

NOT FOR PERMANENT FILE

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Form No. 10-300 (Rev. 10-74)

DATA SHEET

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY
RECEIVED NOV 23 1976
DATE ENTERED DEC 7 1977

SEE INSTRUCTIONS IN HOW TO COMPLETE NATIONAL REGISTER FORMS
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC Mariposa County Courthouse

AND/OR COMMON

2 LOCATION

STREET & NUMBER

5088 Bullion Street

NOT FOR PUBLICATION
CONGRESSIONAL DISTRICT

CITY, TOWN

Mariposa

VICINITY OF

15th

STATE

California

CODE

06

COUNTY

Mariposa

CODE

013

3 CLASSIFICATION

CATEGORY

DISTRICT
 BUILDING(S)
 STRUCTURE
 SITE
 OBJECT

OWNERSHIP

PUBLIC
 PRIVATE
 BOTH
PUBLIC ACQUISITION
 IN PROCESS
 BEING CONSIDERED

STATUS

OCCUPIED
 UNOCCUPIED
 WORK IN PROGRESS
ACCESSIBLE
 YES RESTRICTED
 YES UNRESTRICTED
 NO

PRESENT USE

AGRICULTURE MUSEUM
 COMMERCIAL PARK
 EDUCATIONAL PRIVATE RESIDENCE
 ENTERTAINMENT RELIGIOUS
 GOVERNMENT SCIENTIFIC
 INDUSTRIAL TRANSPORTATION
 MILITARY OTHER

4 OWNER OF PROPERTY

NAME

County of Mariposa

STREET & NUMBER

5088 Bullion Street

CITY, TOWN

Mariposa

VICINITY OF

STATE

California

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE
REGISTRY OF DEEDS, ETC

Hall of Records

STREET & NUMBER

10th Street

CITY, TOWN

Mariposa

STATE

California

6 REPRESENTATION IN EXISTING SURVEYS

TITLE

California State Landmark No. -670

DATE

12/1/58

FEDERAL STATE COUNTY LOCAL

OFFICE FOR
SURVEY RECORDS

Office of Historic Preservation

CITY, TOWN

Sacramento,

STATE

California 95811

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DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input checked="" type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETEIORATED	<input type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input checked="" type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The original structure was a two story frame building 50'6" x 30'0". County offices occupied the first floor. This occupancy or use has continued to the present. There has been some slight alteration of office space on the first floor. The Courthouse and furnishings are in their original state except Kerosene fixtures have been electrified.

Additions to the original structure include:

1. A brick vault, 1861
2. A Clock Tower, 1866
3. A white picket fence, 1975

The fence was later removed and wire mesh substituted. Plans are under consideration to restore the picket fence.

4. A building approximately the size of the original structure was constructed and joined to the rear of the original building in 1934. Only the most careful observer would detect that it was not part of the original Courthouse.

5. Wooden window shutters were restored to the original structure, 1973.

Trees on the property are incense cedar.

SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW		
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input checked="" type="checkbox"/> LAW
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> ARCHITECTURE <i>B.T.F.</i>	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC
<input checked="" type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY
<input type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input type="checkbox"/> POLITICS/GOVERNMENT
		<input type="checkbox"/> INVENTION	<input type="checkbox"/> RELIGION
			<input type="checkbox"/> SCIENCE
			<input type="checkbox"/> SCULPTURE
			<input type="checkbox"/> SOCIAL/HUMAN
			<input type="checkbox"/> THEATER
			<input type="checkbox"/> TRANSPORTATION
			<input type="checkbox"/> OTHER (SPECIFY)

SPECIFIC DATES Plans were approved July 21, 1854
 BUILDER/ARCHITECT P. V. Fox & A. F. Shriver

STATEMENT OF SIGNIFICANCE

MARIPOSA COUNTY COURTHOUSE - 1854 -

Mariposa County is known as the Mother of California Counties. Of the original 27 counties of the new state of California, admitted to the Union in September 1850, Mariposa then embraced one fifth the area of the state. Ten other counties have since been created in whole or part from Mariposa's initial boundaries.

In 1852 our county seat was moved from Agua Fria, now non-existent to the Town of Mariposa. Construction of the present Courthouse was commenced in 1854. The building was accepted and occupied early in 1855. The contract price was \$9,000, with extras the cost was approximately \$12,000. Materials for the all wood structure came from a pine forest within a mile of the Courthouse site. There the timbers were cut, sawed into rough lumber at a nearby sawmill, and some of it hand planed into finished lumber. Corners were formed by mortise and tenon. Nails used were hand made and square cut.

In 1866 a clock was imported from England and installed in a cupola especially built for that purpose. The hourly tolling of the clock is heard daily throughout the Town of Mariposa.

A letter from John C. Fremont to Mariposa County officials indicated that the County overlooked acquiring title to the site on which the Courthouse had been recently built. Fremont's letters graciously offer to convey the site to the County.

In 1856 Fremont was the nominee of the newly organized Republican Party for President of the United States.

The Mariposa County Courthouse, described in 1953 by California Chief Justice as "A shrine to the Bench and Bar of California", has been the scene of much important litigation affecting the legal history of California, particularly with respect to mining law.

The most important case in the annals of California Mining law was tried before the District Court in the Mariposa County Courthouse. The decision was affirmed by the California Supreme Court in 1859. The decision...

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The vault attached to the Courthouse was constructed in two phases. In 1891, a smaller vault, 12 X 15', was constructed at a cost of \$745.00. It was entered from the District Office through steel doors. In 1891, a larger vault, 22 X 32', was added to the first vault at a cost of \$2,250.00. This vault is entered through the smaller via a second set of steel doors. The larger vault has large windows which are sealed by steel coverings. The roof is made of concrete and is over 2 feet thick and the exterior is white stucco to protect the structure. The floor is concrete.

Records of the contents of the vault are varied. Included are the normal records of the District Office, District Court and Superior Court records, probate records from 1851, voter registrations from 1867, Supervisors' minutes from 1852, records of the Arizona Gazette Newspaper from 1852, and other official documents and records.

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FOR
ATTN

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with mineral rights retained and owned by the sovereign, i.e. the United States or the State of California.

Under the laws of Mexico, from whom the United States acquired California in 1845, the owner of land owned surface rights, only, the minerals beneath the surface being retained by the sovereign. The defendants argued that the rule of law carried over and was applicable to California lands under United States sovereignty, and that as the owner of the minerals, only the United States or the State of California could legally object to third persons entering upon another's land for the purpose of removing the minerals.

The District Court and the Supreme Court of California rejected these arguments and held that the one having legal title to the land owned both surface and mineral rights, and anyone who enters upon privately owned land and attempts to remove minerals without the owners permission is a mere trespasser.

The Courthouse is Greek Revival in an early, simple form. Detailing is sensitive, well proportioned, and well executed, if simple. The building contains wide, square, corner pilasters, undecorated frieze, and a plain but classic pedimented gable. The absence of a columned porch or portico and the plain surface and window treatment, relate it to New England interpretations of the style. The tower, with its crenallated parapet and square appearance, really relate it more to Gothic Revival styles than Greek Revival, but both occur chronologically fairly close together in California architecture of this era.

(1) BIDDLE BOGGS vs. MERCED MINING COMPANY (1859) 14 Cal. 279; on rehearing P. 355.

UNITED STATES DEPARTMENT OF THE INTERIOR
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NATIONAL REGISTER
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CONTINUATION SHEET

From February 18, county seat of ... held, and much of ... of James Burney, 1 ... handsome rent for

by order of the Co. to the town of ... the present court matters and other ... were paid rent.

The courts of ... were: Justice Co. Court, of which ... District Judge.

The Court of Ses. composed of the ... by the several J.

From Volume 1 of that it's duties performed the ... nearly, legislative.

(1) Legislation Governor.

(2) of interest fact that ... as a state as a de fact vote of the

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NATIONAL REGISTER OF HISTORIC PLACES
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From February 13, 1850 (1), until November 17, 1851 Agua Fria was the county seat of Mariposa County (2). During that period, court was held, and much of the county's business was transacted in the home of James Burney, first sheriff of Mariposa County. He was paid a handsome rent for such use.

By order of the Court of Sessions, the county seat was transferred to the town of Mariposa, effective November 10, 1851. From then until the present courthouse was completed and occupied in early 1855, court matters and other county business was largely conducted in and from the homes of the respective county officers for which use they took were paid rent.

The courts of the county at that time and for several ensuing years were: Justice Courts, County Court, Court of Sessions and District Court, of which Mariposa was one of several counties served by a District Judge.

The Court of Sessions, the most active of the several courts was composed of the County Judge and two justices selected from among and by the several Justices of the Peace throughout the county.

From Volume 1 of the minutes of the Court of Sessions, it appears that it's duties not only were judicial in nature, but that it also performed the duties now performed by the Board of Supervisors, namely, legislative and executive.

- (1) Legislation creating California's 27 counties signed by the Governor.
- (2) Of interest from an historical and legal point of view is the fact that although California was not admitted to the Union as a state until September 9, 1850, it had functioned fully as a de facto state since it's adoption of a constitution by vote of the people on November 13, 1849.

UNITED STATES

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY

CONTINUATION SHEET

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The courthouse of 1854, is the oldest courthouse in active use as a courthouse, west of the Mississippi today.

Little is known of it's builders Fox and Sariver other than that they migrated to California from the northeast during the gold rusa. They were builders, not architects per se. But they remembered well the style of public buildings from the area from whence they came. Based on that knowledge and experience, P. V. Fox prepared the plans for a fee of \$100.00. The plans were adopted by the Court of Sessions, June 21, 1854, and contract awarded on July 21, 1854 to P. V. Fox and A. F. Sariver on their bid of \$9,000.

Court records of 1853 and 1859 disclose Fox and Sariver suing the county for payment of Fox's fee for preparing the plans, and for interest allegedly due for building the courthouse.

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9 MAJOR BIBLIOGRAPHICAL REFERENCES

Mariposa Gazette, 1854 to Date
 Mariposa Courthouse, 1854 - 1954, Noel C. Stevenson
 California State Bar Journal, Vol. 29, February 1954

10 GEOGRAPHICAL DATA 1.37 acres

ACREAGE OF NOMINATED PROPERTY 240 ft. x 250 ft.
 UTM REFERENCES

A	1	2	3	4	5	6	7	8	9	1	2	3	4	5	6	7	8	9	
	ZONE			EASTING			NORTHING				ZONE			EASTING			NORTHING		
C																			
D																			

VERBAL BOUNDARY DESCRIPTION

Structure surrounded by:
 Bullion St. (Front)
 10th St. (Left)
 Jones St. (Rear)
 9th St. (Right)

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME / TITLE
 Harry O. Stewart Project Manager August, 1976
 ORGANIZATION DATE
 Bicentennial Steering Committee
 STREET & NUMBER TELEPHONE
 5018 Colorado Road (209) 966-3827
 CITY OR TOWN STATE
 Midpines California 95345

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS

NATIONAL STATE LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service

FEDERAL REPRESENTATIVE SIGNATURE *Harold Alford*

TITLE DIRECTOR DATE NOV 15 1976

FOR NPS USE ONLY
 I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE 12/2/77
 DIRECTOR OF HISTORIC PRESERVATION
 ATTEST: *Blair G. Hervey* DATE 12-6-77
 MEMBER OF THE NATIONAL REGISTER
 MEMBER OF THE NATIONAL REGISTER

STATE OF CALIFORNIA—HISTORIC

OFFICE OF HISTORIC PRESERVATION
 DEPARTMENT OF PUBLIC WORKS
 POST OFFICE BOX 2390
 SACRAMENTO, CALIFORNIA 95833
 (916) 445-8006

November 9, 1976

Dr. William G. ...
 Keeper of ...
 U. S. Dept. of ...
 18th and C ...
 Washington,

Dear Dr. Mc...

We submit ...
 of Historic ...
 California

Sincerely,

K

Dr. Knox Mc...
 Historic Pr...

Enclosures

K-4/2402