

NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

CHATHAM COUNTY

19 CVS 809

2019 NOV -4 P 4: 27

BARBARA CLARK PUGH; GENE)
TERRELL BROOKS; THOMAS HENRY)
CLEGG; THE WINNIE DAVIS CHAPTER)
259 OF THE UNITED DAUGHTERS OF)
THE CONFEDERACY,)

CHATHAM CO., S.S.C.

Plaintiff,

vs.

**MOTION FOR PRELIMINARY
INJUNCTION**

*(Rule 65, North Carolina Rules
of Civil Procedure)*

KAREN HOWARD; MIKE DASHER;)
DIANNA HALES; JIM CRAWFORD; and)
ANDY WILKIE, in their official capacities)
as members of the Board of County)
Commissioners of Chatham County, North)
Carolina,)

Defendants.)

NOW COME Plaintiffs, by and through counsel, and move the Court pursuant to North Carolina General Statute, § 1-253 *et. seq.* and Rule 65 of the North Carolina Rules of Civil Procedure, for entry of a preliminary injunction restraining the Defendants from attempting to remove, alter, disassemble, or destroy the Confederate Monument located upon the premises of the Chatham County Courthouse in Pittsboro, North Carolina, and show unto the Court as follows:

1. Plaintiff Barbara Clark Pugh (hereinafter referred to as "Plaintiff Pugh" has been a citizen and resident of Chatham County, North Carolina for the six months next preceding the filing of this action. Plaintiff Pugh has been assessed property taxes by the Chatham County Tax Assessor, and Plaintiff Pugh has paid such property taxes as the same have come due from time to

time. Plaintiff Pugh is a direct descendant of a member of the armed forces of the Confederate States of America during the War Between the States.

2. Plaintiff Gene Terrell Brooks (hereinafter referred to as "Plaintiff Brooks") has been a citizen and resident of Chatham County, North Carolina for the six months next preceding the filing of this action. Plaintiff Brooks has been assessed property taxes by the Chatham County Tax Assessor, and Plaintiff Brooks has paid such property taxes as the same have come due from time to time. Plaintiff Brooks is a direct descendant of a member of the armed forces of the Confederate States of America during the War Between the States.

3. Plaintiff Thomas Henry Clegg (hereinafter referred to as "Plaintiff Clegg") has been a citizen and resident of Chatham County, North Carolina for the six months next preceding the filing of this action. Plaintiff Clegg has been assessed property taxes by the Chatham County Tax Assessor, and Plaintiff Clegg has paid such property taxes as the same have come due from time to time. Plaintiff Clegg is a direct descendant of a member of the armed forces of the Confederate States of America during the War Between the States.

4. Plaintiff Winnie Davis Chapter 259 of the United Daughters of the Confederacy (hereinafter referred to as "Plaintiff Chapter") is a nonprofit association, other than one created by a trust and other than a limited liability company, consisting of two or more members joined by mutual consent for a common, nonprofit purpose, which is organized and existing under the provisions of Chapter 59B of the North Carolina General Statutes. Pursuant to the provisions of G.S. § 59B-8, Plaintiff Chapter may assert a claim in its name on behalf of its members or persons

referred to as “members” by it if one or more of them have standing to assert a claim in their own right, the interests it seeks to protect are germane to its purposes, and neither the claim asserted nor the relief requested requires the participation of a member or a person referred to as a “member” by it. At all times pertinent to the allegations contained herein, Plaintiff Chapter was a nonprofit association organized and existing under the laws of the State of North Carolina which was operating and existing in Chatham County, North Carolina where it regularly held meetings and engaged in activities germane to its purpose as a Confederate heritage group.

5. Pursuant to the provisions of G.S. § 66-71.5, Plaintiff Chapter has duly filed an assumed business named certificate, recorded on May 8, 2019 in Book 2043, page 959 in the Office of the Register of Deeds of Chatham County, North Carolina.

6. Chatham County is a body politic created and existing under the Constitution of the State of North Carolina and the provisions of Chapter 153A of the North Carolina General Statutes. As such, Chatham County has only such power and authority as might be delegated to it consistent with the provisions of the Constitution of the State of North Carolina and the provisions of Chapter 153A of the North Carolina General Statutes.

7. Defendants are the duly elected or appointed county commissioners for Chatham County, North Carolina. At all times pertinent to the allegations contained herein, Defendants were acting in their official capacities as members of the Chatham County Board of Commissioners.

8. The Superior Court of Chatham County has jurisdiction over the subject matter of this action and the parties hereto pursuant to the provisions of G.S. §1-75.1 et seq., and venue is proper in Chatham County pursuant to G.S. §1-76 et seq.

9. August 19, 2019, a motion was made by Commissioner Crawford, seconded by Commissioner Howard, and passed by a vote of 4-1 of the Board, to terminate "the Monument license" granting the Plaintiff Chapter's right to maintain and keep their monument within the Historic Courthouse circle. The Board directed Plaintiff Chapter to communicate in writing to the county manager their plan for the final disposition of the monument, including both the statue and its pedestal. The Board further directed the county manager to make a good faith effort to assist in the implementation of the Plaintiff Chapter's plan, according the Monument and its custodians their due respect, and, if no such plan was received by the county manager's office by October 1, 2019, the Monument would be considered a public trespass on November 1, 2019.

10. Further, on October 21, 2019, the Defendants passed a resolution directing the employees of Chatham County to remove the Monument on November 1, 2019.

11. It is undisputed that the Monument is located on public property.

12. On October 23, 2019, Plaintiffs filed a complaint seeking the entry of a Declaratory Judgment pertaining to the said Confederate Monument, to which more specific reference is made and incorporated herein. Said complaint also sought a temporary restraining order and a preliminary injunction.

13. The Monument is an "object of remembrance," as defined by North Carolina General Statute §100-2.1.

14. The Monument was placed upon the property of the Historic Chatham County Courthouse in 1907. The Monument has remained there continuously since its erection in 1907, with the exception of a period of time in 1985 during which the County of Chatham expended funds to dismantle, temporarily remove, and restore the Monument while a road construction project was underway around the premises of the Historic Chatham County Courthouse located at 9 East Street, Pittsboro, North Carolina.

15. After completion of the construction project, the County of Chatham reinstalled the Monument to the same location, where it remains today.

16. Plaintiffs affirmatively allege that the Monument is owned by the County of Chatham, and that the County of Chatham has kept and maintained the Monument for over a century.

17. A substantial risk of immediate and irreparable harm to Plaintiff exists, for which there is not adequate remedy at law based upon the following:

- a. The Plaintiffs have adequately alleged, and the Court has found, that County's actions and threatened actions as set forth above are proscribed by N.C.G.S. § 100-2.1.
- b. If Defendants were to initiate against any of Plaintiffs charges of "criminal trespass," it would result in an unfounded criminal liability if the Plaintiffs are ultimately successful in this litigation, and Plaintiffs would have no adequate remedy at law to redress such an injury.
- c. If Defendants were to precipitously remove the Monument, there is no adequate remedy at law for Plaintiffs should it be later determined that its removal was proscribed by law.

18. Issuance of Preliminary Injunction is necessary and appropriate to maintain the *status quo* prior to a full adjudication of the respective rights and obligations of the Parties.

19. Plaintiffs allege and say that they have legitimate and cognizable interests in the Confederate Monument as taxpayers of Chatham County and in the actions of Chatham County which are arguably *ultra vires*.

20. Plaintiffs allege and say that they are able to show a likelihood of success on the merits of their case; that that they are likely to sustain irreparable loss unless a

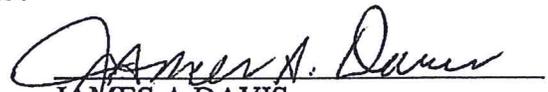
preliminary injunction is issued; and that a preliminary injunction is necessary for the protection of plaintiffs' rights during the course of litigation.

21. Plaintiffs are entitled to a preliminary injunction, upon such conditions as the Court might deem appropriate, restraining and enjoining Defendants from taking affirmative action to remove or relocate the confederate monument and taking any action to charge Plaintiffs with criminal trespass prior to a full adjudication of the respective rights and obligations of the Parties.

WHEREFORE, Plaintiffs respectfully pray:

1. That this verified motion be taken as an affidavit in the cause;
2. That a preliminary injunction be entered restraining and enjoining Defendants from taking affirmative action to remove or relocate the monument prior to a full adjudication of the respective rights and obligations of the Parties; and
3. That they have such other and further relief as to the Court might seem just and proper.

This is the 4th day of November 2019.


JAMES A DAVIS
North Carolina State Bar No. 12921
301 North Main Street, Suite 2424
Winston-Salem, North Carolina 27101
Phone: (336)-760-3421
Email: jad@jamesdavislaw.com
Attorney for Plaintiffs

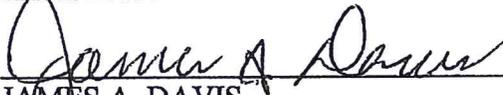
CERTIFICATE OF SERVICE

The undersigned certifies that he is an attorney-at-law who is duly licensed by the North Carolina State Bar; that he is the attorney of record for Plaintiffs herein; and that, on this date, he served copies of the foregoing Motion for Preliminary Injunction by facsimile transmission and deposit of copies thereof with the United States Postal Service for first class delivery to the Defendant's attorneys of record hereinafter identified:

ADDRESSEES:

J. NICHOLAS ELLIS, ESQUIRE
130 South Franklin Street
Rocky Mount, North Carolina 27804

This 4th day of November 2019.



JAMES A. DAVIS
North Carolina State Bar Number 12921
301 North Main Street, Suite 2424
Winston-Salem, North Carolina 27101
Phone: (336) 760-3421
Fax: (336) 760-3421
jad@jamesadavislaw.com
Attorney for Plaintiffs

NORTH CAROLINA
CHATHAM COUNTY

FILED IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

19 CVS 809

2019 NOV -4 P 11:41

BARBARA CLARK PUGH; GENE)
TERRELL BROOKS; THOMAS HENRY) CHATHAM CO, C.S.C.
CLEGG; THE WINNIE DAVIS CHAPTER)
259 OF THE UNITED DAUGHTERS OF) *ju*
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as members of the Board of County)
Commissioners of Chatham County, North)
Carolina,)
Defendants.)

AFFIDAVIT

BARBARA CLARK PUGH, first being duly sworn, deposes and says that:

1. I am a named Plaintiff in this action, and I have personal knowledge of the matters averred herein. I am a citizen and resident of Chatham County. I have listed real and personal property for taxation in Chatham County for the current year, and I have paid property taxes and sales taxes to Chatham County for as long as I have lived here. I am also President of the Winnie Davis Chapter 259 of the United Daughters of the Confederacy which is a Plaintiff in the above-entitled action.

2. After the Confederate Monument was placed in its present location in Pittsboro, North Carolina at the Chatham County Courthouse, the monument was damaged by an act of

vandalism. On September 2, 1907, the Chatham County Commissioners voted to offer a reward for the arrest and conviction of those responsible for the act of vandalism. The Chatham County Commissioners further stated that it would “vigorously prosecute any and each person who may hereafter deface said monument.” Attached hereto and incorporated by reference herein as Exhibit A is a true and accurate copy of record of such resolution received in response to a public records request which I made.

3. In 1907, the Confederate Monument was defaced. The County at its own expense the marking were removed and the County Commissioners offered a reward for the apprehension and conviction of the perpetrators. See, Exhibit “A’.

4. The Chatham Courthouse was placed upon the National Registry of Historical Places. See, Exhibit “B” The County sought the designation as a historical landmark, in which to presented the Confederate Monument as an object of the courthouse grounds. From this representation, the County represented that the Confederate Monument was owned by the County of Chatham. Also see, Exhibits “C” and “D”, addressing the designation of the Courthouse as a historical place.

5. In 1988, the Chatham County budget included funds for the dismantling, restoration, and reinstallation of the monument at public expense. That project was completed, and, after the monument was restored, it was reinstalled at its location at the Historic Chatham County Courthouse. Attached hereto and incorporated by reference herein as Exhibit “E” is a true and accurate copy of that portion of the 1988 Chatham County budget which pertains to the monument’s dismantling, restoration, and reinstallation of the monument at public expense. See also, Exhibit “F”, an article from Chatham Record, circa 1988.

6. At all times pertinent to the allegations of this complaint, Chatham County has

exercised dominion and control of the monument as being owned by the County. Upon information and belief, I allege and say that, at least until 1985, Chatham County maintained the monument.

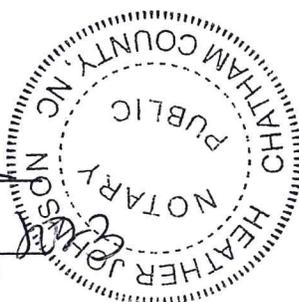
Affiant further sayeth naught.

This 4 day of November 2019.

Barbara Clark Pugh
BARBARA CLARK PUGH

Sworn to and subscribed before me,
this 4 day of November 2019.

Heather Jones
Notary Public
My commission expires: May 12 2022



—Mr. Green Brewer died here on last Wednesday night, aged 76 years. He was the oldest white native resident of this town. During the war he was a sergeant in Co. D, 61st N. C. regiment. He leaves two children, Mrs. J. E. Morgan of this place and Mr. Willie T. Brewer of P. ma.

—On last nday a son of Mr. John H. Cotten, Hope Fear township, and a colored k vere "fooling" with a pistol, when it accidentally "went off" and young Cotten was shot in the side, the ball striking a rib and glancing around his body. It was a narrow escape from instant death.

—Mr. James A. Thomas, of New Hope township, and Dr. J. H. Ihrie, of this place, were the first persons to pay their tax for 1907 to Sheriff Milliken. Both paid at the same time. Dr. Ihrie was the first person to pay the special school tax levied in this public school district.

—Mr. Arthur H. London is now in the Northern markets buying the fall stock for W. L. London & Son. He is accompanied by Mrs. Laura E. Horne, who will look after the millinery purchases. The reputation this firm has for keeping the largest stock in the county will be sustained this fall.

—Among the corporations chartered this week by the Secretary of State is the Ferrington Mercantile Company, the incorporators being F. H. Williams, W. M. Gattis, E. F. Baldwin and R. A. Honeycutt. The object is to conduct a general mercantile business, the location being at the old Ferrington's mill place on the D. & S. C. Railroad in Riggsbee township.

—Mr. John M. Edwards, of Gulf township, died on last Thursday and was buried with Masonic honors next day at Sandy Branch church in the presence of a large number of his neighbors. In his death Chatham has lost one of her very best citizens. There was no braver or better soldier in the Confederate army, having volunteered in the Chatham Rifles and served with gallantry. He was true to

Monument Defaced.

On last Monday night was perpetrated one of the most disgraceful acts of vandalism ever known in a civilized community. On that night some person or persons defaced the monument recently erected in front of our courthouse in memory of Chatham's Confederate soldiers. The defacement was made with black shoe polish (a bottle of which was found near the monument next morning) and with grease. After several hours of hard scrubbing most of the shoe polish was removed, but still a few streaks remain on the monument.

Of course such an outrage aroused great indignation when discovered next day, and the county commissioners as soon as they met promptly offered a reward for the arrest and conviction of the guilty person or persons. Such an outrage is a misdemeanor and is punishable by fine and imprisonment, and every effort will be made to detect and punish the guilty party as he deserves. We regret to know that our county is disgraced with the presence of any human being mean enough to commit such a despicable act.

REWARD!

The board of county commissioners of Chatham county hereby offer a reward of \$25 for the arrest and conviction of each of the persons who, on last Monday night, defaced the Confederate monument erected in front of the court-house of said county.

S. W. HARRINGTON, Chairman.
September 3rd, 1907

Sanford Express: There are candidates galore for all the county offices in Lee county save that of coroner and surveyor.—A car load of peaches shipped from Southern Pines to Boston some two weeks ago netted the shippers about \$2,000. This was the largest am-

home of Maria Anto interesting, the Swiss she and her ladies in at making butter and were of course very The State carriages geous, especially Palace of Louis XIV derercription, it surpa you can imagine; it l populace cried out ar rights. Oh! it was s at this palace. Thin the extravagant Lou splendor and glory were gorgeous, and where the Venetian was beautiful. Wel lug we would go bac very much disappoint shops, but of course was very interestin the London stores pared with the Pari stores are far superi

We left Paris 8 for Havre, we took to cross the Engl o'clock that night. calm as a pond. I were disappointed not sea-sick. We fleet at six next I had just reviewed We landed at 8 o'clock, stopped a custom-house and don, arriving at 10: I simply can't u about the largest ci I can say, it is by l esting city we hav will have to come selves. We went nesday and of con of seventeen colleg fascinating to us g don Monday for C you all about Lon

Former Chath Miss Betsy Rol who graduated w Highsmith Hosp the 26th of June three years' tern this city as train

United States Department of the Interior
National Park ServiceNATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 7 Page 1
Pittsboro Historic District
Chatham County, North Carolina

Section 7: Description

The Pittsboro Historic District encompasses the heart of the town of Pittsboro, located in central Chatham County. Serving as the county seat, Pittsboro is surrounded by modern suburban development and small farms. The district comprises the original central business district containing historic commercial buildings, a courthouse, industrial buildings, residential dwellings, and churches ranging in date from the 1780s to 1949. Pittsboro's 1787 town plan is a public square with four streets, Hillsboro, East, South, and West Streets radiating from the center circle containing the 1881 Chatham County Courthouse (NR 1982). The well-preserved Classical Revival courthouse, crowned by a three-stage cupola, serves as the focal point of the historic district. The boundaries of the Pittsboro Historic District extend outward from the courthouse two blocks east along East Street to Small Street, one block west along West Street to Fayetteville Street, and four blocks north along Hillsboro Street to Launis Street. Most of the area occupies a ridge running from the courthouse to the north, with sloping elevations to the east, west, and south. The district also includes the 00 through 200 blocks of Chatham Street on the south side, the first through 200 blocks of East Salisbury Street, the 00 through ¹⁰⁰ 200 blocks of West Salisbury Street, the property at ²⁰⁴ 300 West Salisbury Street and the 00 block of South Masonic Street. The northern end of the district is dominated by the 1925 Chatham Mills, Inc. complex and the residential area of Grove Park, which developed in the early 1920s.

The district spans approximately 59 acres. Resources built prior to 1949 are contributing unless they have lost architectural integrity due to severe alterations. Out of a total of 127 contributing resources, eighty-seven are principal buildings, forty outbuildings, three sites (cemeteries), and one object, the Civil War Monument. Noncontributing resources consist of 32 principal buildings, 21 outbuildings, and two structures (water towers). The district includes seven properties already listed in the National Register: the Chatham County Courthouse (one building, one object-Civil War Monument), the Hall-London House (two buildings), the Moore-Manning House (7 buildings), the Reid House (1 building, 1 noncontributing garage), the Lewis Freeman House (one building), the McClenahan House (2 buildings), and the Patrick St. Lawrence House (one building). The listed resources total 17 (15 contributing buildings, 1 noncontributing building, and one object). These resources were listed as part of the Chatham County Multiple Resource Nomination processed in 1982.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 7 Page 9
Pittsboro Historic District
Chatham County, North Carolina

f. C Corn crib. 1920s. Frame, front-gable corn crib with plain siding and vertical board doors.

g. NC Shed. 1920s. Dilapidated, shed roof building with vertical board siding and exposed rafter tails.

The house was constructed of Chatham County lumber in the 1920s for Fred P. Nooe. Tom Ramsey, a black mason, built the brick chimneys and Fred Goldston, a black plasterer, produced the interior plaster work. (Osborn and Selden-Sturgill)

1st block Fayetteville
Street, East side

14 Fayetteville St.
NC-age
ca. 1952

Seagroves House. The one-story, four-bay, brick Ranch house features six-over-six sash windows and a brick stoop with wrought-iron railing.

a. NC-age Shed. 1994. Small, shed-roofed storage building with plain siding.

Courthouse Square

9 Hillsboro St.
C
1881, 1986

Chatham County Courthouse (NR-1979). Set in the center of the town square, the Chatham County Courthouse is the fourth courthouse constructed for the county. Built in 1881, the imposing structure is a two-story, brick building with a dominant two-story, classical portico crowned with a three-stage cupola. The portico consists of a brick first story arcade with three round-arched openings and a pedimented Doric portico on the second story. The second story is marked by stuccoed pilasters between tall four-over-four sash windows. A stucco cornice defines the roofline and all gable ends are pedimented.

a. (c) C Monument 1907. Bronze statue of a Confederate Soldier standing on a granite base. Erected in 1907 by the Winnie Davis Chapter of the United Daughters of the Confederacy.

The courthouse was constructed on the site of the old courthouse in 1881 by Alvis J. Bynum and William Lord London of Pittsboro for the sum of \$10,666.

Pittsboro historic district approved

By April A. Morris

The efforts of many Pittsboro residents recently paid off when it was announced that the proposed Pittsboro Historic District has officially been added to the National Register of Historic places.

In 1998, the town received a grant to establish and map a historic district. The district stretches beyond the original four block center of the town. It includes Chatham Mills, the Patrick St. Lawrence House, the Pittsboro Community House, the county courthouse and other places erected between the 1780's and 1949.

After a informational meetings, a presentation to the town board and a public hearing, the proposed district was submitted for review and approval to the National Register Advisory.

Last month, the town received notice that the Pittsboro Historic District was officially accepted and established. A letter from the North Carolina Department of Cultural Resources' Division of Archives and History certified that the Pittsboro district was added to a list of properties "significant in American history, architecture, archaeology and culture."

Jane Pyle, a member of the National Register District Advisory Committee, says signs to identify the district are planned for the four major roads entering downtown Pittsboro. Town merchants in the district will soon be provided a copy of the notification certificate to display. A walking tour and map of the district for visitors may be formulated in the future.

2000-1

Town's center enters Register

Downtown Pittsboro, which retains its original "Lancaster plan," earns national historic status

By LOIS CAROL WHEATLEY
lcw@herald-sun.com, 419-6513

Pittsboro's downtown district, comprising approximately 59 acres and containing a total of 127 historic "resources," has gained entry to the National Register of Historic Places.

The Pittsboro Historic District Advisory Committee obtained final approval in June and now plans to create four signs to be erected on the major roads leading to the historic section. The committee hopes to have the signs up in time for Pittsboro's annual street fair in October.

The committee also is making framed copies of the certificate from the U.S. Department of Interior and distributing them to downtown merchants for display in shops and restaurants. It will print maps of the district that will be made widely available within the next few months throughout the town.

Jane Pyle, secretary of the Chatham County Historical Association, has worked on the committee throughout the nomination and approval process. According to Pyle, the 127 historic "resources" are so named because they are not all houses.

"There are 87 buildings, 40 outbuildings, three sites which are cemeteries and one object which is a Civil War monument," she said.

There must be more contributing structures than noncontributing structures in a district in order to qualify for listing in the Register. A contributing structure must be 50 years old or more and must be sufficiently intact in its original construction to contribute to the historic nature of the district.

The noncontributing structures within the Pittsboro historic district include 32 buildings, 41 outbuildings and two other structures, both water towers.

THE TOWN OF PITTSBORO HAS PLEASUR

the listing as a purely honorary designation. Over the last year or so, it has held a series of public meetings to allay homeowners' fears that the proposed listing would restrict their rights or create obligations.

The designation, Pyle said, carries no such restrictions as to an owner's right to alter, sell or dispose of the property. It may, in fact, offer homeowners some attendant tax advantages for remodeling projects if a house is a contributing structure.

"These can be quite generous tax credits, provided the homeowner follows Department of Interior guidelines," Pyle said.

Pittsboro received a state grant in 1997 to prepare and submit its nomination to the Register. A review committee within the N.C. Department of Cultural Resources typically rules on all applications well before a nomination is actually written.

With the state's grant of \$12,000 to fund the nomination-writing process, state approval was almost automatically forthcoming, and subsequent federal approval is "typically a done deal," according to Pyle.

Pittsboro hired a consultant, Ruth Little of Longleaf Historic Resources in Raleigh, to prepare the nomination. The Town Council

approved a final draft of the nomination, and the State Department of Cultural Resources' Division of Archives and History approved it last February. Federal approval followed within a few months of state approval.

In nearby Siler City, three separate historic districts went through the same approval process recently. Siler City now has National Register listings for its downtown district, for a residential district along East Raleigh Street leading to downtown, and for a smaller area that includes a Baptist church and a house immediately behind it that is being renovated as a bed and breakfast.

"Either districts or individual structures may be nominated for inclusion in the Register," Pyle said. "A district is seen as a more cohesive unit than an individual structure and is therefore considered a more valuable designation."

Pittsboro's nomination emphasized the fact that the town is one of

the nation's few county seats that has retained its original Lancaster plan, so named for Lancaster, Pa., with the courthouse in a central square at the heart of the business district.

While many towns were originally based on this model, many have either diverted the roads or even torn down the courthouse because it impeded traffic.

The town's major historic points of interest, highlighted in the nomination that is now publicly available in the Pittsboro Library, include:

■ Pittsboro's oldest building, the Patrick St. Lawrence House, built in 1787.

■ Pilkington Drugstore, circa 1916, open until Doc Pilkington's death in 1943, now the home of S&T's Soda Shoppe.

■ Rev. Edward Butler House, circa 1905, built to house an African-American mission established in the 1880s.

■ Chatham Mills, circa 1925,

once described as the world's largest woven label mill, now being renovated as an office complex.

■ Shannonhouse, rental units built by an Episcopalian rector during the Depression to provide low-cost housing.

■ Tatum House, built in 1926 from the "Somers" model home kit from Sears and Roebuck.

■ Pittsboro Community House, funded by the Work Progress Administration, built in 1936.

■ Cemeteries containing many 19th-century and early 20th-century monuments.

"Inclusion in the National Register is widely viewed as an opportunity to demonstrate that the town is proud of its history and is interested in preserving that character," Pyle said. "That alone is considered to be attractive to new businesses and residents considering a move to the area."

22 JULY 2000-1

Chatham County Commissioners during 1988

Henry Dunlap – Chair in June of '88 when statue need for repairs noted; pharmacist by profession, business owner, from **Siler City area** – largest population area at that time. At December meeting, he was replaced as Chairman by Carl Thompson. Mr. Dunlap seconded Mrs. Holmes motion to approve budget amendment to pay for statue repairs.

Earl D. Thompson – Board member, from **Northern Chatham** area, businessman in that he owned trailer park and a septic service.

Carl Thompson – voted Chair December meeting 1988; approved budget voted to approve budget amendment to pay for the statue; he was an incumbent and served as Commissioner 1978-1990, twelve years. Life-long resident of Bear Creek (**western Chatham**), was the first African American elected to a county office since Reconstruction elected in 1978 at age 24 when he began his first term. He was affiliated with the Democratic Party and was seen as the representative of the black community. He had also served as pastor. Thompson was the recipient of the 2005 Humanitarian Award by the Western Chatham Chapter of the NAACP. At the December meeting Mr. Thompson signed the budget amendment 43 to pay for repairs to the statue.

Later, he ran for the Board of Commissioners (I believe 2006) by which time there was an active group of Democrats changing the face of the county. I'm not sure (can't find verification) of when he did get back into office, but I know he was on the Board 2010-2011 after the Courthouse fire.

Mary Hayes Barber Holmes – was on the Board and involved with the major renovation projects; from **Pittsboro area**; family of long-time attorney Wade Barber, attorney, head of the Chatham Democratic Party for years – the Barbers were active politically – she was made head of the Courthouse Renovation Committee as Board Member. Her mother had been a member of the Winnie Davis Chapter of the UDC. Made motion to approve payment of statue repair.

Gus Murchison – from **Gulf area** and a “native” who had a mercantile store, must have been a veteran as he was noted as a member of the American Legion.

At the time, all these commissioners were considered “natives”.

Exhibit - F
Open house set...

Courthouse renovation nearing completion

Record?

10 Oct 91

VF/Courthouse

By Cassie H. Wasko
At least ten years and \$1.6 million later, the Chatham County Courthouse is restored, refurbished and in the process of being landscaped just in time for the October 20 open house planned by the Historical Association.

In the early 1980s, when Bill Coleman was county manager, a series of architects were interviewed and Burnstudio of Raleigh was selected to do the county's building program.

Because the county entered into a contract with Burnstudio for the entire county building project, the same architect has been working in the county for most of the last decade.

At that time, the courthouse renovation was expected to cost about \$350,000. It was to be the last item in a list of building projects that began with the social services building.

At about the same time, the county began work on the law enforcement center and finally the annex, itself.

Revenue sharing funds had been saved for use in all of those projects, but as the annex was completed the schools were calling for building funds, and the county spent the remaining revenue sharing monies, which by that time had been eliminated by the federal government, on the schools.

More funds were accumulated and finally, as the decade came to a close, the long-awaited project was begun.

projects; as a result, and after complaints and concerns about costs and decisions made, a committee was appointed for the courthouse renovation and Commissioner Mary Hayes Holmes was assigned by the board as chairman of that

committee shortly after she came on the board.

Although her husband, Ed Holmes, complained that she had been given a task that was stereotypically a woman's task, the work on the renovation quickly be-

(See "Courthouse" Page 15 -A)

Courthouse (Continued from Page One)

came more than choosing fabrics and paint colors.

Holmes and the committee dealt with historical issues; technical issues and wrangled with architects and contractors and cost overruns.

The project budget (October, 1988) was:

- \$491,343 for general and plumbing and was awarded to William C. Vick Construction, Raleigh.

- Miller Heating and Air of Goldston was awarded the heating and air conditioning contract at \$31,993;

- Waco Electric of Garner was awarded the electrical contract at \$25,000.

The amended budget saw increases in the general contractor's costs but the other contractors stayed the same.

William C. Vick Construction's share of the outside renovation cost about \$100,000 more than originally estimated. That company was paid \$595,016.

In Phase II, only one contract was awarded and that was for \$408,000 to the John William Brown Company.

The amended budget for the renovation of the interior of the courthouse was \$721,119.

Other items associated with the renovation included:

Asbest. rem.	\$9,449
Arch./Engin.	114,817
Furn./Equip.	108,500
Misc.	3,100
Trailer	2,400
Monument	3,300
Contingency	21,834

Total 1,636,533

Currently, there is \$60,848.26 left and that will be spent on landscaping and an underground irrigation system as well as miscellaneous furniture and telephone installations.

Not much in the way of trees or shrubs will be added to those that currently exist. Historical accuracy shows limited shrubbery, Mary Bewig, assistant to the county manager, says.

The only thing missing from the courthouse on October 20 when the open house is held will be the portrait of William Pitt, Earl of Chatham.

The portrait is in need of repair, and the county commissioners decided that the \$2,500 to \$3,000 that it would cost to have the portrait that was rumored to have been copied from one in the art museum many years ago, is too much.

The restoration would require 65 to 75 hours of work and the museum of art would do the work.

The portrait was done by Emily Brower's aunt from a picture in the N.C. Museum of Art in Raleigh. She only painted Pitt and left out the rest of the painting. There was no charge for the picture, and the Historic Association paid \$100 for the frame. No decision on the fate of the portrait has been made.

The renovated courthouse will be open for public inspection when the historical association hosts a "lemonade treat" October 20 from 3 p.m. until 5 p.m.

Named for the 1882 opening of the courthouse, the event will be open to the public.

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NORTH CAROLINA

VERIFICATION

CHATHAM COUNTY

BARBARA CLARK PUGH, first being duly sworn, deposes and says that she is the duly elected President of the Winnie Davis Chapter 259 of the United Daughters of the Confederacy which is a Plaintiff in the above-entitled action; that she has actual authority to make this verification on behalf of such entity; that she has read the foregoing motion; that it is true and accurate to the best of her knowledge and belief; and that, as to those matters alleged upon information and belief, she believes them to be true.

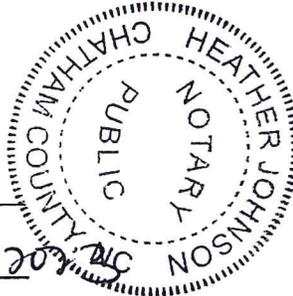
This 4th day of November 2019.

Barbara Clark Pugh
BARBARA CLARK PUGH

Sworn to and subscribed before me,
this 4 day of November 2019.

Heather Johnson
Notary Public

My commission expires: May 12, 2025



NORTH CAROLINA

VERIFICATION

CHATHAM COUNTY

BARBARA CLARK PUGH, first being duly sworn, deposes and says that she is a Plaintiff in the above-entitled action; that he has read the foregoing motion; that it is true and accurate to the best of her knowledge and belief; and that, as to those matters alleged upon information and belief, she believes them to be true.

This 4th day of November 2019.

Barbara Clark Pugh
BARBARA CLARK PUGH

Sworn to and subscribed before me,
this 4 day of November 2019.

Heather Johnson
Notary Public

My commission expires: May 12, 2023

