

United States Department of the Interior
National Park Service

2290
NOV 9 8 1989

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in Guidelines for Completing National Register Forms (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries.

1. Name of Property

historic name Clay County Courthouse
other names/site number CY01-4

2. Location

street & number Fairfield St bet Alexander & Brown Aves N/A not for publication
city, town Clay Center N/A vicinity
state Nebraska code NE county Clay code 035 zip code 68933

3. Classification

Ownership of Property	Category of Property	Number of Resources within Property	
<input type="checkbox"/> private	<input checked="" type="checkbox"/> building(s)	Contributing	Noncontributing
<input checked="" type="checkbox"/> public-local	<input type="checkbox"/> district	<u>1</u>	<u> </u>
<input type="checkbox"/> public-state	<input type="checkbox"/> site	<u> </u>	<u> </u>
<input type="checkbox"/> public-Federal	<input type="checkbox"/> structure	<u> </u>	<u> </u>
	<input type="checkbox"/> object	<u> </u>	<u> </u>
		<u>1</u>	<u>0</u>
			Total

Name of related multiple property listing: County Courthouses of Nebraska
Number of contributing resources previously listed in the National Register 0

4. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

[Signature] November 17, 1989
Signature of certifying official Date

State or Federal agency and bureau
In my opinion, the property meets does not meet the National Register criteria. See cont. sheet.

Signature of commenting or other official _____ Date _____

State or Federal agency and bureau _____

5. National Park Service Certification

I, hereby, certify that this property is:
 entered in the National Register.
 See continuation sheet
 determined eligible for the National Register. See continuation sheet.
 determined not eligible for the National Register.
 removed from the National Register.
 other, (explain:)

Patrick Ardus 1/10/90

Signature of the Keeper Date of Action

6. Function or Use

Historic Functions (enter categories from instructions) Government/courthouse Current Functions (enter categories from instructions) Government/courthouse

7. Description

Architectural Classification (enter categories from instructions) Beaux Arts Materials (enter categories from instructions) foundation stone
walls brick
roof other
other terra cotta

Describe present and historic physical appearance.

[X] See continuation sheet, section 7, page 1.

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:
 nationally statewide locally

Applicable National Register Criteria A B C D

Criteria Considerations (Exceptions) A B C D E F G

Areas of Significance (Enter categories from instructions) Architecture Politics/government Period of Significance 1917-39 Significant Dates 1917-19
N/A

Cultural Affiliation N/A

Significant Person N/A Architect/Builder Gernandt, William F.

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

[X] See continuation sheet, section 8, page 1.

9. Major Bibliographical References

[X] See continuation sheet, section 9, page 1.

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # _____
- recorded by Historic American Engineering Record # _____

- Primary location of additional data:
- State historic preservation office
 - Other state agency
 - Federal agency
 - Local government
 - University
 - Other
- Specify repository: _____

10. Geographical Data

Acreeage of property 2 acres

UTM References

A	<u>11</u> <u>14</u> <u>15</u> <u>18</u> <u>10</u> <u>10</u> <u>19</u> <u>10</u> <u>4</u> <u>4</u> <u>18</u> <u>15</u> <u>18</u> <u>13</u> <u>10</u>	B	<u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>
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	Zone Easting Northing		Zone Easting Northing

[] See continuation sheet, section 10, page 1.

Verbal Boundary Description

[X] See continuation sheet, section 10, page 1.

Boundary Justification

[X] See continuation sheet, section 10, page 1.

11. Form Prepared By

name/title	Barbara Beving Long, consultant		
organization	Four Mile Research Co.	date	November 8, 1989
street & number	3140 Easton Boulevard	telephone	(515) 266-4964
city or town	Des Moines	state	Iowa zip code 50317

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Built in 1917-19, the Clay County Courthouse is an excellent, largely unaltered example of the Property Type, County Citadel. Identifying features include: rectangular shape, centered entrance, costly materials, distinctive ornamentation, Beaux Arts stylistic influence, provision for fireproof storage, and impression of a government building representing modernity, strength, and prosperity. The courthouse also has other County Citadel characteristics: flat roof, prominent raised basement, and designed by an architect. In addition, the property is an exceptionally fine example of one of the ten Nebraska courthouses William F. Gernandt designed during an unusually productive period, between 1910 and 1923. The Clay County Courthouse, with its elaborate terra cotta ornamentation, marks a departure in Gernandt's designs and thus illustrates the evolution of this courthouse commissions.

The Clay County Courthouse is rectangular and consists of two stories set upon a raised basement. With its prominent entry pavilion, the north facade is the principal entrance. Lesser pavilions with entrances are centered on the east and west facades, and the south pavilion has a distinctive bay window.

The design is the first of three Nebraska courthouses Gernandt designed using elaborate terra cotta trim, and the cream-colored terra cotta contrasts well with the grey-tan brick. The ornate north pavilion displays a wealth of terra cotta. Particularly effective is the broad water-table which consists of a series of patterned courses (including egg-and-dart, circles, and beads). These courses are continued on the series of pedestals for massive fluted Ionic columns and engaged columns, creating a visual richness unmatched on non-Gernandt Nebraska courthouses.

The opulence continues above the columns as well as along the cornice. Above the paired entry columns are immense acanthus consoles and a heavy acanthus course with tiny acroteria along it. Above these consoles are squared pedestals with even more decoration; their shape recalls shapes on Gernandt's earlier Dawson County Courthouse.

Between the paired columns are, from top to bottom, a decorated shield with "CC" on it, more decorated courses, a pair of rectangular windows having starburst mullions, a rounded balcony with twisted balusters and decorated railings, and a heart with wings that appear to support the balcony. Then a rounded tympanum over the door with fine foliated detail, an attractive dark grey polished stone door surround, and large transoms over original double doors. Original metal lamp posts have four

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small globes around a large one and rest on brick and stone pedestals at the entry steps.

The acanthus and acroteria cornice, patterned courses, coping and also the water table (which is a continuous sill for first story windows) all continue around all sides of the building, providing a unifying richness. Also continued is the "rusticated" brick raised basement and its stone base (which also acts as a sill for basement windows).

East and west pavilions have five brick pilasters with unusual terra cotta bases and capitals. Rather narrow rectangular windows are placed between the pilasters. Entrances are much simpler than on the front, and the original metal lights with globes are affixed to the wall.

The south pavilion introduces brick quoins to the design. The rounded two-story bay with brick and terra cotta balustrade echoes the shape of the terra cotta balcony on the front. Similarly, parapet detail recalls the large squared pedestals of the main facade and has the same motifs.

Double-hung windows are regularly spaced on the facades. Four sets of windows flank the north and south pavilions, while only one set (plus considerable wall surface) occur on either side of the east and west pavilions.

The courthouse exhibits features of the Beaux Arts style, including a wealth of classical detail, pronounced cornice with a tall parapet, immense grouped columns, rusticated raised basement, projecting pavilions, enriched surfaces, and a grandiose quality.

The 60x90' building has steps up to the north entry foyer. From the foyer are narrow steps down to the basement and steep steps up to the first floor corridor. County offices are ranged off this corridor, including the supervisors' room at the south side bay window. Vaults of different size are located in various places. At the east end is the staircase.

On the second floor is the district courtroom and related offices. The 30x44' courtroom is located at the end of the corridor, roughly the west end of the building. But it is surrounded by office space and has no windows, an unusual but efficient arrangement. The public enters the courtroom at its back, another unusual feature. In other courthouses, courtroom access is from the side of the room, not the back.

Like other Gernandt courthouses, this example has costly interior features. These include mosaic tile in geometric patterns of tan, blue,

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black, and grey on a white ground, dark grey mopboards and trim, and marble stairs, wainscoting, and door surrounds. First floor corridor walls above the marble wainscoting appear to be two sizes of concrete block that was laid up with wide joints and painted to resemble stone.

Across from the entry stairs to the first floor is a shallow niche containing a plaque. It was placed there "in memory of Charles O. Sanderson," county sheriff who was killed September 16, 1914 in performance of his duty.

The district courtroom contains elements typical of Gernandt courtrooms, especially the bold dark woodwork. Heavy beams criss-cross the ceiling and end in distinctive pairs of brackets. The brackets have guttae and are united by a finely detailed swag. Other features include paneled wood wainscoting, the judge's bench, the bar, and heavy flat lintels with dentils and long consoles at the six doors. Four exceptional wall lights of metal and glass are placed behind the judge's bench. Leather-covered double doors provide access to the courtroom.

Alterations are minimal: fluorescent lighting and limited changes in the offices. Modern windows have replaced the original simple double-hung windows shown on an historic photograph.

The courthouse is centered on the south end of the courthouse square. The commercial area of Clay Center surrounds it. There are no objects or buildings on the site other than a small metal utility shed (not counted for this nomination). Numerous deciduous and evergreen trees, including some very large ones at the front, dot the lawn.

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The Clay County Courthouse is architecturally significant (Criterion C) and also historically significant (Criterion A) for its association with politics and local government. The property derives its historic significance as the focal point for the administration of local government and institutions in Clay County. It is an excellent example of public architecture and contains good examples of design features and facilities distinctive to its design and use as a courthouse. In addition, the courthouse is an exceptionally fine example of the ten Nebraska courthouses William F. Gernandt designed during an unusually productive period, between 1910 and 1923. The Clay County Courthouse, with its elaborate terra cotta ornamentation, marks a departure in Gernandt's designs and thus illustrates the evolution of this courthouse commissions. With its distinctive design and standing as one of Gernandt's important terra cotta courthouses, the property is of Statewide Significance.

As a good example of the County Citadel, the courthouse contains design features and facilities distinctive to its design and use (such as fireproof vaults), has a rectangular shape, centered entrance, costly materials, distinctive ornamentation, and Beaux Arts stylistic influence. Elements of the design combine effectively to convey the impression of a government building representing modernity, simplicity, and prosperity, also features of the County Citadel.

The Period of Significance is 1917, when construction began, to 1939, when the "fifty year rule" takes effect. The Clay County Courthouse is being nominated as an example of the Property Type, County Courthouses of Nebraska (County Citadel) of the Context, County Government in Nebraska, 1854-1941, from the Multiple Property Submission, County Courthouses of Nebraska.

Clay County is located in southeast Nebraska in a fertile and well watered area. The county was organized in 1871, during a period of pronounced settlement in the state. Sutton was the first county seat. From the beginning it had to contend with others, Harvard and Fairfield, who coveted the county seat designation.

In 1879 another contender entered the fray, Clay Center. As its name suggests, it is in the center of the county, an important advantage in county seat competition. Representatives from the various communities succeeded in having several votes held on the county seat designation, but all were nullified because of improprieties or failure to achieve enough votes to merit a change from Sutton.

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Apparently in exasperation, the county board simply declared that Clay Center was the county seat in 1879 and directed county officers to move records to the new county seat. All obeyed except the county judge who was then summarily impeached from office. Clay Center detractors took the matter to the courts, and the Nebraska Supreme Court ordered the county judge reinstated and county offices returned to Sutton, still the legal county seat.

Clay Center boosters then acted as a vigilante band. They stole county records and spirited them away to the illegal county seat. Clay Center residents even celebrated the thievery with a barbecue, speeches, and music, on October 31, 1879. The fete was held four days before an election that finally brought Clay Center the legal county seat designation. With the arrival of railroad service in 1886, the standing of Clay Center as the political and commercial center of the county was assured.

By 1916 the old courthouse and the jail on the north end of the courthouse square were inadequate for county needs. After county residents submitted a petition on September 27, 1916, the board levied a special tax for building a \$100,000 courthouse.¹

The board then invited architects to make presentations. On February 15, 1917, James Craddock (Omaha), Mr. Grant (Beatrice), C.W. Way and R.A. Bradley (both from Hastings), and Berlinghof & Davis (Lincoln) met with the board. The board also visited new courthouses in Howard, Custer, Greeley, Phelps, and Seward Counties.

On February 28, the board met with Way, Bradley, and Berlinghof, and received "a communication" from William F. Gernandt of Omaha. Gernandt's courthouse designs were among those the board had visited, and it is possible that Craddock was from his office. On March 7, the board unanimously selected Gernandt for architect and decided to view his Merrick County Courthouse (1911-13) as well.

In April the board directed the architect to prepare new or revised plans for the courthouse. It was to be at least 60x90' in size and cost not more than \$86,000 (excluding furniture and the jail). It is unclear what revisions were required, but the redrawn plans were accepted the

¹There is no mention of a county election on the tax in county records, and it is not clear why the tax was not ruled unconstitutional as was the case in Burt and Webster Counties.

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following month, on May 4, 1917.

Acting for the board, Gernandt placed advertisements for contractors in the American Contractor in Chicago, Western Contractor in Kansas City, and Improvement Bulletin in Minneapolis. When bids were opened on September 19, 1917, they were apparently found to be too high, and the board called for less expensive specifications. On October 24, new bids based on the revisions were opened. The Omaha construction firm of Olson & Johnson (later Olson-Magee Company) won the contract with a bid of \$81,585 and agreed to complete work by December 28, 1918.

The plans for a new courthouse in Clay Center took place amid American preparations to enter World War I. On April 2, 1917, President Woodrow Wilson had declared war against Germany. The country went on a wartime footing, which included the War Industries Board. Federal agencies directed or restricted transportation and construction matters, and other vital segments of the nation's economy. Clay County officials found that the brick they had selected was unavailable due to wartime conditions, so they chose "Raglan grey-faced brick" for the building. And the contract signed in October 1918 (shortly before the Armistice) for wood furniture from W.O. Hertel included a "war condition clause." The contract was thus "subject to any interference or emergency requirements of the United States Government."

Despite the global war, construction continued on the courthouse, although it is likely that the pace was slower than during peacetime. Progress was such that the cornerstone was laid August 19, 1918. On April 14, 1919, the architect reported that the electrical work was complete and the furnishings installed according to contract. However, on June 12, 1919, the board refused to formally accept the courthouse, saying there appeared to be claims for labor and materials still unpaid. The controversy continued through the summer. On August 6, 1919, the contractor agreed to allow the county to move into the courthouse--but this was not to be construed as formal acceptance. The county moved in immediately and took steps to demolish the old courthouse. A satisfactory agreement was eventually reached.

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Long, Barbara Beving. "County Courthouses of Nebraska." Multiple Property Submission. 1989.
Nebraska State Historical Society. Photo Collection. #M281-66.
Works Progress Administration. Survey of County Courthouse Records. 1936. NeSHS Archives. Clay County.
Clay Center, Nebraska. Sanborn Fire Insurance Map. 1910, 1927.
Clay County. Supervisors' Records. Book 7.
Tracings. Clay County Courthouse. William F. Gernandt.
Clay County Home Extensions Club. The Story of Clay County. n.p., 1969.
Historical Committee, comp. The Centennial Sketch of Clay County, Nebraska. [1971.]
Swanson, Hjalmar A. Clay County, Nebraska. c. 1962.

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Verbal Boundary Description

The nominated property, Clay County Courthouse, occupies Block 11 of the Original Plat of Clay Center and is roughly 300x300' in size.

Boundary Justification

The boundary includes the entire city block that has historically been associated with the property.