

# ***PRISON MUSEUM POST***

*The Official Newsletter of the Historic Burlington County Prison Museum Association  
Incorporated in 1966*

Volume XIX, Issue II

November 30, 2020

## **THE ROAD TO LANDMARK STATUS**

In this issue we will remember some of the fine people who were instrumental in saving the Jail and forming the PMA. We will also tell the story of how the prison museum came to be designated a National Historic Landmark in 1986.

The story starts more than three decades earlier, when it wasn't entirely clear that the building would survive at all. The year was 1954. Still in use after 143 years, the Jail was something of an embarrassment. The Freeholders proposed to tear it down. Much to their surprise, a group of local citizens quickly formed in opposition. The Freeholders relented and declared that the Old Gaol would be saved. They weren't exactly sure what they would do with it, but it wouldn't be demolished. The Jail finally closed in 1965, and the group that fought to preserve it morphed into the Prison Museum Association, incorporated in 1966. The prime mover and shaker in the movement to save the Jail and the founder of the PMA was Burlington County attorney **Jay B. Tomlinson, Esquire**. He has been largely forgotten. We feel that he and the other founding PMA members deserve to be remembered.

### ***Jay Brinkerhoff Tomlinson, Esquire***

Jay Tomlinson was born in 1893 to William B. and Ida Cook Tomlinson. He had one sibling, a brother named William I. Tomlinson, who was 13 years older. He grew up in Mount Holly and graduated from Mount Holly High School. He attended Amherst College (Class of 1915) and Harvard Law School, where he served on the Law Review.



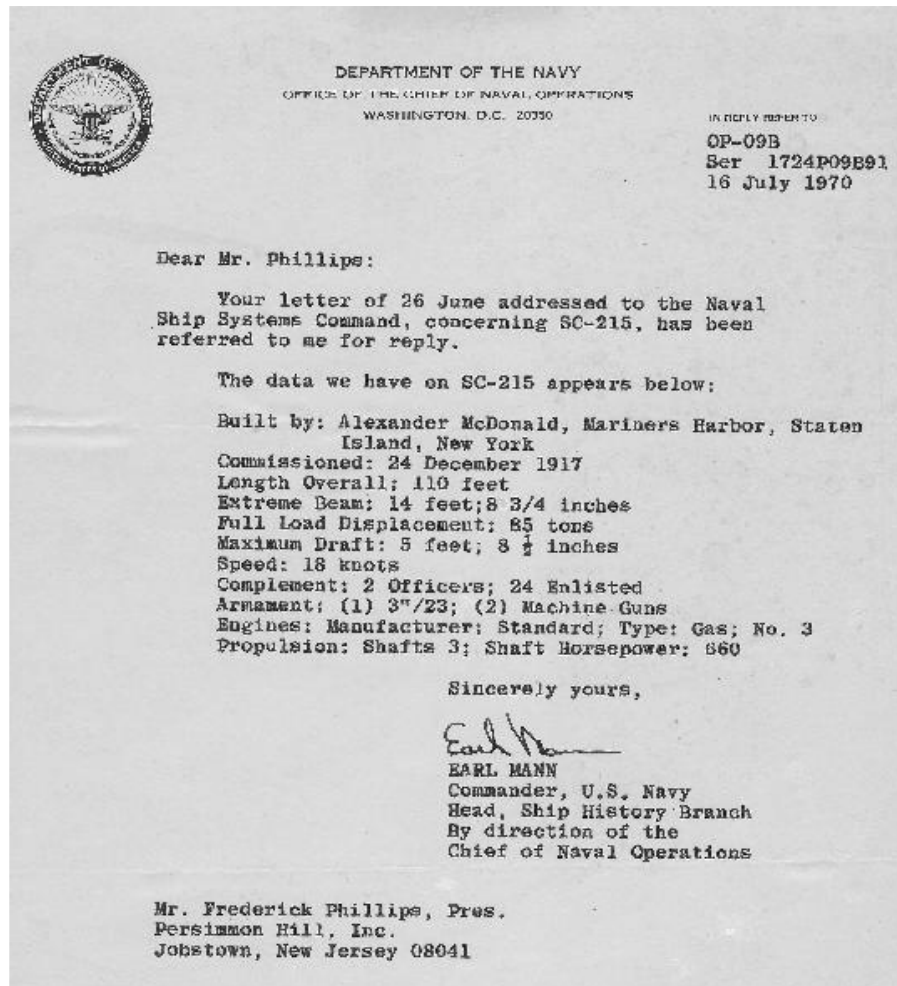
After law school, he was commissioned in the US Navy as a lieutenant, junior grade, and served brief tours of duty at several naval training stations before being assigned sea duty on the SC215, in the north Atlantic and Mediterranean waters. We are lucky to have a photo of the vessel as well as a photo of Jay on the ship.



"SC" stands for "submarine chaser". Submarine chasers were designed specifically to destroy German submarines in World War I. Many found their way to Allied nations by way of Lend-Lease in World War II, during which time they were used to destroy Japanese and German subs. The SC215 was one of 12 American submarine chasers that joined Italian, British and Australian battleships, cruisers, destroyers and torpedo boats in the Battle of Durazzo in 1918. Durazzo was an Albanian city located on the shore of the Adriatic Sea, just east of the Italian boot heel. The Allied objectives were to bombard the port at Durazzo and attack the Austrian ships in the harbor. The port and the old city, which the Albanians called "Durrës", were mostly destroyed. The SC215 received a special commendation for its performance in the battle.

The ship was built in New York City in 1917 and was 110 feet long. It could hold 26 sailors. It had a top speed of 18 knots (about 20 MPH) and was armed with a gun

mount, two .30 caliber machine guns and one depth charge projector "Y Gun". All of these weapons were state of the art at the time.



We know a lot about the ship because we have a letter written by a Navy commander in response to an inquiry by **Frederick Phillips** of Jobstown. Mr. Phillips served on the first PMA Board of Trustees. We assume that after Jay's death, Mr. Phillips wanted to know about his friend's service in the Great War.

Mr. Phillips was also an interesting person. He was born in 1901 in Newark and graduated in 1923 from Princeton, where he

was captain of the water polo team, rowed on the crew squad and played in the University band. In 1927, he married Anna Hutchinson of Philadelphia, and the couple moved to Jobstown. He served as president of the Philadelphia Society for Promoting Agriculture, at the time the oldest farm society in continuous existence in the U.S. We believe that he grew apples and daffodils on "Persimmon Hill", which is what he called his Jobstown property. He also served as director of the Burlington County Trust Co., the NJ Bankers Association, the Sons of the American Revolution, and the Burlington County Historical Society. Mr. Phillips died in 1989.

After the war, Jay returned to Burlington County and married Elizabeth Barrington. They had one son, William, who became a physician.

Jay and Elizabeth moved to Bordentown, where he lived the rest of his life. He started his law practice there in 1922. One of his first clients was New Hanover Township in a case where the legality of the voting procedures for a school board election came into question. Well known local lawyer Jim Davis represented the candidates who lost in the election, in which a total of only 8 votes were cast. Jay won the case; the election results were upheld as the town clerk was found to have properly nailed the election notices on various trees in the area.

In 1936, he was appointed to represent a 17-year-old named Jacob Ciemingo, who, along with a 26-year old named George Hildebrand, was convicted of the murder of Herman Eilers, 62, of Bustleton. Bustleton no longer exists but at the time was a little village within the town of Florence. Eilers was a well-to-do bachelor poultry farmer who had hired Hildebrand as a farm hand the year prior. The young men, both from the Burlington/Columbus area, confessed that they had shot the victim in the course of robbing him of \$4. They were convicted and sentenced to death. Ciemingo had been represented at trial by George Hillman, who died soon after. Jay was appointed to represent him on the appeal and although he failed to get the conviction overturned, he was able get the sentence commuted to life. The defendant's "low mentality" and youth were cited, leading a newspaper reporter to wonder if "the day might come when a high school diploma or a college degree is required for eligibility to the electric chair".

Throughout his life, Jay participated in many civic groups, but it appears that history was his passion. He and **Delia Biddle Pugh** worked tirelessly to preserve the Old Jail and to found the PMA. Mrs. (Hugh) Pugh was a Burlington City resident who was born in 1898. Like Jay, she served on many civic groups, including the Burlington County Historical Society. The BCHS Library is named for her. She was also the vice-president of the first PMA Board. She was instrumental in having trees planted in the exercise yard.

Jay died suddenly on January 25, 1967 at the Yardley, Pennsylvania home of his son, William, less than a year after incorporating the PMA. He was 73. A year later, Mrs. Pugh also died suddenly at the age of 70.

A few of our current members may recall a well-liked attorney from Medford named Ephraim Tomlinson, who died in 1996 at age 81. We would love to know if anyone knows if he had any connection to Jay. We believe that he may have been the son of Jay's older brother, William I. Tomlinson, who died in 1938.



## ***Jail Named a State Historic Site in 1966***

On December 20, 1966, the Jail was designated by the NJ State Department of Conservation and Economic Development as an official historic site pursuant to Chapter 92 of the Laws of 1962. Jay was on hand at the formal presentation on January 18, 1967. The event was televised on the 11 o'clock news on WFIL, which was Channel 6. This, we assume, must have been a source of great delight for Jay Tomlinson.

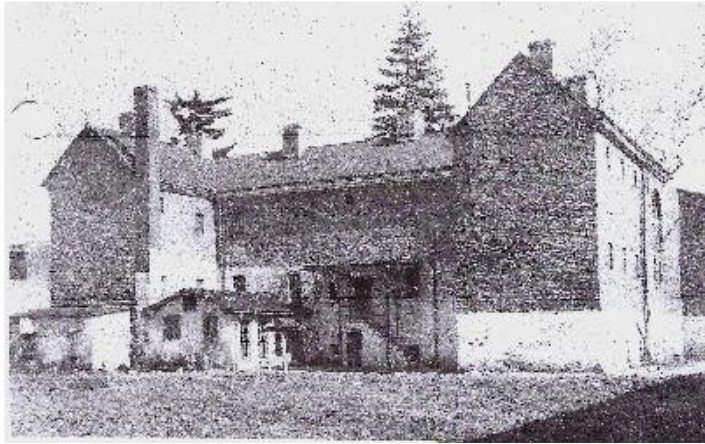


*Pictured from left: PMA President Jay Tomlinson, Freeholder Director Anthony T. Greski, Joseph Truncer (State Director of Parks, Forestry and Recreation) and Tom Harris, PMA Board Chairman), January 18, 1967. Photo appeared in Medford's Central Record, January 26, 1967.*

## ***Passage of the National Historic Preservation Act of 1966***

The Jail would later attain National Historic Landmark status. Unfortunately, Jay wouldn't be around to see it.

Prior to 1935, efforts to preserve cultural heritage sites of national importance were made by the US Congress in piecemeal fashion. In 1935, Congress passed



the Historic Sites Act, which authorized the Interior Secretary to formally record and organize historic properties, and to designate properties as having "national historical significance". Over the following decades, surveys such as the Historic American Buildings Survey (HABS) amassed information about culturally and architecturally

significant properties, both federally and privately owned, in a program known as the Historic Sites Survey. The survey on the Jail was done in 1937 and you can see a copy of it on our website at [www.prisonmuseum.net](http://www.prisonmuseum.net). Here's a photo of the Jail taken by the HABS. Notice the add-on kitchen and shed.

On October 15, 1966, the 89<sup>th</sup> Congress enacted the National Historic Preservation Act, which established the National Register of Historic Places. The National Historic Landmark program was encompassed within it, and rules and procedures for inclusion and designation were formalized. Jay Tomlinson got right on it and on October 20, 1966 wrote a letter to the National Park Service asking what had to be done to get NHL status. Just a few months before, on June 8, 1966, the Certificate of Incorporation of the PMA had been recorded in the Office of the Clerk of Burlington County, Charles H. Ehrlich, in Book 4 of Corporations, Folio 225.

Robert Utley, Chief, Division of Historic Studies of the National Park Service, responded that there was nothing for the PMA to do. The NPS planned to study all historic buildings in the country in groups. The Jail was apparently to be studied in the "architecturally significant" group. Once the study was done, the NPS would prepare and file an application for NHL status.

The next letter to be found in the archives is one dated February 6, 1967 from Thomas Harris, Chairman of the Board of the PMA, to Mr. Utley advising of the recent passing of Jay Tomlinson and asking when the NHL determination would be



made. He could not understand what the hold-up was; the Jail was obviously significant. Let's go, we're not getting any younger, is what he seemed to be saying.

**Thomas Gordon Harris** was the kind of guy who was used to getting things done. Born in Dunellen, NJ in 1922, he lived in Mt. Holly for many years. He was employed by NJ Bell Telephone for 28 years, and at the time of his retirement in 1975, he was the manager of the Mt. Holly office. In addition to serving on the PMA Board for many years, he also belonged to the Mount Holly Historical Society, the Rancocas Antique Auto Club and the Rotary Club. He headed the United Fund of Burlington County and several other organizations. A WWII veteran, he served in the European theater on General Eisenhower's staff and was awarded two Bronze Stars and a Purple Heart. He passed away in 1993 in Florida, survived by his wife and two sons.

After several letters were exchanged between Mr. Harris and the NPS to no avail, another PMA member decided to get into the act. We see in the Archives a letter from **Carl Heyer** to Senator Clifford Case asking that the latter intervene in the NHL process. Mr. Heyer was born in Philadelphia in 1904. When he was six months old, his parents moved to Mt. Holly, where his father had a leather business that produced billfolds, belts and the like. He graduated from Rutgers University (New Brunswick, Class of 1925). After college, Mr. Heyer worked in the leather business before joining the military in 1941. He served until 1959. He was an officer in the Army Air Force and the Air Force in WWII and Korea, establishing and coordinating operations at fighter bases in Panama and the Far East. He returned to Mt. Holly after getting out of the service, and entered the insurance business.

Mr. Heyer's letter, dated March 30, 1967, indicates that he was a personal friend of Senator Case, a Republican who served in the US Senate, representing NJ, from 1955 to 1979. He was succeeded by Bill Bradley. The son of a Reformed Church pastor, Senator Case graduated from Rutgers University and Columbia Law School. He was born the same year as Mr. Heyer, so we assume that they attended Rutgers at the same time and may have become acquainted there.

As it turned out, Mr. Harris and Mr. Heyer could have saved their time, because nothing was going to happen for another **17 years**. In the spring of 1984, the NPS finally got around to studying our Jail. In February of 1986, the Nomination Form was filed. Landmark status was granted in August of 1986 and a ceremony installing the commemorative plaque, still in the front yard, was held in 1987.



IN REPLY REFER TO:

H34(418)

## United States Department of the Interior

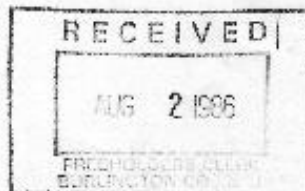
NATIONAL PARK SERVICE

P.O. BOX 37127

WASHINGTON, D.C. 20013-7127

AUG 19 1986

Mr. Charles T. Juliana  
County Administrator  
County Office Building  
49 Rancocas Road  
Mount Holly, New Jersey 08060



Dear Mr. Juliana:

I am pleased to inform you that the property identified on the enclosed sheet has been found to possess national significance in the history of the United States. As a result, the Secretary of the Interior has designated it a National Historic Landmark.

The purpose of landmark designation is to identify and recognize nationally significant sites and to encourage their owners to preserve them. Landmarks are chosen after careful study by the National Park Service. They are evaluated by the National Park System Advisory Board and designated by the Secretary of the Interior in accordance with the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966.

Designation as a National Historic Landmark automatically places a property in the National Register of Historic Places, if it is not already so listed, and extends to it the safeguards and benefits provided by the National Historic Preservation Act of 1966 and other Federal laws protecting historic properties.

We are pleased to include this property on the roll of National Historic Landmarks as a significant representative of our nation's heritage.

Sincerely,

*Ben Levy*  
for  
Edwin C. Bearss  
Chief Historian

Enclosure

*cc: Harold  
Carter  
8/21/86*

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Only a little more than 2,500 NHLs have been designated. If not already listed on the National Register of Historic Places, an NHL is automatically added to the Register upon designation. The 2,500 NHLs comprise only about 3% of the over 90,000 places listed on the country's National Register of Historic Places.

NHLs are designated by the United States Secretary of the Interior because they are sites where events of national historical significance occurred, places where prominent persons lived or worked, icons of ideals that shaped the nation, outstanding examples of design or construction, places characterizing a way of life or archeological sites able to yield information.

Designated NHL sites are provided safeguards and benefits provided by the Act and other federal laws protecting historic properties.

## ***THANK YOU***

We want to thank all of our new members for joining the PMA and all those who renewed their memberships. Everyone who joined and renewed should be on the attached list. If you are a member and not listed, send us an email.

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Please help us preserve and promote the Prison Museum by joining the PMA. Annual dues are \$15(individual)/\$25 (family). Membership benefits include a quarterly newsletter, event updates, 10% off gift shop purchases, and free admission to the museum.

Go on the website for an application.

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