

SUTTER COUNTY HISTORICAL SOCIETY
NEWS BULLETIN

VOL. VII NO. 1

YUBA CITY, CALIFORNIA (95991)

APRIL 1968



SUTTER COUNTY COURTHOUSE MARCH 1968

AN HISTORICAL SAFARI

HISTORY IN THE MAKING AT OROVILLE DAM.

Sutter County Historical Society plans a tour of the recently completed Oroville Dam. Mr. Howard Harter, President of the Sutter County Historical Society, is planning a real treat for members and friends in July 1968. We usually try to have something a little unusual for the summer meeting, the time of the year not being conducive to regular inside business meetings. The tour will be held Sunday, July 14th. The group will meet at Prospectors Village on the Oro Dam Road at twelve noon. A "no-host" luncheon can be enjoyed before starting up the hill to the Dam. A business meeting will also be conducted by President Harter before the tour begins.

Mark your calendars for the date and a very enjoyable time will be had by all. Watch your newspapers for further information. Miss Bird will be reporting the latest from time to time.

Our Greyhound trip to the Napa Valley and surroundings did not materialize for lack of support. It seems we had many conflicting events which drew the attention of people who enjoy historical trips. Of course the biggest event was the dedication of the Oroville Dam which was history in the making. Many of our Sutter County folks attended the dedication ceremonies.

DON'T FORGET TO PAY YOUR DUES!

2.00 for calendar year.
\$25.00 for a Life Membership. (We have fourteen Life Members to date.)

Mail your dues to: Mrs. Lola Case
P.O. Box 1266
Yuba City, California
95991

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NEWS BULLETIN

by
Bernice Gibson

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HISTORY OF COUNTY SEAT AND COURT HOUSE OF SUTTER COUNTY

Compiled and Reported by Mrs. Bernice Gibson

The first meeting of the court of Sessions of Sutter County was held June 10, 1850, at Oro on the Bear River, the designated county seat. It was organized with Gordon N. Mott as Chief Justice, P.W. Thomas and T.H. Rolfe, Associate Justices; and T.B. Reardon, Clerk. The first entry of proceedings that day is as follows:

"Upon it appearing to the Court that there were not proper and necessary accommodations and buildings at Oro, the County Seat, for the offices of the several county officers who are by law required to keep their offices open at the county seat, the Courts and county offices shall be held and kept open at Nicolaus, being the next nearest point where such buildings could be procured; and the Clerk of said Court was ordered to give notice of the above order."

A few months later the county seat was by vote of the people, moved to Auburn now in Placer County. The removal of the county seat is dramatically described in some writings of Judge Keyser:

"I wish I could remember the scenes and incidents that accompanied the removal of the county offices, county records, together with the resident lawyers, who felt it to be their interest to migrate with the first two and to dwell within the sound of the musical voice of the Sheriff, as he cried, 'Hear ye! hear ye!' from the Courthouse door. One thing I do remember, and that is that the county officials, the members of the bar, and others who followed the removal of the county seat, were received with open arms and a hearty welcome by the citizens of Auburn. A great dinner was given to the new-comers by the leading business men of the town. Fifty or sixty, comprising merchants, mechanics, miners, lawyers, and doctors sat down to a generously supplied table, around which, after the inner man had been satisfied, wine and wit, mirth and laughter circulated as freely and unembarrassed as if in their native homes."

The Legislature in 1851 created Placer County, making Auburn the County Seat. Part of Sutter County then became part of Placer County including the County Seat of Auburn. This necessitated the selection of another town for the County Seat of Sutter County. There was a great scramble for the honor, which was carried by Vernon. The Act defining boundaries of the county, passed April 25, 1851, located the county seat at Vernon. The secret of Vernon's success was that E.O. Crosby, one of the proprietors of that town, was the State Senator from this district. A year later the legislature, by an act approved May 3, 1852, made considerable alterations to the boundaries of the county, and because Vernon was nearly deserted by this time, the county seat was located at Nicolaus.

Nicolaus retained the county seat in peace and harmony for three years, when Yuba City made a move to secure it. A vote was taken on the question in the fall of 1854, which resulted in serious complications. The number of votes cast were greater for Nicolaus than for Yuba City, but it was claimed that illegal voting was indulged in at Johnson's Crossing, where it was said that teamsters and stage-drivers who lived in Sacramento and elsewhere, as well as travelers, were pressed into voting to keep the county seat in the lower portion of the county. The election was contested. The question seems to have been decided once in favor of Yuba City and then changed in favor of Nicolaus because the August term of the Court of Sessions was opened in Nicolaus and the county seat remained there for one year. The legislature passed an Act, approved April 19, 1856, authorizing the Board of Supervisors to call a special election for May 15, 1856, to determine the final location of the county seat. in pursuance of the above act the Board met May 2 and called the election, and May 24 canvassed the votes with the following results:

Yuba City -----	463
Nicolaus -----	163
Dean's good Yard -----	16
Top of Butte Mountains -----	1
Scattering -----	1
Yuba City's majority -----	282

The majority had first been reported as 271 but was later corrected.

The Board ordered that all the archives and all movable property of the county be removed to Yuba City on Tuesday, June 10, 1856.

The county government of Sutter County had many and varied types of housing during its formative years. The first building provided for the use of the county was the zinc house at Oro in which only one morning meeting was held. At Nicolaus the Court of Sessions was housed in a delightful private residence located on the Feather River. The citizens of Auburn provided a place for the county offices. June 2, 1851, when the county seat was settled at Vernon, the following appears on the record of the Court of Sessions. "William B. Olds appeared in behalf of E.O. Crosby, and 'made a tender of two buildings in the town of Vernon for the use of the county, free of charge'." Court was, however, held in the hotel owned by Captain Savage. At Nicolaus, the American Hotel served as a place for holding court, and for the county offices until 1855. From that time until the county seat was removed to Yuba City, Frederick Vahle's house was used for that purpose. Sutter County had as yet no jail, and prisoners had to be conveyed to Marysville, and confined in the Yuba County jail. Soon after the permanent location of the county seat at Yuba City, steps were taken for providing the county with a courthouse and jail. The present square on Second Street between B Street and C Street was purchased and on February 23, 1858, the contract for building the structure was let to J.R. Deardorff. The building was completed and accepted September 18, 1858, the total cost being

nine thousand four hundred dollars. The building was strong and commodius, and very economically constructed.

The population of Sutter County did not increase to any great extent for many years. For this reason the facilities of the Court House as it was built in 1858 remained adequate for the operation of the county government. During the winter, heat was provided for the offices by a wood stove in each office. Records of the supervisors show where so many cords of wood were purchased and delivered to the courthouse and the County Hospital for the winter supply. Each fall about the first of September the minutes showed the supervisors were thinking of the comfort of county offices during the cold winter months.

December 23, 1871, the Sutter County Banner carried a news item with the caption, "The Court House is in Ashes." The fire was discovered between three and four o'clock in the morning. The fire was supposed to have originated in the clerk's office, however, the cause of the fire was not positively known. Some thought it to be accidental, either from a heating stove or a defective pipe. Night watchman Murphy gave the alarm. The sheriff and treasurer were the first to the rescue. Sheriff Cooper saved all records pertaining to his office. All articles of value were saved from the room occupied by Surveyor Pennington and Attorney H.L. Pierson. Nothing was saved from the District Attorney's office, except the contents of a small safe in the room. As soon as the heat had gone down sufficiently, the walls were pushed down about the county clerk's office, and a determined effort made by Treasurer Wilcoxon to get at the vault containing the records, which he believed to be on fire. After cooling the vault, the doors were forced open, and it was found the fire had actually gained an entrance to the vault and in a few minutes more the records would have been destroyed. Fortunately only a few packets of papers were burned due to the heroic efforts of a few citizens. Later in the day the safe which stood in the clerk's office was opened and its contents found to be slightly injured. The county treasurer's safe was found to be in as good condition as before the fire. The contents, amounting to over thirty-eight thousand dollars, was deposited in the Decker and Jewett Bank in Marysville. The appraisal value of the courthouse and contents was ninety-four thousand dollars and it was insured for five thousand dollars with the Hartford Insurance Company.

An act of legislation was introduced in the legislature, in January following the courthouse fire in December, authorizing the Board of Supervisors of Sutter County to build and furnish a courthouse and jail, at the county seat. The supervisors were to levy and cause to be collected a tax not to exceed fifty cents on each one hundred dollars of taxable property, thus creating a special fund to be known as the Courthouse Fund. Money was authorized to be transferred from the Swamp Land Fund and was to be repaid on a long term basis. The above act was introduced in the legislature by C.F. Berry and was passed February 2, 1872. It enabled the supervisors to go ahead with the replacement of the County Courthouse.

February 5, 1872, the Board of Supervisors examined plans and specifications for a new courthouse. Several architects submitted plans but the plans of Gosling, Bennett, Ball and Bender were selected as being the most probable ones which could be built for the sum of money specified. John Brown, J.H. Middleton and J.B. McDonald were appointed to figure and calculate the probable costs of the four plans above named. The contract for the building was let on Tuesday, March 2, 1872. However, because of much agitation among the people of the County Seat, the contractors were asked to wait for further orders.

April third, 1872, the contract for building a courthouse and jail at Yuba City was executed, stamped and filed and the bond of Swain and Hudson for the sum of 10,000 dollars with W.C. Ellis and N.D. Rideout as surities was approved. An advance of \$5,000 was made on the execution of the contract. John Brown was appointed Superintendent of the building and Messers C.E. Wilcoxon, George Ohleyer and Jonas Marcuse were appointed a committee to have general supervision of the building.

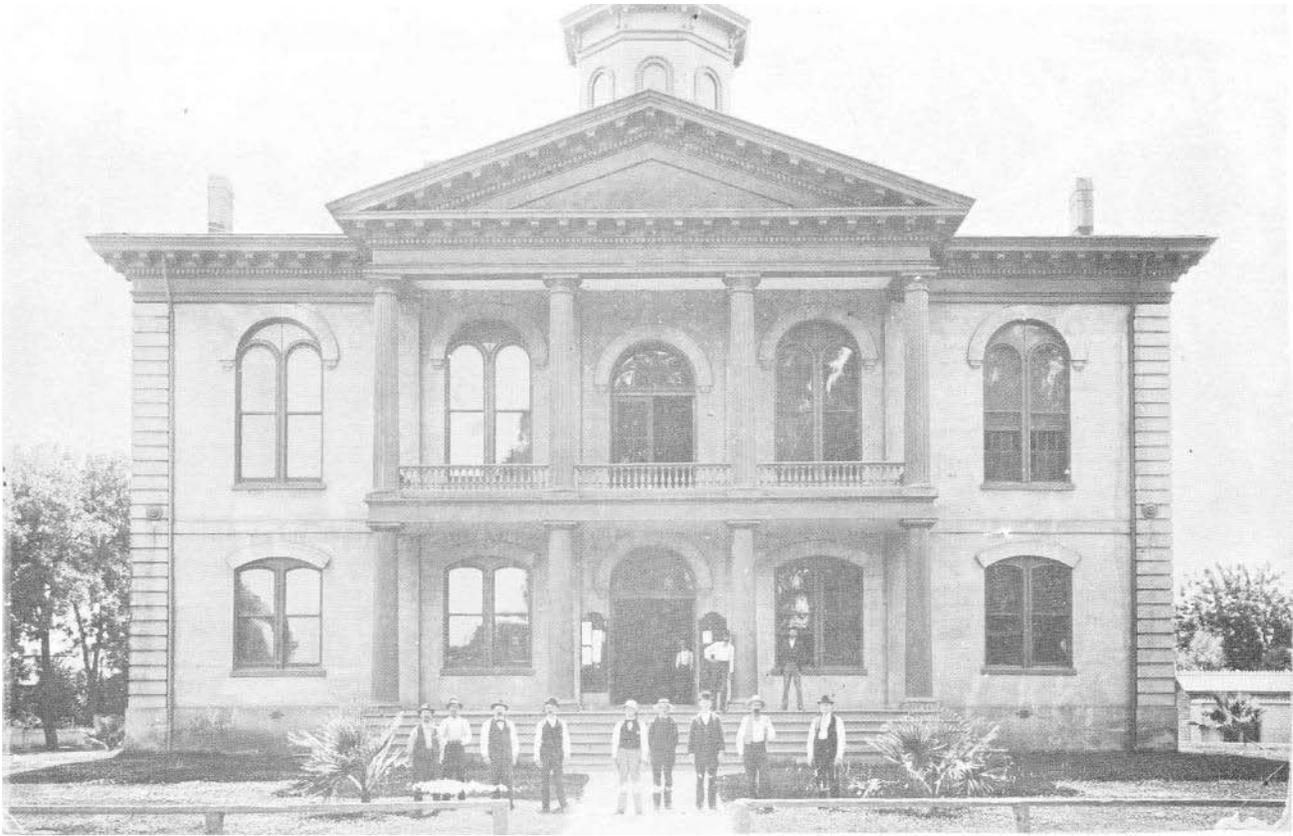
Although the inside work was not quite finished, the county officers moved into their new quarters the Thursday preceding the publication of the December 14, 1872 Banner. The building was said to be ahead of any courthouse in the State in appearance, size and convenience. "The walls are thick and strong and well plastered. The ceilings are about fifteen feet in height and each room is well lighted by broad double windows. A wide hall runs from the north to the south of the building on the first floor and also from the eastern and main entrance to the cells for the prisoners in the extreme west.

The jail consists of four cells and a small "yard." Upstairs the south half of the building is occupied by the Courtroom and the north-west corner is the Supervisors room. The work seems to be well done throughout and Sutter County has reason to be proud of this building. The entire cost will not fall short of \$25,000. Many of the finishing jobs were completed after the building was occupied. In the February 23, 1873 Banner it was reported that the finishing touches had been completed on the Courthouse and the work of cementing the exterior, which had been in progress the last month, was completed."

Three years after the second courthouse was built all offices needed additional storage space and it was decided a basement would fill the need. The entire building was raised four feet higher in order to install the basement. The cost of the raising was \$6,700, which was the only improvement made for the next twenty-four years.

Agitation over moving the county seat seems to have been settled by default. All resolutions were postponed or tabled for action as they were presented. Although several times the grand jury recommended repairs and improvements, no extensions or remodeling appears on the minutes of the Board of Supervisors until the next disastrous fire in 1899.

The headline, "Court House Burned," again appeared in the



SUTTER COUNTY COURTHOUSE BEFORE THE FIRE OF 1899

LEFT TO RIGHT:

FRONT ROW: #1 _____ #2 WILL SMITH #3 CHARLES BOYD SR.

#4 ROY COPE, ASSESSOR #5 HARRY CAMPBELL

#6 _____ #7 _____ #8 T. S. SMITH, SHERIFF

#9 A. C. McLAUGHLIN

BACK ROW: LEANING AGAINST POST MR. BURGESS

#3 N. B. KIRTLEY

Sutter County Farmer April 28, 1899. By the acts of an insane man the courthouse was again destroyed by fire at an early hour Friday morning April 21, 1899. Nothing but the blackened ruins and the brick walls were left to represent the \$25,000 building which was the headquarters for county business for twenty-seven years.

About two o'clock in the morning Deputy Sheriff C.B. Fields, who slept in the room adjoining the sheriff's office, was awakened by a stifling smoke. Running out into the main corridor, he saw flames shooting out of the small grated window of the insane ward in which Richard Wills, an insane Cornishman, was confined. He was being held in custody awaiting commitment to the asylum at Stockton. Mr. Fields gave the alarm and dashed a number of buckets of water through the window. The night watchman and J.L. Wilcoxon soon arrived on the scene followed by N.E. Campbell, H.P. Fulton, Thomas Giblin and others. A valiant effort was made to save the Cornishman and stop the fire but to no avail. The body was later found burned beyond recognition. The fire spread to the second floor and to the attic. The hose from the water works was secured and the pumps started but the fire could not be reached because it was all on the inside of the walls and clear up to the attic. All the county officers were soon on the scene and a big crowd gathered.

When it became evident the building could not be saved efforts were made to save the records and furniture. The District Attorney's, Sheriff's, Assessors', Surveyor's and Treasurer's offices, being on the lower floor, were easy to reach and with but few exceptions the books, papers, records and furniture from the above offices were carried out.

With the help of a ladder a few records were saved from the Superintendent of Schools office. Nothing was saved from the Superior Court room and the county law library was completely destroyed. Those offices containing locked safes were fortunate in saving many records.

The fire, at first, burned in the walls and was slow in its progress. The dense smoke was a drawback to the many workers. As soon as the roof blazed the flames made quick work of the building and shot up hundreds of feet. A close watch was kept on buildings nearby but no other fires were reported.

The Hall of Records was used to house all offices except the Court and the Board of Supervisors. Space was rented in nearby buildings for their activities.

The necessity of fire plugs and reels of hose on both floors of the courthouse became apparent. Sutter City enthusiasts began talking of a move of the county seat to Sutter City and asked for a vote on the question. The vote was never taken and a modern, commodious fire proof building was requested to be erected in place of the one burned.

Appraiser Mr. Harcourt and the County Appraiser, W.E. Tucker had some difficulty in settling the value of the loss and this caused about ten days delay in Making plans for replacement of the courthouse.



COURTHOUSE FIRE (APRIL 1899)

The final report from the Insurance Company to the Board of Supervisors placed the loss at \$8,578.26, as the probable cost of replacing burned parts of the building. The value of the walls and materials saved was placed at \$8500.. After some dissent on the settlement by the county representative the insurance company waived all claims for depreciation and allowed \$11,527.43, the full amount of the loss. To avoid legal technicalities the insurance company agreed to rebuild the courthouse instead of paying the cash. This was agreed upon and the contract was let to Swain and Hudson for the reconstruction of the building. The county was guaranteed a new courthouse as good as the old one. Some changes and improvements were suggested by the contractor, however, most of the following improvements suggested were omitted, except the jail, for the sake of economy. Some of the improvements suggested were porticos at the north and south entrances, a later design for the pillars in front, stained glass for windows, tiled flooring, a fancy cornice, larger jail with court and an insane ward adjoining, a jury room in the court room and several other improvements in architecture.

The new building was a duplicate of the old one except for the jail at the rear. The contract called for the completion of the new building by November 15, 1899, however, they were granted thirty days additional time by the Board of Supervisors. A new style transoms and doors gave the new building a more up-to-date appearance than the old structure had. The interior of the new courthouse presented a much improved appearance over that of the old structure, largely due to new furniture. All the county officers were supplied with substantial desks, chairs and other conveniences. New screens were placed in the windows and at the doorways to keep out the flies.

Plumbing facilities and proper lighting seemed to be adequate in the 1900 building until March 1917. An Article in the Sutter County Farmer March 16, 1917 stated that the old sanitation was not adequate and new septic vaults were installed at the rear of the building and sanitary plumbing was installed leading to the building.

As time went on deterioration began to take its toll. In April 1918 the Board of Supervisors ordered remodeling and improvement of the jail according to plans drawn up by the Pauly Jail Building Company. At the same time sanitary drinking fountains were ordered, one to be placed in the Hall of Records, one in the courthouse and one in Mission Hall.

The contractors in charge of the steel work for the jail had the big cells all in place and steel bars put up in the interior of the structure. The cells were arranged so the sheriff or other officers could lock or unlock them by throwing a lever in the outside structure. Heavy barred windows were also put in the jail and the entire jail made secure.

Crowded conditions became apparent in the early twenties and the supervisors began to rent additional space. In April 1923, District Attorney Arthur Coats was moved to the



SUTTER COUNTY COURTHOUSE REBUILT (1900)

Von Geldern building on the corner of second and "C" Streets. Two rooms were leased for his use.

In May 1925 the Grand Jury was concerned about the crowded conditions in the courthouse and in their report recommended that Mission Hall be replaced by a modern fireproof structure for the use of the officers. The first week of August 1926 the Board of Supervisors instructed George C. Sellon Co., architects, to prepare plans for a two story structure to be located opposite the Hall of Records and on the site of Mission Hall.

In November 1926, we note that improvements of county buildings was always in order when needed. The matter of painting the Courthouse was considered. The building was still heated with wood and coal stoves in 1927. Janitor Jack Foster wanted to know who was making a collection of the County's coal buckets. Twenty buckets had disappeared including five buckets filled with coal. In August of the same year the coal smoke had evidently discolored the exterior of the Courthouse considerably over a period of twenty-six years. A contract was let to A.E. Zwank to paint the entire exterior of the building.

The old-fashioned wood and coal stoves were finally removed from the courthouse and the Hall of Records in 1930. They were to be replaced with circulating heaters of the latest type which would give more heat at less cost than the old system.

Conditions became extremely crowded and any available space was rented for housing the bulging county offices. Many of the offices were moved from the main courthouse building in order to make room for those remaining. It was well understood by the Board that definite plans for taking care of the present and future must be worked out before the next budget year.

Work of preparing the basement of the Courthouse for use by the different officials occupying the building was progressing under the supervision of contractor W.D. Salts. The basement was dug out deeper than the original four feet raise. The work was done by S.E.R.A. workers under a relief project. One compartment was fitted for the sheriff, another compartment was used by the treasurer for storing records. Two other rooms were fitted up, one for the auditor and one for storing fuel. Part of this division was equipped with lavatories.

The Board of Supervisors were beset with many problems during the depression years in the "thirties." Money was scarce, people couldn't pay their taxes, the responsibilities of county officials became greater and greater with the influx of people. In 1937 attention was focused on the jail. A report by the jail inspector for the State Department of Social Welfare condemned the jail and pointed out in his report that a jail built for ten prisoners was at the time of inspection housing eighteen and had as high as forty-three during recent months. The Board had \$20,000 in the budget for the jail but that was only the beginning. At the next meeting they conferred with the firm of Starks and Flanders

and discussed with Starks the possibility of getting P.W.A. funds to help finance the project. The next week plans were submitted for an \$80,000 jail. The plans complied with the federal governments requirements for a public works grant and proposed a grant of \$35,000 leaving a sum of \$40,000 to be raised by the county. The Supervisors abandoned the idea of a new \$80,000 jail building in favor of a more modest expenditure in adding to the present jail.

Many additions and repair jobs were needed on the Courthouse during this period but the project that drew the most fire, especially from those interested in tradition, was the discussion of the removal of the cupola from the top of the traditional building. A storm of protest which had been gathering ever since the announcement of the plan to remove the cupola to cut the costs of repairs reached the Board when Mrs. Assumption Coats and Mrs. Elsie Walton, representing a large group of protestants, appeared before the Board. The Native Daughters Landmarks Committee also entered the picture. It was pointed out that the cupola was an essential part of the architectural design which was originally an exact copy of the old Boston Customs House, a very famous landmark in the United States. With such a storm from many influential citizens the cupola stayed on the building.

In January 1944, a post-war plan for an additional county building across the street from the courthouse to house many of the county offices now scattered about the city was presented to the Board. Supervisors were urged to purchase privately owned property in the area and plan for the erection of such a structure at the close of the war.

As work was being completed on the new office building attention was directed to overhauling the courthouse. A complete exterior paint job and the replacement of the frame porch and steps with concrete construction and the removal of the second story porch was included in the remodeling job. The divided columns were replaced with tall cylinders of hollow steel tapering from a base of eight feet to the roof line. After the removal of many of the offices to the new building the floor plan was completely remodeled to accommodate the judicial branch of county government and a complete redecorating job was done on the interior. One of the most outstanding additions was the installation of an elevator to the second floor to accommodate the Superior Court and Judge's office.

The beauty and tradition of the old courthouse has been maintained throughout the years as well as the functional use. Sutter County should be proud of such a beautiful landmark as the center of County government. The throbbing heartbeat and work of many outstanding officers of the past can be felt as one passes through the hallowed halls.

NOTES

1. Chamberlain and Wells, History of Sutter County. pp. 28, 33.
2. Minutes of the Court of Sessions. June 10, 1850
3. Act of State legislature. April 19, 1856
4. Sutter County Banner. (newspaper) 1871
5. Ibid. December 23, 1871
6. Minutes of the Board of Supervisors. February 15, 1872
7. Ibid. April 3, 1872
8. Sutter Banner. (newspaper) December 14, 1872
9. Sutter County Farmer. (newspaper) April 28, 1899
10. Ibid. June 23, 1899
11. Ibid. July 7, 1899
12. Ibid. November 10, 1899
13. Minutes of the Board of Supervisors. November 10, 1899
14. Sutter County Farmer. (newspaper) January 12, 1900
15. Ibid. June 29, 1900
16. Minutes of the Board of Supervisors. April 1, 1918
17. Sutter County Farmer. (newspaper) August 16, 1918
18. Ibid. April 27, 1923
19. Ibid. May 29, 1925
20. Ibid. August 7, 1925
21. Ibid. November 26, 1926
22. Ibid. March 18, 1927
23. Ibid. April 22, 1927
24. Ibid. October 3, 1930
25. Ibid. December 5, 1930
26. Independent-Farmer. (newspaper) November 26, 1935
27. Ibid. December 2, 1941
28. Ibid. January 21, 1944
29. Ibid. March 8, 1945
30. Independent-Herald. (newspaper) November 5, 1953