time.

### Other County Jails

Another possible reason for the delay in building a jail was that county residents did not feel the pressure to provide one, despite the fact it had been one issue that began the county controversy. How did the county get by without a jail for five years? The first Mahoning County Sheriff, James Powers, provided some answers in an interview given decades after his term (1846 to 1847):

There was no jail when I went into office, and whenever I had a prisoner the only way I could keep him safely was to drive a staple in the floor of my house in Canfield and chain him down. When court did not meet for some time the prisoners were placed in the Warren jail, and when ready for trial were brought back to my house and chained down until either sentenced to the penitentiary or released.<sup>20</sup>

The pressure to build a jail in Canfield was partly alleviated by the deteriorated but serviceable 1824 jail in Trumbull County at Warren, and the fairly new 1840 brick jail at Lisbon in Columbiana County.<sup>21</sup> On September 15, 1848, the Mahoning County Commissioners paid \$8.00 to have one prisoner, William Liddle, confined in the Columbiana County jail.<sup>22</sup> Occasionally other sites out of the county were used to house

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<sup>19</sup>See Chapter Two for more details on Meeker.

<sup>20</sup>Butler, *Youngstown and Mahoning Valley*, I: 191.

<sup>21</sup>*The Mahoning Index* 30 September 1846; Horace Mack, *History of Columbiana County, with Illustrations and Biographical Sketches* (Philadelphia: D. W. Ensign & Co., 1879), 29, 106; and Williams, *Trumbull and Mahoning Counties*, I: 71.

<sup>22</sup>*Mahoning County Commissioners' Journals* 15 September 1848, 1A: 123.

prisoners of Mahoning County, but, by Sheriff Powers' account, Warren was the jail of preference.<sup>23</sup> Perhaps, since the Warren jail had been used by Canfield prior to 1846, it was natural for the personnel to use what was familiar. Another possibility is the advantage of prisoner upkeep fees. Since the prisoner fees were a source of income to the county, it is conceivable that Canfield influenced the use of the Warren jail as one token of its appreciation for Warren's support in the county seat battle.

### **The Sheriff's Home**

#### *Detention Costs*

Since the Mahoning County jail did not open until William Meeker's term (1850-51), the first two sheriffs, Powers and Schmick, had to complete their two-year terms without a formal, secure place of local detention.<sup>24</sup> From the beginning of the county, detention costs were high, even without a jail. For example, while William W. Whittlesey, Clerk of Common Pleas Court, received thirty dollars a year for his office rent, Sheriff William Schmick (1848-49) was paid sixty dollars a year for "house rent."<sup>25</sup> This charge was over and above fees the sheriff received "for boarding, guarding, and keeping prisoners."<sup>26</sup> The rent was considered justified in return for the jail services,

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<sup>23</sup>George Sheriff, Jailer of Portage County was paid \$6.23 "for keeping prisoners," and a John Heisman was reimbursed \$11.90 for money he paid to D. H. Wallace for "keeping Abram David at Beaver Penna (in Jail)." *Mahoning County Commissioners' Journals* 10 October 1849, 1A: 171.

<sup>24</sup>Meeker ran against Schmick in 1848 as a regular Democrat. In other words, Meeker was a firm supporter of Mahoning County as it was, with Canfield as the county seat. *The Mahoning Index* 27 September 1848. Meeker won the office in 1850 under the same political banner.

<sup>25</sup>*Mahoning County Commissioners' Journals* 8 June 1848, 1A: 105; 2 November 1849, 1A: 175; and 9 October 1850, 1A: 214.

<sup>26</sup>*Ibid.*, 10 October 1849, 1A: 173.

which differentiated the sheriff from other county officials. The sheriff performed numerous legal functions in the county government, but he was the only one who was responsible for the secured confinement of individuals.

#### *Legal Requirements*

In the five years before Mahoning County opened a jail, Ohio state law did not specifically require a sheriff to live in the jail. The sheriff or his deputy “must, at all times, by himself or deputy, attend to the jail of the county,” in order “to take charge of all persons committed to jail, and see that they are safely kept and supplied with necessary sustenance.”<sup>27</sup> The law stipulated only that the sheriff was personally to inspect the jail and its inmates at least once a month.<sup>28</sup>

#### *Homes as Jail*

Though not required to house prisoners in their homes, Powers and Schmick used their homes because they probably viewed the over twenty-mile horseback ride on poor trails to Warren or New Lisbon as dangerous and unnecessary, except in extreme cases. Under these circumstances, it was acceptable to maintain close living arrangements with detained persons, who were frequently community members well known to the sheriff. The housing of the prisoners in the sheriff’s home in itself perpetuated intimacy, which was used as a form of security against prisoner escape.

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<sup>27</sup>Abraham Evans Gwynne, *A Practical Treatise on the Law of Sheriff and Coroner: With Forms and References to the Statutes of Ohio, Indiana, and Kentucky* (Cincinnati: H. W. Derby & Co., 1849), 539. Despite major revisions to the law July 1, 1877, this section of the law remained essentially unchanged. *Criminal Code of Ohio: Comprising the Acts Relating to Crimes, Procedure, and Jails and the Penitentiary*, (Columbus: Nevins & Myers, 1877), 129.

<sup>28</sup>Gwynne, *Law of Sheriff*, 540.

In 1849 Schmick felt the need to increase the security in his home by buying fetters and a half a box of glass for \$656.00.<sup>29</sup> According to common law, jailers could not put prisoners “in irons unless they found it necessary for their safeguard,” or in danger of an escape.<sup>30</sup> Regardless of the risks and cost, early nineteenth-century settlers thought detention was important enough to be part of the criminal justice system, whether a jail existed or not. From their point of view, Mahoning County residents possibly felt that using the sheriff’s home as a jail was adequate for public safety. By incorporating additional security measures in his home, Sheriff Schmick may have intentionally reaffirmed the public’s perception that he could properly protect the public without a jail. On the other hand, Schmick’s purchase may have been used by Canfield to argue more urgently the need for a formal jail.

### *Sheriff Duties*

Sheriff Powers’ interview highlights issues surrounding the local and national histories of jails. In describing his reactions to the lack of a Mahoning County jail, the sheriff presented some of the difficulties of his office as well as the resources at his disposal. The situations he encountered while discharging his duties derived in part from the unique jurisdiction and scope of the sheriff’s responsibilities, as the only statutory law enforcement and corrections officer of the county.<sup>31</sup> For example, handling the mentally

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<sup>29</sup>*Mahoning County Commissioners’ Journals* 5 March 1849, 1A: 145.

<sup>30</sup>Gwynne, *Law of Sheriff*, 541. Though Ohio formally abandoned common law early in its history, many of its constitutional laws and practices adhered closely to English common law.

<sup>31</sup>John Paul Sargent Jr., *An Exploratory Study of the Perceived Impact of the Stress-Complex upon Sworn Deputy Sheriff Personnel within Thirty-Two Counties*, Dissertation (Kent State University, 1989), 6-13.

ill fell within his realm of duties, but there were no special provisions for the added burdens it posed. In this instance, coping with unpredictable and potentially dangerous individuals should have motivated the sheriffs to campaign for a jail facility, but the county seat war may have overridden that concern.

### *Sheriffs as Repealers*

Both Powers and Schmick were advocates of Youngstown as the county seat, and may have worked against construction of the jail at Canfield. Powers obtained his office through political backing from Youngstown, and Schmick won his nomination at a 1848 convention of Democratic Party bolters who advocated repeal of Mahoning County's formation.<sup>32</sup> To appease their political sponsors, both sheriffs may have presented their homes and alternate jails in Warren and New Lisbon as sufficient to protect the public.

By not completing a jail immediately, more time would have been given to Canfield's opponents to marshal support for a new county seat. As mentioned before, jail architecture required a dedicated commitment, leaving fewer options for reuse. County residents, whether through taxation or not, were not inclined, or able, to raise two jails in such a short time. Youngstown could have feared that the construction of the jail would anchor the county seat at Canfield in a way that Youngstown might not be able to overcome for an extended time period.

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<sup>32</sup>Democratic editor A. T. Walling described Sheriff James Powers as "a repeal office holder, one who would be damned in an instant by his faction if he made a move that was not in opposition to the county." William Schmick from Green Township was nominated at a convention of "desperate political gamesters," from Youngstown, who were "pretending to belong to the democratic party." *The Mahoning Index* 2 and 23 August 1848, and 4 October 1848.

### **Summary: Opposition and Defense**

The delay in providing a jail at Canfield was a result of the intense county seat competition, so Mahoning County supporters focused on furnishing the courthouse as their quickest and strongest defense. The total 1848 election victory of the repealers is testimony to the ambivalent atmosphere in Mahoning County from 1846 to 1850.<sup>33</sup> The fact that the repealers could not engineer a county seat removal during this period confirms Canfield's supremacy, but the controversy made fund-raising difficult.

With resources drained by the courthouse project, Canfield was not able to keep its promise of a tax-free jail, but Mahoning County remained intact nonetheless. Attempts by repealers to downplay the need for a jail did not succeed. With its marginal political majority, Canfield was able to maneuver a "prison tax" to pay for the jail partially because the fear for public safety was such a powerful motivator. The perception of public safety was so necessary to the coexistence of diverse, opposing groups and to the effective functioning of the county government, that when Warren's public safety image was threatened in 1843 with a deteriorated jail, the controversy that erupted set neighbor against neighbor.

With the final agreement in place by 1849 to build a jail, Mahoning County's identity was assured, and Canfield prevailed as the county seat. Canfield found the jail to be its last defense. It was a defense that would seal a peace, at least until the jail required replacement.

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<sup>33</sup>*The Mahoning Index* 13 October 1848.

## Chapter Four: First Mahoning County Jail, Canfield 1851-1876

### **Constructing Authority: Location and Orientation**

The English king, Henry II, was the first to establish the jail as an official institution “to regain power and respectability” that had been lost to local barons and the Catholic clergy.<sup>1</sup> Canfield built its county courthouse and jail not only to consolidate political influence under a central authority as Henry II did, but also to *maintain* power and respectability. With its jail, Canfield hoped to solidify a position that would favor the town with economic and political benefits. Competition was stiff. Due to the ongoing effort by those ambitious to capture the county seat from 1846 to 1848, official acceptance of the courthouse and land at Canfield was delayed.<sup>2</sup> The bids to build a county “prison house” were not solicited until June, 1849, nine months after construction on the courthouse was complete.<sup>3</sup>

Probably because it was the most economically expedient, Canfield chose to situate the forty-foot wide by fifty-foot deep county jail beside the courthouse on the same donated lot. The location of the jail was another consequence of the opposition Canfield encountered as a county seat. By placing the buildings together but separate,

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<sup>1</sup>David R. Struckhoff, *The American Sheriff* (Chicago: Justice Research Institute, 1994), 11; and Harry E. Allen and Clifford E. Simonsen, *Corrections in America: An Introduction*, Third Edition (New York: MacMillan Publishing Company, 1987), 4-6. See Appendix A: Jails and Prisons: Definitions and Differences.

<sup>2</sup>*Mahoning Index* 22 July 1846, and 19 July 1848; *Mahoning County Commissioners' Journals* 29 June 1848, 1A: 113; and H. Z. Williams, *History of Trumbull and Mahoning Counties, Ohio* (Youngstown, Ohio: Youngstown Printing Co., 1882), I: 77.

<sup>3</sup>*Mahoning County Commissioners' Journals* 5 June 1849, 1A: 161; and *Ohio Republican* 13 June 1849: 3.



what Canfield did with the courthouse had a direct effect on the jail.<sup>4</sup> Regardless of the drive and intent of Canfield, the uncertainty caused by unrelenting strife influenced the direction and schedule of building the courthouse and jail.

The conspicuous, intense purpose of the Mahoning County courthouse also appeared in the jail's construction. Built in 1850 by Holland Richardson and William Logan for over \$3,000, the first Mahoning County jail complemented the courthouse's message of authority and supremacy, but in a radically different manner.<sup>5</sup> Standing about fifty feet to the west, the jail faced north like its courthouse companion.<sup>6</sup> There were other orientation possibilities, but it is probable that the county seat strife made a strong frontal presentation almost a necessity. Placing the jail entrance facing the courthouse might have been more practical from a security point of view, but it would have muted the message of authority to the public, and it could have made the building's purpose less obvious.

The jail was located about one hundred feet from the original courthouse construction, perhaps to allow for future expansion of the county's needs. The jail could have just as easily been placed behind the courthouse, facing east, to accomplish that

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<sup>4</sup>Columbiana and Trumbull Counties, beginning in 1804 and 1816, separated county jails from courthouses up to two blocks apart. Butler, *Youngstown and Mahoning Valley*, I: 418-19; and Mack, *History of Columbiana County*, 29, 106.

<sup>5</sup>Copying Ravenna's 1840 jail design, Cornelius Uddell received \$12.00 "for services rendering and furnishing diagrams for prison," (County Jail) at Canfield. *Mahoning County Commissioners' Journals* 3 July 1849, 1A: 165; and 28 January 1851, 1A: 225-26.

<sup>6</sup>Dimensions of the jail are computed from 1907 Sanborn Maps. *Insurance Maps: Youngstown, Ohio*, Volume One (New York: Sanborn Map Company, 1907), plate 93. See Figure 7.

same goal. If the jail had been placed on South Broad Street behind the courthouse, one side would have been the first presentation of county buildings to those who traveled from the south. Though several individuals from Columbiana County had been loudly against Canfield as the seat, some of Mahoning County's strength came from its southern neighbors.<sup>7</sup> The jail on South Broad Street would have confronted no one while giving a potentially perceived cold shoulder to friendly factions.

Given the cost and risk of prisoner transport to and from court sessions, it would have been more reasonable to place the jail directly behind the courthouse, but none of county seat challenges could have been addressed from there. There was more than enough space behind the courthouse for the jail and for traffic to pass between or behind the buildings into a parking area southwest of the courthouse. All the architectural needs of security, access, economy and convenience would have been accomplished behind the courthouse, but the presence and symbolism of the jail would have been hidden at this location.

Another factor in the placement of the jail was its inmates. Though the jail at Canfield had an average of only two to eight prisoners at any given time, the demeanor, character, and behavior of the detainees while they were incarcerated was considered socially unacceptable.<sup>8</sup> In other words, the jail may have been located as far away from the courthouse as possible to keep smelly, noisy undesirables from imposing on the rest

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<sup>7</sup>See Tables 3 and 4 where election returns from 1846 and 1848 are analyzed by response to the county seat contest.

<sup>8</sup>Inmate population based on a survey of local newspapers from 1846 to 1876. For example, see *The Mahoning County Herald* 12 August 1869; and *Mahoning Vindicator* 28 February 1873.

of civilization. Under that assumption, the jail could have been built in the southwest corner of the property, facing east or north, but out of easy view. If the jail had been put near the southwest boundaries, it would have been at least fifty feet from the closest neighboring residence. That appears to have been a comfortable distance, because the actual location of the jail was fifty feet from a lawyer's home that sat due west of the county lot.<sup>9</sup>

## Outer Defense

### *Architecture as Punishment*

In 1850, America was at a juncture between the concept of county jails as holding pens and the idea that they could be tools of punishment.<sup>10</sup> Prior to that time, public corporal punishment was based on religious views that perceived public pain and shame as methods of aiding sinners back into God's fold as well as discouraging others from consorting with the devil. The anonymity that came with urbanization and the secularization of the Enlightenment combined to make this approach ineffective in mid-nineteenth-century America.<sup>11</sup> This was in contrast to the Ohio State Penitentiary, where

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<sup>9</sup>Charles Ruggles, a lawyer, built his home in 1846, as the courthouse was being raised. The home, which today remains occupied in its original location and design, has a temple front, a fitting echo of the courthouse. Richard Ulrich, *An Early History of Canfield: 1776 to 1876* (Canfield: Canfield Historical Society, 1980), 74-6.

<sup>10</sup>Henry Burns, *Origin and Development of Jails in America* (Carbondale, Illinois: Center for Study of Crime, Delinquency and Corrections, Southern Illinois University at Carbondale, 1971, a 1930 reprint), 6; Robin Evans, *The Fabrication of Virtue: English Prison Architecture, 1750-1840* (Cambridge, England: Cambridge University Press, 1982), 6; and Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993), 48-66, 74-77, 82. See definition of prisons and jails in Appendix A.

<sup>11</sup>For a more thorough discussion of these issues, see Evans, *Fabrication of Virtue*, *passim*; Michael Foucault, *Discipline and Punish: The Birth of the Prison*, (New

confinement, labor, and social isolation were used to punish and reform as early as 1830.<sup>12</sup>

Unlike penitentiaries, jails were operated as separate facilities that fulfilled functions of little consequence to reformers except that the county jails held the inmates prior to transfer to prison.<sup>13</sup> In 1849, Ohio legal opinion felt “that a jail is made for safe custody, and not for punishment. The latter remark does not apply to persons imprisoned for crimes, but even as to them any unnecessary rigor is prohibited.”<sup>14</sup> Despite these attitudes, the Canfield jail exemplified the growing reliance on institutionalization and the increasing use of jails to punish. Perhaps its need to defend and solidify its position in the county motivated Canfield to usurp competitors by providing the newest concepts in correctional philosophy, regardless of legal opinion. More practically, American jails frequently did not consistently implement all the legal incarceration requirements, let alone concern themselves with the intricacies of legal opinion.<sup>15</sup>

The belief in crime deterrence by threatening dire consequences was

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York: Vintage Books, 1979), preface, 3-6, 63-9; and Friedman, *Crime and Punishment*, 48-50, 74-76.

<sup>12</sup>The Standing Committee on the Penitentiary in its report of December 22, 1830, expressed dissatisfaction with the first state prison built in 1818 because it was “insufficient as a place of *confinement* and *safekeeping* or of *punishment* and *reformation*.” Quoted from the [Ohio] *House Journal*, 1830-31: 115, as cited in Hicks, *Penal Institutions in Ohio*, 21.

<sup>13</sup>Reformers were those who introduced the concept of using incarceration as a means of rehabilitation. One method of rehabilitation, was punishment.

<sup>14</sup>Gwynne, *Law of Sheriff*, 541.

<sup>15</sup>In a classic study of Virginia county jails, Hoffer and his fellow sociologists thoroughly documented actual jail conditions. They found that while the majority of jails were outdated in structure, methodology, and administration, a rare few were sterling examples of the latest thinking in corrections. Hoffer, *Jails of Virginia*, 32-4, 41, for example.

depersonalized in the Canfield jail, which used architecture to accomplish its mission.<sup>16</sup> When lawbreakers were hidden from public display, as they were in 1851, architecture became the only means of transmitting to the public the character and purpose of the jail.<sup>17</sup> As previously discussed, it appears that Canfield's and Mahoning County's first priority was local needs, shaped by the endurance and vehemence of the county seat battle.<sup>18</sup> So, it is likely that Mahoning County followed state and national trends only when they satisfied local agendas. As a "vessel of conscience and as pattern giver to society," the 1851 Mahoning County jail was an example of this new trend in American culture that was based on "a profound belief in the transforming powers of architecture."<sup>19</sup> The mere presence of the traditional county jail at Canfield built in a modern, substantial manner was a deliberate move to bolster the defense of Mahoning County's existence while satisfying public safety needs.

### *The Power of Facade*

The two-story jail was a stark contrast, with its severe stone facade of gray ashlar stone walls, to the elegant courthouse beside it.<sup>20</sup> The forty-foot wide by fifty-foot deep stone jail had wooden floors and roof like the courthouse. The differences between the buildings were enhanced by the bright, painted exterior of the courthouse.<sup>21</sup> Months after it was completed, the bricks on the courthouse had to be repaired, so the outside was

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<sup>16</sup>See Appendix A: Jails and Prisons: Definitions and Differences.

<sup>17</sup>Evans, *Fabrication of Virtue*, 4.

<sup>18</sup>See Chapters Two and Three, *passim*.

<sup>19</sup>Evans, *Fabrication of Virtue*, 6, 5, 1-7.

<sup>20</sup>See Figure 6: 1914 Photograph of 1851 Jail.

<sup>21</sup>*The Mahoning Index* 29 August 1849; *Mahoning County Register* 26 June 1856; and *Republican Sentinel* 31 July 1857.

painted in white or light pink to protect them from additional damage. The courthouse was downwind of several open tanning pits, which undoubtedly contributed airborne acids that deteriorated and pitted the brick.<sup>22</sup>

The Canfield jail's exterior was a forbidding gray stone that was designed to be a warning to potential social deviants. Disregarding issues of inmate health and safety, questionable punishment practices, and the spread of crime through group cells, the Canfield jail focused on satisfying public perceptions of a proper incarceration structure. The facade of the jail met the "greater purpose of simulating the terror and pains of life after death for the wicked."<sup>23</sup> The exterior of the 1851 Mahoning County jail fulfilled its outward promise of pain and discomfort with ragged stone walls on the inside that evoked an atmosphere of a dark cave. These features affirmed this later professional analysis: "in some of the jails the idea of punishment has been carried to extremes: they punish not only those who are confined in them, but the general body of citizens who have to look at them from the outside!"<sup>24</sup>

A lack of windows in the rear half of the back two stories and an overall lack of architectural detailing, are some features of the 1851 jail which emphasized an attitude of

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<sup>22</sup>The color of the paint is deduced from the numerous layers of lead paint (primarily white with older layers of pink) sandblasted from the courthouse in 1975 by Lewis Speece, Jr., contractor for remodeling work. Interview, 9 and 12 November 1991. See also *Republican Sentinel* 31 July 1857. The tanning businesses are found in Dr. Jackson Truesdale, *Scraps of History* (Canfield, Ohio: Mahoning Dispatch Printing Co., 1936), 25; and H. Z. Williams, *History of Trumbull and Mahoning Counties, Ohio* (Youngstown, Ohio: Youngstown Printing Co., 1882), I: 20, 46, 55.

<sup>23</sup>Evans, *Fabrication of Virtue*, 65.

<sup>24</sup>Frank William Hoffer, Delbert Martin Mann and Floyd Nelson House, *The Jails of Virginia: A Study of the Local Penal System* (New York: D. Appleton-Century Company, 1933), 30.

foreboding and stern consequence. Combined, these features made the severe facade a statement of raw power—the source of authority behind the Classical veneer of the courthouse. Through its architectural features, the jail gave visible substance to the rhetoric of government. The fact the plan was copied from another town did not make it any less effective in Canfield, and it was especially appropriate to the combative atmosphere that surrounded its introduction into the county.

The belief that the Canfield jail facade reduced crime was described in a curious news report from the September 11, 1857, issue of the *Canfield Republican Sentinel*. It reported that a man married his pregnant girlfriend on the front steps of the courthouse rather than be jailed. The incident began when the young lady, armed with a minister at her side, ordered the arrest of her reneging lover, her right under the law. Brought before the jail and threatened with incarceration by the constable, the man agreed to immediate marriage.

Though the incident was amusing, it illustrated the public perception of the “stone boarding house” in the midst of the community.<sup>25</sup> The description of the jail used by the newspaper showed how the jail planners had made decisions about the jail in a way that they expected to be understood. Namely, it was presumed that the public would respond to the messages embedded in the jail structure and its location. An examination of the 1851 jail seems to indicate that the consequences of incarceration were openly broadcast to all, and this humorous event appears to confirm that conclusion.

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<sup>25</sup>*Mahoning County Register* 24 July 1856; and *Republican Sentinel* 11 September 1857.

### **Inner Defense**

Specific plans for the 1851 jail have not been found, so details must be deduced from other sources. Aside from newspapers and government records, rare photographs were used to determine what effect, if any, the county seat competition may have had on the interior design of the 1851 Mahoning County jail. Forced into a defensive attitude about its position as the county seat, Canfield maximized the jail's exterior into a political and social statement while fulfilling the legal and traditional requirements of the institution. Did the interior reflect the same adaptations? The evidence provides some clues that help separate contemporary institutional design and use from local influence.

#### *View of Windows*

A close examination of photographs taken in 1914 (Figure 6) and 1948 (Figures 7 and 8) offers some answers on the interior layout of the 1851 jail. The unusual pattern of windows was a reflection of the type and use of interior space. Beginning with Figure 6, the lack of windows in the rear of the jail suggests a more secure or extreme disciplinary area, such as a solitary confinement section. Figure 7 gives the best view of the bars that are still in the back two windows, and were obviously part of the inmate area. The 1948 photographs of the crumbling Canfield jail show the remnants of at least two rooms. The wall in Figure 8 more clearly highlights the remains of a stone divider separating the front window from the back two on the second floor.

While the stone walls were chiseled to a flat finish on the outside, they remained roughly cut on the interior surface. Even if there were additional secured rooms in the full basement, these photographs seem to confirm that the Canfield jail contained



confinement rooms, not cells for individual prisoners. Though first introduced in America in Philadelphia at the Walnut Street Jail in 1790, the concept of separate cells for each prisoner was not employed in jails until late in the nineteenth century.<sup>26</sup> Cells were developed as a long term rehabilitation method for a resident population, whereas jails were viewed as transitory institutions not in need of such refinements.<sup>27</sup>

To insure that the Canfield incarceration areas were as distasteful as possible, the county commissioners paid Charles S. Bunnell \$8 “for painting with black paint the ceiling of the jail hall and the cells and the cell doors, and hall doors,” before the jail officially opened.<sup>28</sup> This is surprising, because in Ohio, the sheriff was required to whitewash “all the cells and rooms in the jail, used for the confinement of prisoners,” at least three times a year.<sup>29</sup> However, as researchers have found, this particular requirement was frequently ignored.<sup>30</sup> The unusual use of black paint at Canfield suggests that Mahoning County used this feature to reinforce perception of the jail as an adequate vehicle for public retribution while fulfilling sanitary requirements. The paint is one example of how local needs were met within traditional frameworks in 1851.

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<sup>26</sup>Allen and Simonsen, *Corrections in America*, 27; and Negley K. Teeters, *The Cradle of the Penitentiary: The Walnut Street Jail at Philadelphia 1773-1835* (Philadelphia: Philadelphia Prison Society, 1955), 1, 39-40, 57.

<sup>27</sup>Sean McConville, “Local Justice: The Jail,” in Norval Morris and David J. Rothman, eds., *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York: Oxford University Press, 1995), 302. See Table 1: Features of Jails and Prisons.

<sup>28</sup>While 1850 contemporaries used the terms cells interchangeably with rooms in jails, for purposes of this study, the words are differentiated by the number of people confined and how the space was used as a corrections tool. *Mahoning County Commissioner’s Journals* 28 January 1851, 1A: 225.

<sup>29</sup>Gwynne, *Law of Sheriff*, 540.

<sup>30</sup>Hoffer, *Jails of Virginia*, 33.

*Debtors and Criminals*

Another clue to the varied window size and placement in the Canfield jail lies in local history. Prompted by the 1800 murder by settlers of two Native Americans near Warren, the first court session in northeast Ohio called for a jail to be built before the town was platted and developed.<sup>31</sup> Of special note was the provision of “two small windows in the debtors’ room and one in the criminals’.”<sup>32</sup>

The 1851 Canfield jail was built under this common practice, since in Ohio, as of March 13, 1843, it was illegal to house debtors and criminals together.<sup>33</sup> Though Ohio abolished imprisonment for debt on March 19, 1838, the sheriff was still required to confine a person for nonpayment of fines or debts.<sup>34</sup> The difference after 1843 was in who was responsible for the jail fees. When debt was involved, the prisoner’s creditor or the prisoner himself was responsible for meals, amenities, and often lodging.<sup>35</sup>

The number of windows on the top floor versus none on the first floor of the incarceration area at the rear of the Canfield jail seems to confirm this provision of different quarters for debtor and for criminals. To understand further the floor plan, one answer may be found in an 1876 speech made by Marietta College President Israel Ward

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<sup>31</sup>Butler, *Youngstown and Mahoning Valley*, I: 413, 418; and Harriet Taylor Upton, *History of the Western Reserve* (Chicago: Lewis Publishing, 1910), I: 58.

<sup>32</sup>Minutes of the Court of General Quarter Sessions of the Peace, County of Trumbull, 27 May 1801, as quoted in *History of the Police Department of Youngstown, Ohio* (Youngstown, Ohio: Board of Public Safety, 1906), 42-43. The English precedent for separation of criminals and debtors is detailed by Robin Evans in *The Fabrication of Virtue*, while the American continuance of this tradition is covered by Lawrence M. Friedman, Henry Burns, and Hoffer.

<sup>33</sup>Gwynne, *Law of Sheriff*, 541.

<sup>34</sup>*Ibid.*, 86.

<sup>35</sup>*Ibid.*, 404-05, 539-41.

Andrews. In recapping local history, he stated that the 1848 Marietta county jail was intended “for the reception and confinement of debtors and criminals.”<sup>36</sup> He explained that the jail had two rooms: one for debtors, who were only confined; and one for criminals, who were being punished.<sup>37</sup> Reduction or lack of window space was a punishing building feature that Canfield could not afford to overlook in its effort to meet the public’s expectations of an adequate and proper government center.

### *Inmates and Local Governance*

In the mid-1800s, prisoners were not separated by gender, age, degree of offense (except for debtors), physical or mental health, or lack of criminal charges.<sup>38</sup> As an example, the Ohio State Penitentiary adopted the Auburn system of correction management in 1834 that required “solitary confinement of prisoners by night, their association at hard labor during the day, and absolutely no communication among the prisoners.”<sup>39</sup> Despite this, the modified Auburn system in Ohio did not include classification of prisoners. In 1834, the Ohio Governor said that in the prison cells and workshops, “the old hardened and accomplished villains, indiscriminately mingling with

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<sup>36</sup>Israel Ward Andrews, LL.D., *Washington County and the Early Settlement of Ohio* (Cincinnati: Peter G. Thomson, 1877), 36-7. The speech was given 4 July 1876.

<sup>37</sup> The variation in quality of housing was a leftover from English practice of providing luxurious quarters for aristocrats who could afford the cost. In America, debtors were initially from the merchant class, as the only ones likely to get credit the first place. James Ciment, *In Light of Failure: Bankruptcy, Insolvency and Financial Failure in New York City 1790-1860*, dissertation (New York: The City University of New York, 1992), 4-7, 125-28, 131-32, 140-50, 159-64, 237, and 240.

<sup>38</sup>John G. Crocker, *The Duties of Sheriffs, Coroners and Constables, with Practical Forms* (New York: Banks & Brothers, 1890), 124-25; and Friedman, *Crime and Punishment*, 214, 233-34..

<sup>39</sup>Hicks, *Penal Institutions in Ohio*, 46, 50; and *Ohio Annual Reports* (Penitentiary) 1833-1850, “Report of Directors (December 3, 1834),” 8, 13.

the young and comparatively innocent, would more properly be called a school of vice than a place of probation for civil society.”<sup>40</sup>

The situation remained unchanged through 1848, as the Canfield Courthouse was being completed. In its 1848 report, The Standing Committee on the Penitentiary was still advocating the “classification of prisoners according to disposition, age and degree of crime.”<sup>41</sup> Therefore, in the intensive atmosphere of residential incarceration, Ohio did not practice classification and separation of prisoners, so it certainly was not followed in the county jails.

Viewed as short term facilities, county jails were not included in efforts to improve confinement conditions. Thus, by 1850, when the Canfield jail was being erected, the cells were made to hold indiscriminate groups, including the mentally disturbed. Solitary cells, if any, functioned as special disciplinary rooms. An 1859 entry in the *Mahoning County Commissioners' Journals* confirms the lack of prisoner classification in the 1851 jail. Couched in an authorization to repair and renovate the jail, the commissioners recommended that it was “advisable to have separate apartments therein for males and females.”<sup>42</sup>

The unique written advice indicates the frustrated concern of the administrators

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<sup>40</sup>This is quoted from the governor’s annual message printed in the [Ohio] *House Journal*, 1827-1828: 19-20, as cited in Hicks, *Penal Institutions in Ohio*, 38. The lack of inmate classification and separation nationwide is documented by Louis N. Robinson, *Jails: Care and Treatment of Misdemeanant Prisoners in the United States* (Philadelphia: The John C. Winston Company, 1944), 9-20; and the consequences are discussed in C. Ray Jeffery, *Crime Prevention Through Environmental Design*, Third Ed. (Beverly Hills, CA: Sage Publishers, 1977), 80, 229.

<sup>41</sup>Hicks, *Penal Institutions in Ohio*, 61.

<sup>42</sup>*Mahoning County Commissioners' Journals* 9 March 1859, 1AA: 387.

over the sheriff's practice of indiscriminate group incarceration. With the sheriff and jail functioning as institutions of local governance, the commissioners' attempt to dictate conditions to the sheriff was also a forerunner of the controversy that would erupt nationwide by the 1870s over the source of political power.<sup>43</sup>

The incident illustrates one of the primary motives for the intensity and endurance of the county seat battles. Tri-County groups vied for political pre-eminence that could translate into growth beneficial to individuals and the community. The classification of persons at Canfield became a county contest of political control. Samuel Smith, a Canfield variety store owner, was sheriff in 1859, and he had a vested interest in preserving the county seat as it was. He benefitted personally and professionally by preserving local power against the encroachments of regional agendas. Theoretically, if the sheriff had complied with the commissioners' request, extensive renovations to the jail or its replacement might have been necessary. That would have provided an opening for the county seat competitors to renew the battle.

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<sup>43</sup>Robert M. Fogelson, and to a lesser extent, Samuel Walker, both chronicle the conflict between elite and egalitarian groups that fought for control of the developing urban landscapes. Robert M. Fogelson, *Big-City Police*, (Cambridge, MA: Harvard University Press, 1977), *passim*—especially 11-12, 24-5, 40-2, 44-67, 92, 112, 129-30, 274, and 309; Samuel Walker, *A Critical History of Police Reform: The Emergence of Professionalism* (Lexington, MA: D. C. Heath and Company, 1977), xii-xv, 14-15, 56-60, 81-4, 111, 170. The elite versus pluralistic powers centers scenario is challenged by Carl V. Harris, *Political Power in Birmingham, 1871-1921* (Knoxville, TN: University of Tennessee Press, 1977), and by David C. Hammack, *Power and Society: Greater New York at the Turn of the Century* (NY: Russell Sage Foundation, 1982). The literature proves the issue is a complex one, but Mahoning County experience shows that the justice system contains its own separate, though related, story.

### Tunnel as Security

A special feature of the jail was an underground tunnel that connected the west wing of the courthouse to the jail basement.<sup>44</sup> This was an architectural remedy for the frequent transport of prisoners to the courts. It was a more secure and less time-consuming method than what had been previously employed. It is unclear when the tunnel was installed, because the courthouse wing was built in two sections, the first in 1848, and the second beginning in 1872.<sup>45</sup> There is no record of a tunnel from the original 1848 courthouse to the jail. If it had existed, it would have been at least 100 feet long.

Wanting to demonstrate its ability to house the county seat, Canfield might have instituted the tunnel as an extra security precaution. Canfield would not have wanted to appear as if it could not securely hold prisoners—a basic service the sheriff provided for the courts. Given the increased crime and unrest after the Civil War, it is also likely that the tunnel was partially motivated by a heightened need for greater social control at that time.<sup>46</sup>

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<sup>44</sup>Butler, *Youngstown and Mahoning Valley*, I: 560; Lewis John Speece Jr., interviews by author, 9 and 12 November 1991. Audio-cassette, Youngstown State University, Youngstown, Ohio. Several current Canfield residents, who wish to remain anonymous, remember attending first grade in the jail basement in 1920. Due to the deteriorated condition of the upper structure, access to the classes was through the courthouse (then a Canfield High School) tunnel, which led into a large room in the jail basement. The tunnel still exists, though it is blocked with construction debris.

<sup>45</sup>*Mahoning County Commissioners' Journals* 20 August 1872, 2:80; 2 September 1872, 2: 82; and 7 November 1872, 2: 89.

<sup>46</sup>*Mahoning Herald* 2 April 1862; *Canfield Weekly Herald* 6 April 1865.

## **Jail as a Home**

### *Inside the Home*

Contrary to national practice, but consistent with the local practice of housing prisoners in the sheriff's home, Mahoning County housed the sheriff and his family in the jail itself.<sup>47</sup> Frequently the sheriff's office was just inside the main entrance to the facility where prisoners were first brought, and Canfield seems to have followed that pattern. The formal entrance to the Canfield jail was in the front on the north side, enabling the sheriff to monitor closely traffic in and out of the jail.<sup>48</sup>

The 1914 photograph of the 1851 jail (Figure 6) shows paned windows in the front two floors. The back of the building's two stories have only a single small window on the second floor. Though photographed at least twenty-five years after this building ceased to function as a jail, the front windows did not exhibit any bars, as seen in the half-open top floor windows.

Thus, the 1914 photograph of the 1851 Canfield jail suggests that the sheriff's family occupied not only the front first floor, but also part of the second. Other evidence seems to confirm that the sheriff's family occupied the second floor as a home. On the second floor was a large room which was plastered before the jail opened.<sup>49</sup> This created a more homelike atmosphere than the uncut stone walls apparent in 1948 photographs of

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<sup>47</sup>Hoffer, *Jails of Virginia*, 31.

<sup>48</sup>Notice the door and steps facing north toward the town square in Figure 6: 1914 photograph of 1851 jail.

<sup>49</sup>*Mahoning County Commissioners' Journals* 28 January 1851, 1A: 225.

the jail (Figures 7 and 8).<sup>50</sup> Therefore, housing for the sheriff, his family, and his office, occupied an equal or slightly larger area than the incarceration sections.

Despite architectural efforts to express severity, the interior discomforts could be partially nullified by the actions of the sheriff and his family. A case in point is Luther Shurtliff, a felon repeatedly convicted of burglary and larceny, and a regular of the local jails and state prison. Expressing his gratitude for the kind treatment he received as an inmate in the county jail at Canfield, Shurtliff described in 1871 the clean “rooms” that had good beds, a cheerful fire, abundant food, stationary, and a smiling attitude from Sheriff Charles Townsend (1868-1871) and his wife.<sup>51</sup> In contrast to the county jail at Canfield, Shurtliff later claimed in an open letter to a local newspaper that the Youngstown city jail had no beds, lights, fire, or blankets. To make matters worse, the Youngstown lockup had an uncomfortable iron floor in an iron cell that was infested with bugs and vermin.<sup>52</sup>

Shurtliff reacted positively to the personalities of the Sheriff and his family, a major but overlooked factor in prisoner control. It also illuminates one dimension of the jail’s relationship to its users. While Canfield heavily invested in a defensive architectural design for its jail, the town planners may have recognized the impact the sheriff and his family could have on the presentation of the county authority to the public.

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<sup>50</sup>The inside and outside views of the 1851 jail in Figures 7 and 8 were taken through the remains of an opening on the west side of the jail made in 1861 when a “kitchen addition to Jail” was installed. *Mahoning Herald* 7 November 1861; and *Mahoning County Commissioners’ Journals* 4 October 1860, 1AA: 439-40.

<sup>51</sup>*Mahoning County Herald* 19 January 1871.

<sup>52</sup>*Ibid.*, 2 February 1871.



Therefore, after the obstructive actions of the repealer sheriffs from 1846 to 1850, it is possible that Canfield attempted to placate a potential area of opposition with spacious and comfortable housing at the jail for the sheriff.

### *A Little Heat*

The chimneys further point to more amenable quarters in the front half of the jail. Figure 6 clearly shows a larger chimney in the front in contrast to a smaller one located in the rear room. Compared to the 1840 Ravenna jail, the Canfield jail has the front chimney closer to the side edge of the building.<sup>53</sup> It may be inferred from the Ravenna plan that another large chimney sits out of view on the opposite side of the front of the Canfield jail. This would give a larger heated space to the sheriff, while barely offsetting the cold for the inmates. A coal stove installed in the new Canfield jail needed to be repaired before the institution opened in January, 1851.<sup>54</sup> The coal heat of the Canfield jail was not a standard feature in jails in the nineteenth-century.<sup>55</sup> Though a stove later figured prominently in jail escapes from Canfield, its presence documents that some effort was made to improve prevailing conditions and be in step with the times.

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<sup>53</sup>See Figure 3: 1840 Ravenna Jail.

<sup>54</sup>*Mahoning County Commissioners' Journals* 22 December 1850, 1A: 220.

<sup>55</sup>Quoting from [Ohio] *House Journal*, 1830: 360-63, Hicks states that 1803 Ohio Penitentiary cells were “damp and unheated,” making it necessary “to put as many as four convicts in each cell in the winter time. They slept upon beds of straw on the floor.” Clara Belle Hicks, *The History of Penal Institutions in Ohio to 1850*, thesis (Columbus: The Ohio State University, 1924), 43. Lack of heat in a North Carolina county jail is documented in the *First Annual Report, Board of Public Charities of North Carolina, Feb. 1870* (1870), 43, as quoted in Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993), 168, 505.

## The Importance of Escapes

### *Risks*

An 1870 escape highlights the personal and dangerous dimensions of the sheriff's office. As the escape demonstrated, family members were intrinsically involved in the operation of the jail, whether they were on the payroll or not. In late September, 1870, two indicted robbers housed on the second floor of the county jail at Canfield took apart their beds to make clubs.<sup>56</sup> After they had pried open their cell door, they called for water from the sheriff, who was downstairs. As Sheriff Charles Townsend (1868 to 1871) took up their request, they threw black pepper in his eyes and hit him with their boards. Townsend successfully scuffled with one inmate, while the other man ran for the upstairs attic, pursued by Mrs. Townsend. She managed to rip off the prisoner's coat and shirt before he jumped out an attic window as she aimed her revolver at him. He fell twenty feet to the ground, but did not sustain injuries serious enough to prevent his final getaway.

Unique by its definition and jurisdiction, the sheriff's office could not function on a straight salary. Putting one's family in the line of fire, so to speak, made the family unofficial deputies. This arrangement made nepotism almost a necessity. By combining the sheriff's residence with the jail, Canfield's architecture encouraged nepotism.

### *Significance of Escape*

Aside from their dramatic, entertaining value, escapes are glimpses into the structure and impact of the jail. The vulnerability of a wood roof was made apparent by

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<sup>56</sup>*Mahoning County Herald* 22 September 1870.

repeated escapes through holes burnt into it. The floor plan of the jail was partially revealed in the description of an 1870 escape.

But the most important feature of escapes was their ability to mobilize communities. Canfield's initial success at gaining the county seat largely depended on a public perception that there was an acute need for a jail. While county residents needed larger county offices and courts, the increase of prisoner escapes due to the decline of the jail structure caused public distress. The perceived threat to public safety became unbearable, generating permanent, county-wide changes. That was what happened in 1873.

#### *Battles Renewed*

After cutting a hole in the wood roof with a hot poker, prisoners Patrick McGuire, William Garner, David Hopkins, and Martin Welch climbed off the county jail roof. The thieves used a rope made from their jail bedclothes to reach the ground without injury. The *Mahoning Vindicator* reported the escape on February 28, 1873, using it to support its position that, "The fact of the matter is, the jail at Canfield is a nuisance and the county needs a new one." The paper then recommended that citizens attend a county seat removal meeting that week. Old enemies of Canfield rushed to rally opposition, and major controversies were renewed.

This reaction was reminiscent of 1843 when the condition of public buildings in Trumbull and Columbiana Counties demanded new structures. After the frightening escape, a well publicized campaign was mounted to have the county seat moved to Youngstown. The effort ended with Youngstown finally gaining the distinction in 1875.

The transfer was completed September 1, 1876, when a new county jail and sheriff's residence was opened in Youngstown.<sup>57</sup>

### **Summary: The Vulnerability of Defense**

Canfield exemplified through its 1851 county jail the growing belief in America in the power of architecture to redeem souls and to instigate virtue in the public.<sup>58</sup> Furthermore, the 1851 jail illustrated the initial transition in America from public punishment to concealed redemption. Since jails were viewed as temporary detention centers, the Canfield jail did not exhibit major reform features, but it did adapt national correctional trends to meet local needs for the defense of society against its lawbreakers and for the defense of the county seat against its competitors.

By addressing public perceptions of the jail as civilization's defense against anarchy, the 1851 Mahoning County jail paralleled a similar transition in the development of England's jails and prisons that had occurred around 1790. The Canfield jail, like its earlier English counterparts, "maintained this princely logic of defense and display" on its outer surface, where it "touched the rest of the world."<sup>59</sup> Mahoning County carried this emphasis on appearance into the jail's interior, possibly more to quell local opposition to the county seat than to incorporate experimental correctional philosophies.

Canfield and Mahoning County solidified their political identities by answering

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<sup>57</sup>*Register & Tribune* 1 September 1876. Formal transfer was on 12 August 1876, but incomplete construction caused delays. *Mahoning County Commissioners' Journals* 12 August 1876, 2: 210-11.

<sup>58</sup>Evans, *Fabrication of Virtue*, 1-7.

<sup>59</sup>*Ibid.*, 6.

challenges with a thoughtfully designed jail. While addressing the predominate concern of all jails, namely building and administering a jail in such a way as to insure “security against escape,” Canfield chose not to use iron-lined cells.<sup>60</sup> Found in the Youngstown city jail, iron cells were an appropriate security measure for a major iron and steel processing center. It may be for that reason that Canfield chose not to assume any technique that would associate it with Youngstown.

The 1851 jail chronicled the change from public safety secured more “by the purchase of ironmongery than by building” to the introduction of architecture as an agent of social change.<sup>61</sup> In searching for a permanent county seat and an end to dispute over the county formation, Canfield committed itself to a special purpose design for the county jail. Canfield succeeded so well in its intent, that the county seat furor virtually disappeared by 1851.

Unfortunately, initial success ultimately led to the loss of the seat when the carefully adapted traditions and innovations failed to meet such new demands in the 1870s as prisoner classification and segregation. But social pressures were not as apparent as the demand for capital to replace the jail. With its jail disintegrating, Canfield could no longer provide public security. More importantly, Canfield found its jail no longer able to defend the permanency of the county seat. Jail escapes reopened the county seat war in 1873.

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<sup>60</sup>Hoffer, *Jails in Virginia*, 30.

<sup>61</sup>Evans, *Fabrication of Virtue*, 13.

## Chapter Five: Redefining Issues

Illusions there certainly were — about the tractability of the criminal mind, about the benevolence of the new kinds of imprisonment, about the certitude of results, about the mechanical facility of it all. But the reader will have to decide from what follows whether it is altogether an illusion that architecture can silently preside over us.

---Robin Evans, *The Fabrication of Virtue*<sup>1</sup>

### **Through the Lens of Architecture**

After uncovering the role of the jail in the formation and functioning of the county government, questions arise about the nature of the county jail and how the jail fulfills its place in American society. The disruption in the northeastern Ohio tri-county area provided a unique window of documentation toward answering those questions. The strife also created a highly visible environment for a frequently hidden process. It is postulated that under that spotlight, the Mahoning County jail took on visible expressions of the county seat battle, while satisfying tradition and enacting national correctional trends.

The jail structure is the focus of many variables of county peacekeeping and law enforcement.<sup>2</sup> Materialized in architectural features, facades, choice of materials,

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<sup>1</sup>The processes evident in the 1851 Mahoning County jail followed similar stages of development that had occurred over the previous 90 years in England. Robin Evans, *The Fabrication of Virtue: English Prison Architecture, 1750-1840* (Cambridge, England: Cambridge University Press, 1982), 7. In 1933, Louis N. Robinson found that American jails “resemble more closely the English institutions of the seventeenth-century than those which England now possesses.” *Penology in the United States* (Philadelphia: The John C. Winston Co., a 1933 reprint of the original 1920 edition), 16.

<sup>2</sup>Billy L. Wayson,, Gail S. Funke, Sally F. Familton, and Peter B. Meyer, *Local Jails: The New Correctional Dilemma* (Lexington, Massachusetts: D. C. Heath and Company, 1977), 11.

building orientation, and location, the first Mahoning County jail made a public statement about its role as an agent of the people. The jail at Canfield signaled a progression to a political and correctional philosophy that was beginning to recognize the potential of architecture and how it “fixed the shape of experience.”<sup>3</sup> The 1851 jail designed for strength and durability, was located by intent and default in the heart of community activity. As embodied in its design and implementation, the 1851 jail “relinquished imagery and symbolism, and was on the way to defining the shape of society, and the very texture of experience by an act of mute force.”<sup>4</sup> In Canfield, the 1851 jail was located in the center of an urban community, to satisfy the local need for a visible statement of government preeminence and power.

#### *Comparison with National Experience*

From 1851, the Mahoning County jail specifications were intentionally designed to punish. Consistent with national experience, the 1851 Mahoning County jail was dark, poorly ventilated, lacked privacy, had minimal or nonexistent hygiene facilities, provided medical care only in emergencies, had few design standards, no treatment and rehabilitation plans, and did not concern itself with inmate safety.<sup>5</sup> Prior to 1876,

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<sup>3</sup>Evans, *Fabrication of Virtue*, 6.

<sup>4</sup>*Ibid.*, 417.

<sup>5</sup>*A Handbook on Jail Architecture* (Washington, D.C.: The National Sheriffs' Association, 1975), preface; Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993), 311; Frank William Hoffer, Delbert Martin Mann and Floyd Nelson House, *The Jails of Virginia: A Study of the Local Penal System* (New York: D. Appleton-Century Company, 1933), 32-41; and David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Back Bay Books, 1990. This is a reprint of the original 1971 edition, and has a new introduction.), xxiv.

inmates were housed in groups in rooms averaging twelve feet by sixteen feet. A common county feature in America, a tunnel was used to reduce the risks of prisoner transport in Mahoning County. While most jails in the United States were physically part of the courthouse, in Mahoning County the 1851 jail and 1848 courthouse were separate buildings.<sup>6</sup>

The 1851 stone jail was built as a deterrent to lawbreakers, and dramatically declared the unpleasantness of retribution. At the same time, Mahoning County's first jail defended Canfield against county seat competition. Canfield answered local challenges with a solid, aggressively negative jail that promised public safety would be adequately upheld. In other words, Canfield made it abundantly clear through the county jail that its community was a worthy and safe place to settle and grow.

#### *Limitations of Design*

At the very least, if Canfield had lost the seat in 1846-48, the courthouse could have easily been used for any number of functions. Its architectural presence on the square was an asset to the community, whatever its purpose. On the other hand, the facade and construction of the jail would have been more problematic, especially if Canfield followed the 1840 Ravenna design (see Figure 3). The exterior presentation of

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<sup>6</sup>Henry Burns, *Origin and Development of Jails in America* (Carbondale, Illinois: Center for Study of Crime, Delinquency and Corrections, Southern Illinois University at Carbondale, 1971, a 1930 reprint), 10, 15. This pattern held true as late as 1993, with 63% of 1972 American jails listed as structurally part of a courthouse and sheriff's office. *The Nation's Jails: A report on the census of jails from the 1972 Survey of Inmates of Local Jails* (Washington, D.C.: U.S. Department of Justice, May 1975), 4; and Tracy L. Snell, *Correctional Populations in the United States, 1993* (Washington, D.C.: U.S. Department of Justice, October 1995), 95; and Wayson, *Local Jails*, 68.



the Ravenna jail was meant to be intimidating, and project discomfort. Such a building could be reused in a non-incarceration capacity, but its location and design would encounter constant public avoidance. That would make businesses reluctant to appropriate the structure without extensive and costly renovations. The survival of the building would be hampered by its original intent, features, and location. This, in fact, is what happened after 1876 to the county jail built at Canfield in 1851.<sup>7</sup>

### **Final Comments: Agent of Change**

Mahoning County jail history provides the following conclusions and identifies these patterns: (1) the 1851 Mahoning County jail was the flash point for vociferous, widespread controversies that had permanent consequences; (2) divided government and community leaders determined the structure and location of the jails; (3) the 1851 jail heralded a thirty year truce in the county seat conflicts, demonstrating the powerful, but unacknowledged, role of the jails as social mediators and effective agents of democracy.

Criminologist Sean McConville has suggested that nineteenth-century anti-government thought is responsible for the prevalence and persistence of local authorities in America. But he may be closer to the truth when he described the end of county jails in England by 1851.<sup>8</sup> When the English jails were nationalized, they were removed from the jurisdiction of local authorities. Until then, local control “had been their [the English]

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<sup>7</sup>The Canfield jail remained empty and abandoned after the county seat removal except for its basement, which was used as a first grade classroom in 1920-21. The basement, because of the deterioration of the upper floors, was accessible only through the tunnel between the courthouse and former jail.

<sup>8</sup>Sean McConville, “Local Justice: The Jail,” in Norval Morris and David J. Rothman, eds., *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York: Oxford University Press, 1995), 320.

principal source of experiment and innovation. Jails could no longer be adapted to the requirements and resources of a community, but instead were managed in accordance with the views of a very small group of senior government officers. Inertia fell like a curtain.”<sup>9</sup> As presented in this study, the history of the Mahoning County jails and their controversies supports McConville’s observation of the powerful adaptive ability of county jails when under local control. Seen in that light, American county jails are one means of maintaining a democracy.

These are only partial answers to the questions posed in the beginning. The county seat battles in Mahoning County have allowed a neglected area to be studied more fully, permitting critical re-examination of county jails. While much has been publicized on specifics about jails and their inmates, it usually is so focused as to preclude a broad perspective that is necessary for rational discussions and decision-making. As long as jails are accepted without historical investigation, then all the functions of the jails will remain clouded by public apathy to the detriment of all groups.

Jail researchers recognized this in 1977 when they stated what is needed for local jails to change: “What hope there is rests with a total questioning and critical assessment of criminal justice’s most neglected stepchild.”<sup>10</sup> What the researchers failed to realize is that the history of the 1851 Mahoning County jail shows that jails can be agents of change in themselves. Change that disturbs and restores social balance through a jail-

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<sup>9</sup>McConville, “Local Justice,” 318.

<sup>10</sup>Billy L. Wayson, Gail S. Funke, Sally F. Familton, and Peter B. Meyer, *Local Jails: The New Correctional Dilemma* (Lexington, Massachusetts: D.C. Heath & Company, 1977), xi.

mediated co-existence. Though other factors played a part in the county seat battles, the jails were key components of the events. The county seat battles defined Mahoning County and the 1851 jail materialized that definition. Through that materialization, the first Mahoning County jail demonstrated that “architecture was now an active agency in the world rather than a representation of it.”<sup>11</sup>

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<sup>11</sup>Evans, *Fabrication of Virtue*, 417.

## Appendix A

### **Jails and Prisons: Definitions and Differences**

The one-on-one relationship between offender and victim was common prior to the introduction of third party intervention for retribution, punishment, or revenge. Moving from personal retaliation for wrongdoing to acceptance of retribution, pre-Roman societies began the long, slow depersonalization process that created correctional facilities in the nineteenth and twentieth centuries.<sup>1</sup> The concept of confinement is related to the blood feud debt, with the jail becoming the vehicle of the king's or society's justice.<sup>2</sup> This development replaced personal retribution for a loss or injury done by another.<sup>3</sup> Initially, rulers used the retribution negotiation as one means of solidifying their power.<sup>4</sup> Later, societies would do the same to maintain a particular balance of power.<sup>5</sup>

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<sup>1</sup>Harry E. Allen and Clifford E. Simonsen, *Corrections in America: An Introduction*, Third Edition (New York: MacMillan Publishing Company, 1987), 4-6.

<sup>2</sup>As quoted in Moynahan and Stewart, *The American Jail*, 187, blood feud is defined in Black's *Law Dictionary* as "avenging the slaughter of kin on the person who slaughtered him or on his belongings. Whether the Teutonic or the Anglo-Saxon law had a legal right of blood-feud has been disputed, but in Alfred's day it was unlawful to begin a feud until an attempt had been made to exact the price of the life."

<sup>3</sup>Allen and Simonsen, *Corrections in America*, 4-6.

<sup>4</sup>*Ibid.*, 5.

<sup>5</sup>Social control became an early issue of successful urbanization, though often presented to the public in acceptable agendas such as education, public health and public safety. The hidden class-oriented social control agenda of public safety is supported by research found in Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993), 10-11, 63, 74, 83, 115, 126, 152, 167, 313; Dwight W. Hoover, review of *Poverty in New York, 1783-1825*, by Raymond A. Mohl, in *The Journal of American History* 62 (March 1976): 982; Roger Lane, *Policing the City: Boston 1822-1885* (Cambridge: Harvard University Press, 1976), 1-3, 224, 230-35; Eric H. Monkkonen, *America Becomes Urban: The Development of U.S. Cities & Towns*,

(continued...)

Although the public and some professionals use the terms interchangeably, jails and prisons are actually two separate institutions (see Table 1: Features of Jails and Prisons). Jails date officially to 1166 A.D., when English King Henry II ordered one built by every sheriff. Henry II, in an effort to consolidate his power and counter ecclesiastical challenges, moved the “holding facility of great antiquity,” from the jurisdiction of the Catholic clergy to his own.<sup>6</sup> The clergy had begun to detain church subjects as a penalty and payment insurance when newly established fines for religious digressions went unpaid. This novel concept strengthened the church’s social control, a direct threat to the ambitious royal monarchy. In meeting his own needs, Henry II became the first to designate a separate institution for the purpose of detention.

Prisons are a nineteenth century invention, spurred into being by reformers and the need for punishment/penitential locations. Lack of suitable places for exiles and the social disruption of public punishments motivated the development of prisons.<sup>7</sup> The social need for retribution, regardless of the reform rehabilitation rhetoric, fueled the

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<sup>5</sup>(...continued)

1780-1980 (Berkeley, CA: University of California Press, 1988), 86-128; Moynahan and Stewart, *The American Jail*, 18, 25; James F. Richardson in his two books, *The New York Police: Colonial Times to 1901* (New York: Oxford University Press, 1970), xi, 284; and *Urban Police in the United States* (Port Washington, New York: Kennikat Press, 1974), 187; and lastly, David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Back Bay Books, 1990), xiv, xxxviii, 7, 13-29. While Monkkonen contends that there was a shift of police function from class control to crime control by the end of the nineteenth century, Richardson states that police have always “functioned to protect and advance the interest of the dominant groups in the community.” (1974, 187)

<sup>6</sup>J. M. Moynahan and Earle K. Stewart, *The American Jail: Its Development and Growth* (Chicago: Nelson-Hall, 1980), 4.

<sup>7</sup>Freidman, *Crime and Punishment*, 48-50, 74-76; and Rothman, *Asylum*, xviii, xx-xxi, xxiii, xv.

imprisonment demand.<sup>8</sup>

The law that formally created the first county jails in the Northwest Territory, elaborated on this principle. Passed on August 5, 1792, the act read:

There shall be erected and established in each and every county not having the same already established therein a good and convenient courthouse for the legal adjudication of causes and a strong and sufficient common jail or prison for the reception and confinement of debtors and criminals, well secured by timber, iron bars, grates, bolts and locks and also a pillory, whipping-post and so many stocks as may be convenient for the punishment of offenders and every jail to be erected shall have two departments, one of which shall be appropriated to the reception of debtors and the other shall be used for the safe keeping of persons convicted of crimes.<sup>9</sup>

Though the law uses the words 'jail' and 'prison' to refer to the same facility, the length of sentence of the inmates differentiated the institutions in practice. Even into the present, jails were regarded as primarily detention facilities, whereas prisons housed offenders whose sentence was longer than twelve months.<sup>10</sup>

Other differences between jails and prisons are more subtle. Usually under the control of a single government entity, prisons can determine their population composition, while jails cannot. Jails are the first institutional contact in the criminal justice system and are the repositories for numerous local, state, and federal agencies.

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<sup>8</sup>The need for retribution is a central point of Freidman's entire *Crime and Punishment*. Freidman and others suggest that this is as compelling as class and social control issues in the formation and maintenance of America's criminal justice system, especially operative in the correctional systems.

<sup>9</sup>*Laws of the Northwest Territory: 1788-1802*, 1792: 26, as quoted in Clara Belle Hicks, *The History of Penal Institutions in Ohio to 1850*, Master's thesis (Columbus: Ohio State University, 1924), 11.

<sup>10</sup>Until the late 1980s, county jails in Ohio did not hold anyone sentenced more than one year. That was changed in the mid-1990s to sentences under eighteen months. Edward P. Nemeth (Mahoning County Sheriff 1985-1996), interview, 8 March 1995.

Material witnesses, along with the homeless, indigent, mentally disturbed, and intoxicated individuals have found themselves netted into a county jail by the activities of various law enforcement agencies.

Therefore, in the past two hundred years, county jails have evolved into medium and maximum security structures, close to a courthouse in the center of town. There, the county jail and courthouse existed as public statements of judicial and administrative control.<sup>11</sup> These jails, the responsibility of county sheriffs in America (as they were in England), functioned to detain, punish, or keep for transfer to other jurisdictions.

Rehabilitation or treatment in Mahoning County jails was nonexistent until the late 1980s, contrary to the Ohio State Penitentiary which utilized rehabilitative philosophies from 1830 on.<sup>12</sup> Driven by reform concepts, prisons developed away from and in opposition to the political arena. Touted as improvements by virtue of the removal of inappropriate political influences, prisons were designed to be administered by a professional warden. As the Ohio State Penitentiary has demonstrated, political factors could not be totally avoided, and county jails by definition were political tools.<sup>13</sup> Only the county sheriff had control and responsibility for the jail, and the sheriff's office, until 1985 in Ohio, had no requirements.<sup>14</sup> An elective position, the sheriff's office and its

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<sup>11</sup>Jay Farbstein, *Correctional Facility Planning and Design*, Second Edition (New York: VanNostrand Reinhold Co., 1986), 7, 10; Monkkonen, *America Becomes Urban*, xi-xiv, 3, 5, 24, 92, 104-05.

<sup>12</sup>Hicks, *Penal Institutions*, 46, 50.

<sup>13</sup>*Ibid.*, 58.

<sup>14</sup>Ray T. Davis (Mahoning County Sheriff 1961-1976), interview by John M. Bukovinsky, 4 March 1981, O.H. 249, transcript, Youngstown State University, 4-5; Nemeth, interview, 30 September 1992; and Brian A. Reaves, *Sheriffs' Departments*

attendant responsibilities, began as a political institution and continues to fulfill important political functions in American society.

The American jail has served as the crux of the legal, political, social, and corrections activities of each county.<sup>15</sup> Prisons remain as state and federal punishment, reformist institutions that emphasize professionalism as the means to turn society's destructive elements into productive citizens. At the very least, jails have existed in America to deter crime, though often ineffectively.<sup>16</sup>

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<sup>14</sup>(...continued)

1990: *A Law Enforcement Management and Administrative Statistics (LEMAS) Report* (Washington, D.C.: U.S. Department of Justice, February, 1992), 1, 6.

<sup>15</sup>Vernon Fox offers one view of the nexus concept with this statement: "Prisons and correctional institutions, because of their significance in the system and the historical development of corrections, tend to influence disproportionately the philosophy of the entire correctional system of which they are a part." *Introduction to Corrections*, Third Edition (Englewood Cliffs, New jersey: Prentice-Hall, Inc., 1985), 143.

<sup>16</sup>Freidman, *Crime and Punishment*, 159, 316, 464-65.



## Appendix B

### **Law Erecting Mahoning County**

*AN ACT: To erect the county of Mahoning*

Section 1. *Be it enacted by the general Assembly of the state of Ohio*, that so much of the counties of Trumbull and Columbiana as come within the following limits or boundaries, be, and the same are hereby erected into a separate county, which shall be known by the name of Mahoning, with the county seat at Canfield, to wit: Beginning at the northeast corner of the township of Coitsville, in the first range of townships in the Western Reserve; thence west, along the south lines of the townships of Hubbard, Liberty, Weathersfield, Lordstown, and Newton, in Trumbull county, to the boundary line between Portage and Trumbull; thence south, along said boundary line, to the southeast corner of Deerfield, in said county of Portage; thence west, along the south line of the township of Deerfield, to the boundary line between Stark and Columbiana counties; thence south, along said boundary line, to the southeast corner of the township of Lexington, in said Stark county; thence east, along the north lines of the townships of Knox and Butler, in Columbiana county, to the west line of Perry, in said county; thence north, on said west line, to the northwest corner of said township; thence east, along the north line, to the northeast corner of said township; thence south, along the east line, to the north line of the township of Salem, in the said county of Columbiana; thence east, along the north line of the townships of Salem, Fairfield, and Unity, in said county, to the boundary line between the state of Ohio and the state of Pennsylvania; thence north, along said boundary line, to the place of beginning; embracing within the boundaries aforesaid; the townships of Poland, Coitsville, Boardman, Youngstown, Canfield, Austintown, Ellsworth, Jackson, Berlin, and Milton, parts of Trumbull county; and Smith, Goshen, Green, Beaver, and Springfield, parts of Columbiana county.

Section 2. That all suits, whether of a civil or criminal nature, which shall be pending within the limits of those parts of the counties of Trumbull and Columbiana, so to be set off and erected into a new county, previous to the organization of the said county of Mahoning, and all suits pending within the limits of the townships composing said county of Mahoning, mentioned in the first section of this act, shall be prosecuted to final judgment and execution, within the counties of Trumbull and Columbiana, respectively, in the same manner they would have been if the said county of Mahoning had not been erected; and the sheriffs, coroners, and constables, of the said counties, respectively, shall collect all taxes that shall be levied and unpaid within the parts of the aforesaid counties, previous to the taking effect of this act.

Section 3. That all justices of the peace, within those parts of the counties of Trumbull and Columbiana, which, by this act, are erected into a new county, shall continue to exercise the duties of their offices until their times of service shall expire, in the same manner as if they had been commissioned for the county of Mahoning.

Section 4. That on the first Monday in April next, the legal voters residing within the county of Mahoning, shall assemble within their respective townships, at the usual place of holding elections, and proceed to elect their different county officers, who shall

hold their offices until the next annual election, and until their successors are elected and qualified.

Section 5. That the court of common pleas, and supreme court, of said county, shall be holden at some convenient house, in the town of Canfield, until suitable county buildings shall be erected.

Section 6. That all paupers, idiots, and insane persons, belonging to either of the townships included in said county of Mahoning, and who are supported, at the time of the passage of this act, by either of the counties of Trumbull or Columbiana, shall hereafter be maintained at the proper expense of the townships to which said persons severally belong, until such time as the commissioners of said county shall establish a poor-house, agreeably to the act authorizing the same.

Section 7. That the said county of Mahoning shall be attached to and form a part of the third judicial circuit of the court of common pleas of this state.

Section 8. That before the seat of justice shall be considered permanently established at Canfield, the proprietors or citizens thereof shall give bond, with good and sufficient security, payable to the commissioners of said county, hereafter to be elected, for the sum of five thousand dollars, to be applied in erecting public buildings for said county; and that the citizens of Canfield shall, also, donate a suitable lot of ground on which to erect public buildings.

Section 9. That this act shall take effect from and after the first day of March, one thousand eight hundred and forty-six.

ELIAS F. DRAKE  
*Speaker of the House of Representatives*  
SEABURY FORD  
*Speaker of the Senate*

Signed February 16, 1846

## Appendix C.

### **Finding the Front Door: Artifact-Centered Historical Study**

If historians are going to write history they will have to take people seriously and stir into their schemes what we know about the nature of humanity, contextual complexity, and mental depth. To do that they will have to take the people's own expressions seriously. The land, manipulated nature, is the people's great work. . . The land has no pat answers; patiently, serenely it awaits its analysts, holding immense quantities of historical information.

---Henry Glassie (1988)<sup>1</sup>

As first used by classical anthropologists, the artifact-centered approach to historical inquiry concentrated on the essence of the artifact and its meanings.<sup>2</sup> When viewed with the same care and consideration as documents, artifacts (including buildings), are revealed as parcels of dialogue in the community.<sup>3</sup> In other words, objects are produced from the interaction of individuals and the context of the artifacts.<sup>4</sup>

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<sup>1</sup>Henry Glassie, "Meaningful Things and Appropriate Myths: The Artifact's Place in American Studies," in Robert St. George, ed., *Material Life in America, 1600-1860* (Boston: Northeastern University Press, 1988), 88-89.

<sup>2</sup>Michael J. Chiarappa, "Cultural History and Material Life," lectures, Youngstown State University (March-June, 1995), 3 April 1995. Henry Glassie pioneered the use of the artifact-centered approach to cultural and architectural history with *Folk Housing in Middle Virginia: A Structural Analysis of Historic Artifacts* (Knoxville, University of Tennessee Press, 1975).

<sup>3</sup>Chiarappa, "Cultural History," 29 March 1995: Oral and built traditions tend to have more veracity than documents because most people do not read, and texts are usually produced by a specific minority that often exhibits similar characteristics of education, economic resources, and social prestige. Even government papers show an underlying literary mentality and statistical attitude not found in the general populace. *Ibid.*, 10 April 1995: The dialogic dimension of artifacts (including the built environment) considers the geography, community and regional contexts, social environment, and space—with the spatial situation contributing to the overall meaning of the artifact and surrounding events.

<sup>4</sup>Glassie, "Meaningful Things," 67.

Furthermore, when spatial control and the movement of space is studied (as in the processional landscape method) for historical realities, buildings are treated as organic components and interpreted as the intersection of individual creativity and collective conscious.<sup>5</sup> With these approaches in mind, the 1848 courthouse and 1851 jail in Mahoning County, Ohio became major sources of information in the attempt to answer how the county seat battles were negotiated. Under the assumption that everything has a purpose, the Mahoning County buildings were used to corroborate existing documentation and fill in the gaps where texts did not exist.<sup>6</sup> Investigation into the orientation of the front door to these buildings is one example of the techniques used to study the past.

Coupled with the specific arguments presented in Chapters Two, Four and Five, the location of the main entrance to the Mahoning County courthouse and jail at Canfield illustrated the value of object-oriented methodologies. After deciding against the multiple possibilities before them, the planners and builders of the county facilities chose to locate both buildings side by side facing north.<sup>7</sup> The main entries to both structures

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<sup>5</sup>The processional method—an artifact studied by the way it defines space and its users and how it interacts with its environment—was introduced by Dell Upton in *Holy Things and Profane: Anglican Parish Churches in Colonial Virginia* (NY: Architectural History Foundation; Cambridge, Massachusetts: MIT Press, 1986). Chiarappa, “Cultural History,” 3 and 19 April 1995; and Glassie, “Meaningful Things,” 65, 69-70, 82-3.

<sup>6</sup>Cultural and archaeological analyses of artifacts has demonstrated the evidence of individual actions on buildings within traditional patterns of production. This verifies the intentional dimensions of the built environment and that a rich source of historical information is embedded in structures. Chiarappa, “Cultural History,” 8 May 1995.

<sup>7</sup>John W. Reps, in *The Making of Urban America: A History of City Planning in the United States* (Princeton: Princeton University Press, 1965), found that contrary to popular belief, the New England pattern of town planning did not have as its standard a town meeting hall with a spire fronting on the green. (127) Canfield was intentionally

faced north. While several probable explanations are offered for the choices made in 1846 and 1850 during the planning stages of the projects, the validity of the historical methods used has been amply demonstrated in the works of Henry Glassie, *All Silver and No Brass: An Irish Christmas Mumming*; Bernard L. Herman, *The Stolen House*; Thomas C. Hubka, *Big House, Little House, Back House, Barn: The Connected Farm Buildings of New England*; Rhys Isaac, *The Transformation of Virginia, 1740-1790*; and Sam Bass Warner Jr., *The Streetcar Suburbs: The Process of Growth in Boston, 1870-1900*, to name a few.<sup>8</sup>

Warner's pioneering study, for example, established that the development of streetcar railways led to changes in the urban landscape that included settlement patterns realigned by class.<sup>9</sup> Hubka, by refining Warner's approach, found that the orientation of farmhouses and the location of their formal entrances not only reflected the social,

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designed to resemble the New England towns of its founders, and as Reys discovered, in the Western Reserve, "almost every landowner, whether one of the original proprietors or a purchaser from one, seemed to interest himself in town planning." (230) Reys comprehensive study of American cities reinforced the concept that the Canfield builders and planners made deliberate decisions about their town. See also pages 230, 234-35.

<sup>8</sup>Henry Glassie, *All Silver and No Brass: An Irish Christmas Mumming* (Philadelphia: University of Pennsylvania Press, 1983, a reprint of 1975 edition); Bernard L. Herman, *The Stolen House* (Charlottesville: University Press of Virginia, 1992); Thomas C. Hubka, *Big House, Little House, Back House, Barn: The Connected Farm Buildings of New England* (Hanover, New Hampshire: University Press of New England, 1984); Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: Published for the Institute of Early American History and Culture, Williamsburg, Virginia, by University of North Carolina Press, 1982); and Sam Bass Warner Jr., *The Streetcar Suburbs: The Process of Growth in Boston, 1870-1900* (Cambridge: Harvard University Press and the M.I.T. Press, 1962). Raymond A. Mohl credits Warner's pioneer use of object-centered methods in the field of urban history with pushing the discipline in a new direction. "New Perspectives on American Urban History," *International Journal of Social Education* 1 (Spring 1986): 69-97.

<sup>9</sup>Warner, *Streetcar Suburbs*, 1-3, 15, 22, 34, 46, 60-2, 64-7.

cultural, and economic changes occurring in New England during the nineteenth-century, but that the placement of the entryways mediated and facilitated the introduction of new concepts such as industrialization.<sup>10</sup> The New England front door findings reaffirmed the active agency of artifacts discovered in the examination of Appalachian culture by David E. Whisnant in *All That Is Native & Fine: The Politics of Culture in an American Region*, and in the James Curtis study, *Mind's Eye, Mind's Truth: FSA Photography Reconsidered*, of government-commissioned photography during the Depression.<sup>11</sup> From this research, the reader can reasonably assume that the Mahoning County planners and builders embedded their agendas into the courthouse and jail, even down to the orientation of the main entries. Even more so, the county buildings were intended to create and maintain those agendas in the community at large, as Herman found in his investigation of a Delaware land dispute in the nineteenth-century.<sup>12</sup>

Using an architectural perspective is not unknown in the study of America's judicial system. Before the process was verbalized, and due to the lack of traditional sources of information, three sociologists in the 1930s produced one of the most reputable studies of county jails that remains today as a primary reference on the subject.<sup>13</sup> Eric Hoffer and his associates found that the most reliable way of

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<sup>10</sup>Hubka, *Little House*, x-xi, 3-9, 18, 23, 30, 70, 77, 119-22, 133-37.

<sup>11</sup>James Curtis, *Mind's Eye, Mind's Truth: FSA Photography Reconsidered*, Allen F. Davis, ed., American Civilization series (Philadelphia: Temple University Press, 1989), viii, 7-8, 23-25, 66-67, 87-9; and David E. Whisnant, *All That is Native & Fine: The Politics of Culture in an American Region*, The Fred W. Morrison Series in Southern Studies (Chapel Hill: The University of North Carolina Press, 1983), 13, 163.

<sup>12</sup>Herman, *Stolen House*, 3-15, 223-26.

<sup>13</sup>Frank William Hoffer, Delbert Martin Mann and Floyd Nelson House, *The Jails of Virginia: A Study of the Local Penal System* (New York: D. Appleton-Century

understanding the jails in Virginia was to inventory the structures and architectural features while accumulating what scanty and questionable documentary evidence of jail uses was available.

Researching the Mahoning County courthouse and jail encountered the same obstacles to ascertaining the realities of the mid-1800s. Rhys Isaac, in his multi-disciplinary study of colonial Virginia, and John W. Reps in *The Making of Urban America: A History of City Planning in the United States* and *Monumental Washington: The Planning and Development of the Capital Center*, elaborated on Hoffer's work, finding multi-layered meaning in the details of public architecture.<sup>14</sup> Isaac and Reps established that significant historical information occurred in such inconspicuous events as the direction of the main entrances. Isaac's award-winning work, the first to introduce artifact-centered historical study into mainstream scholarship, concluded that "architecture provides a potent medium for elaborately coded nonverbal statement."<sup>15</sup> In attempting to explain the details of the front doors on the Mahoning County courthouse and jail, the historical record of every man is made literate.

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Company, 1933). Paul W. Keve, who wrote his own history of the Virginia correctional system, found Hoffer's work still useful in 1995 for describing American jails. See Keve, *The History of Corrections in Virginia* (Charlottesville : University Press of Virginia, 1986); and *Crime Control and Justice in America: Searching for Facts and Answers* (Chicago: American Library Association, 1995), 151.

<sup>14</sup>Isaac, *Transformation of Virginia*, 32-42, 605, 310-11, 320-1, 323-26, 351-54; and John W. Reps, *Making of Urban America*, 249-52, 525; and Reps, *Monumental Washington: The Planning and Development of the Capital Center* (Princeton, New Jersey: Princeton University Press, 1967), 16-7, 53, 28-34, 44-5, 73-4, 83-91.

<sup>15</sup>Isaac, *Transformation of Virginia*, 351.

**TABLE 1. Features of County Jails and Prisons**

<i>CATEGORIES</i>	<i>JAILS</i>	<i>PRISONS</i>
<b>Location</b>	Urban center	Rural
<b>Purpose</b>	Temporary holding facility Detention Punishment under 18 months Crime control, Deterrence Zero influence on inmate Social service	Long term residential facility Punishment Rehabilitation, Correction Deterrence, Crime control Total influence on inmate
<b>Governing Body</b>	County or Municipality	State Government Federal Government
<b>Administrator</b>	Elected Sheriff	Professional Warden
<b>Funding Sources</b>	County or Municipal Government	State and/or Federal Government
<b>Inmate Profile</b>	Sentences 18 months or less Male/Female, Adult/Youth Felonies, Misdemeanors Public Nuisances Material Witnesses Transfers	Sentences over 18 months Male/Female, Adult/Youth Felonies, Serious misdemeanors
<b>Inmate Source</b>	No control on intake All Federal, State, Local jurisdictions	Total control over intake Federal prisons: Federal crimes State prisons: State crimes
<b>Facility Age</b>	Average over 50 years old	Average less than 40 years old
<b>Facility Replacement</b>	About every 50 years	In 20 <sup>th</sup> Century: every 20 years
<b>Security Level</b>	Medium to Maximum Some low security adjunct facilities	Low to Maximum



**TABLE 2. How County Jails Implement Sheriff Responsibilities**

<b>Sheriff Role</b>	<b>Action</b>	<b>Jail Function</b>	<b>How Implemented</b>
Agent of the Court	Follow court instructions	Detention	Securely confine individuals
Crime deterrence	Threats of confinement	Architectural presence and message	Physical structure and facade
	Threat of discomfort/pain		Architecturally designed for discomfort, pain, and death
	Threat of loss of life		Place of executions
Peace-keeping	Incarcerate public disrupters	Peacekeeping	Local site where public nuisances are removed from society
	Protect special interests	Mediate conflicts	Depersonalize disputes
	Provide social services		Incarcerate opposing groups/individuals
Law Enforcement	Execute sentence	Punishment	Architecturally designed for discomfort, pain, and death
	Replace corporal punishment with incarceration		Replace corporal punishment with exile location
			Safe housing for inmate
Public Safety	Positive, visible enforcement presence	Community self-defense	Physical security and threat
			Secure facility with safe housing for inmates
	Mediate social and economic conflicts	Economic Development	Physical presence of authority
		Threaten or confine destructive or opposing elements	
		Ignore certain groups or activities	





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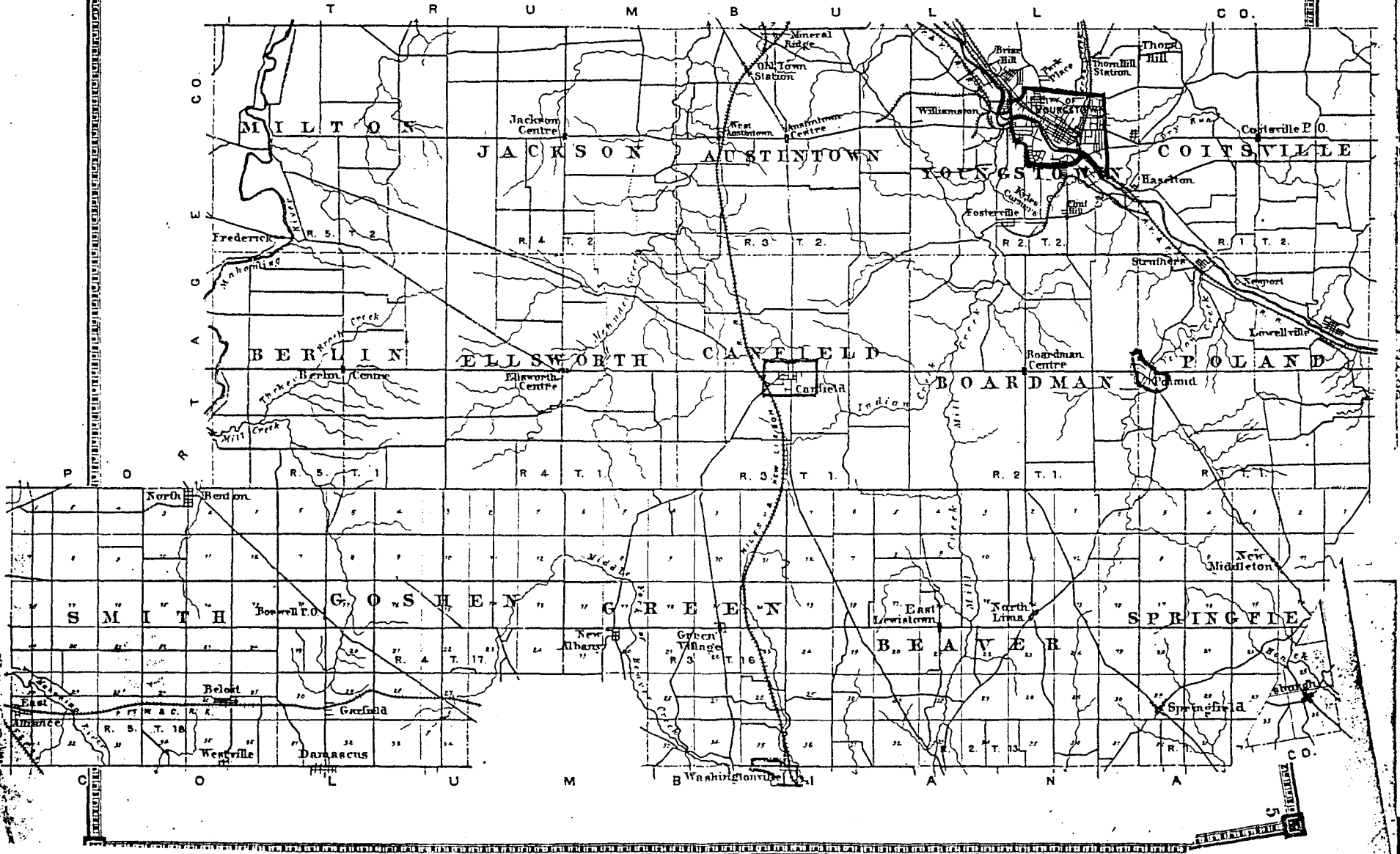
FIGURE 1. FROM ATLAS OF MAHONING COUNTY, 1874

Explanations.	
Farm Lines	—
Section	—
T. & Co.	—
Co. Roads	—
Rail Roads	—
Streams	—

Outline Map of  
**MAHONING CO.**

OHIO.

Scale 2 Miles to an Inch.



# CANFIELD

(Canfield Township) Scale 24 Rods to an Inch.

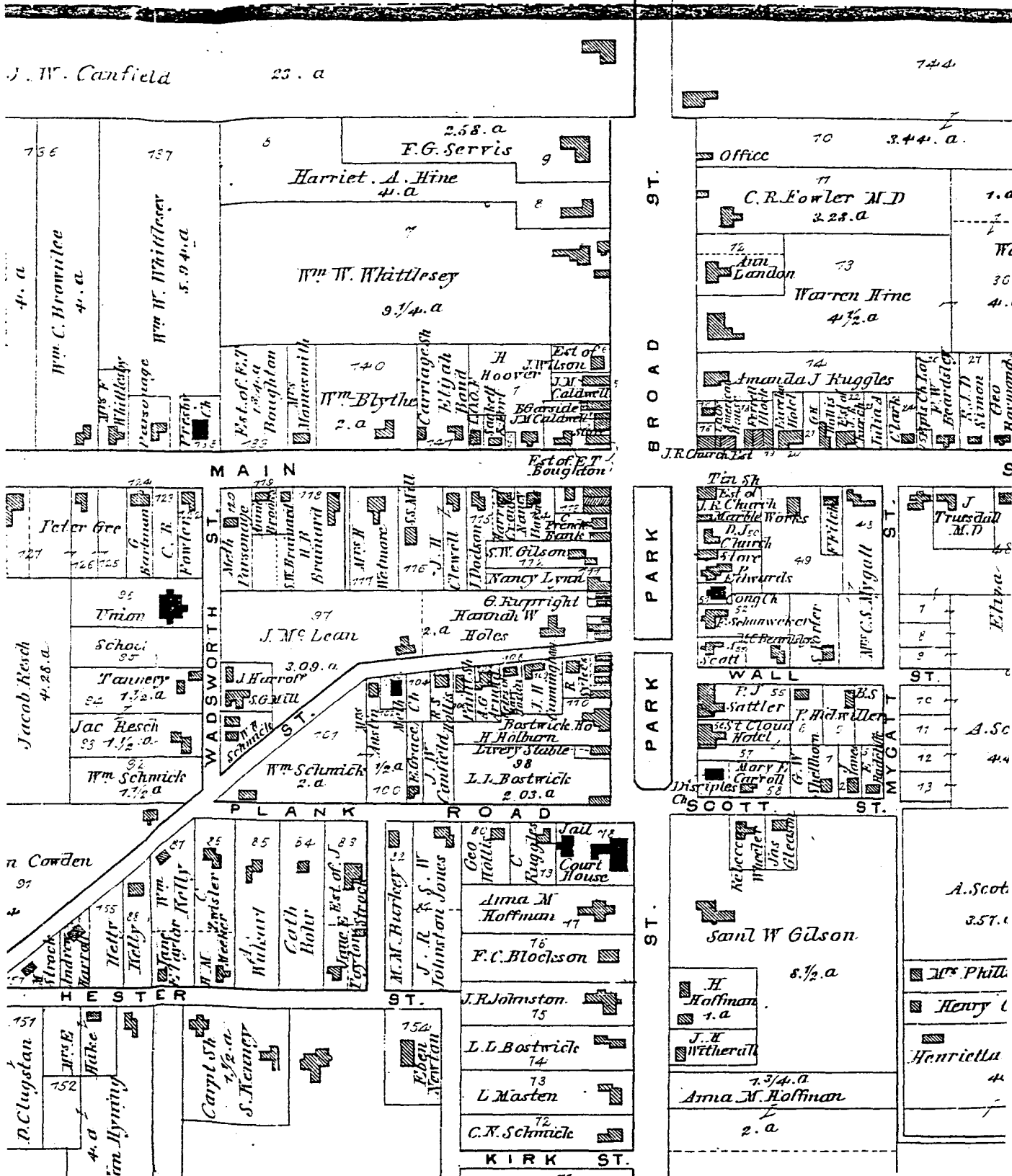
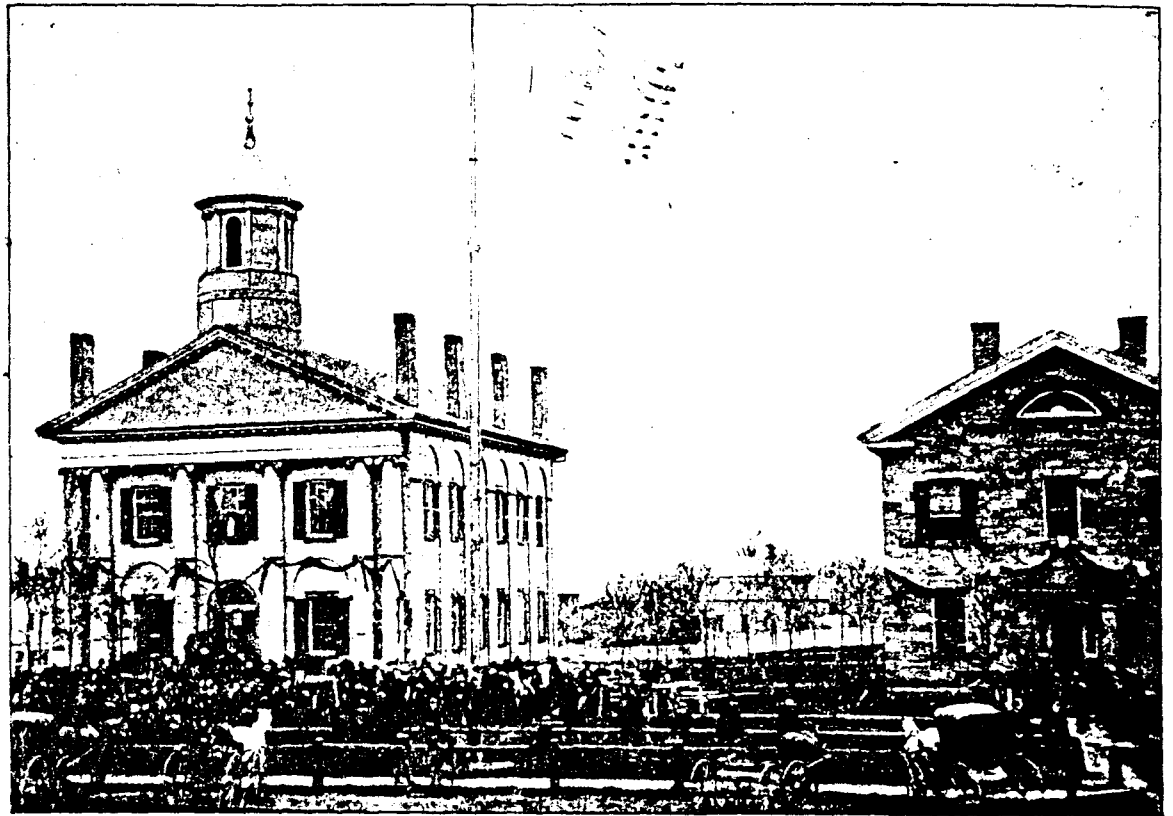


FIGURE 2. 1874 MAP OF CANFIELD FROM ATLAS OF MAHONING COUNTY, 1874



(Courtesy of Hinman & Stedson.)

OLD COURT HOUSE AND JAIL, RAVENNA. (Taken Memorial Day, 1865)

FIGURE 3. RAVENNA COURTHOUSE (1830)  
AND JAIL (1836). FROM HARRIET  
TAYLOR UPTON, HISTORY OF THE  
WESTERN RESERVE.



FIGURE 4. 1848/1872 COURTHOUSE AT  
CANFIELD. PHOTOGRAPH TAKEN IN 1900S.  
COURTESY DR. ADAM COSTARELLA

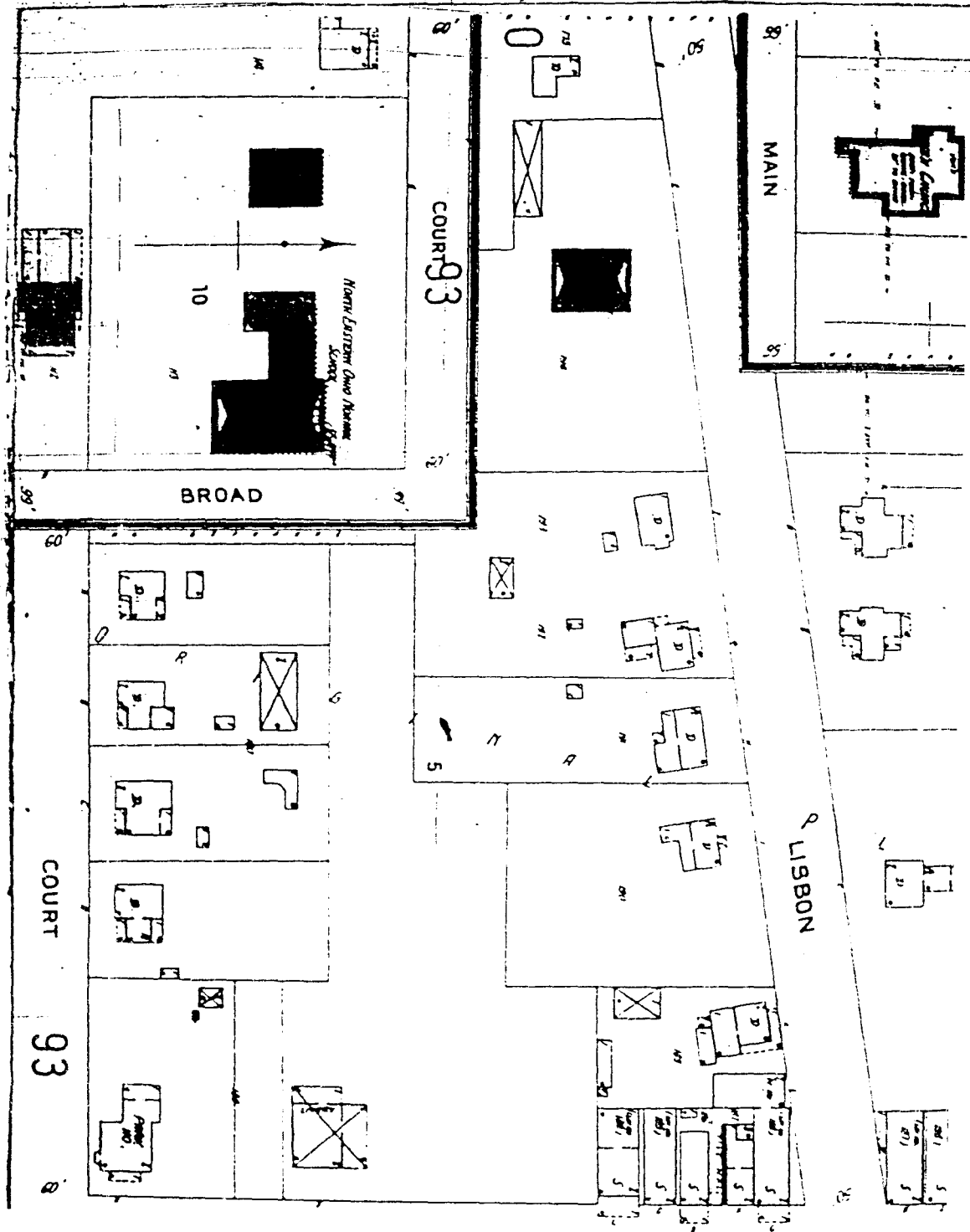


FIGURE 5. 1907 SANBORN MAP OF COURTHOUSE AND JAIL.



FIGURE 6. 1851 JAIL AT CANFIELD.  
PHOTOGRAPH TAKEN 1914.  
COURTESY DR. ADAM COSTARELLA



FIGURE 8. INSIDE VIEW OF EAST WALL  
OF 1851 JAIL AT CANFIELD. PHOTOGRAPH  
TAKEN 1948. COURTESY BETSY CASGRAIN.