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United States Department of the Interior  
National Park Service

NOV 28 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 Thurston County Courthouse  
other names/site number TS03-22 ; 2nd Thurston County Courthouse; Pender School

#### 2. Location

street & number Main St bet 5th & 6th Sts N/A not for publication  
city, town Pender N/A vicinity  
state Nebraska code NE county Thurston code 173 zip code 68047

#### 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> buildings
<input type="checkbox"/> public-state	<input type="checkbox"/> site	<u>        </u>	<u>        </u> sites
<input type="checkbox"/> public-Federal	<input type="checkbox"/> structure	<u>        </u>	<u>        </u> structures
	<input type="checkbox"/> object	<u>        </u>	<u>        </u> objects
		<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.

James A. Hanson 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 Andrews 1/10/90

for 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) Late Victorian Materials (enter categories from instructions) foundation concrete walls brick roof asphalt other stone

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 [x] locally

Applicable National Register Criteria [x] A [ ] B [ ] C [ ] D

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

Areas of Significance (Enter categories from instructions) Politics/government Period of Significance 1927-39 Significant Dates N/A

Cultural Affiliation N/A

Significant Person N/A Architect/Builder Reynolds, J.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.

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**9. Major Bibliographical References**

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[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: \_\_\_\_\_

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**10. Geographical Data**

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Acreage of property less than 1 acre

UTM References

A	<u>1</u> <u>4</u>	<u>6</u> <u>8</u> <u>94</u> <u>20</u>	<u>4</u> <u>66</u> <u>47</u> <u>30</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> <u>  </u> <u>  </u>
	Zone	Easting	Northing		Zone	Easting	Northing
C	<u>  </u> <u>  </u>	<u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u>	<u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u>	D	<u>  </u> <u>  </u>	<u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u>	<u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u> <u>  </u>
	Zone	Easting	Northing		Zone	Easting	Northing

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

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Verbal Boundary Description

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

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Boundary Justification

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

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**11. Form Prepared By**

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name/title	Barbara Beving Long, consultant				
organization	Four Mile Research Co.	date	August 17, 1989		
street & number	3140 Easton Boulevard	telephone	(515) 266-4964		
city or town	Des Moines	state	Iowa	zip code	50317

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## National Register of Historic Places Continuation Sheet

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The second Thurston County Courthouse was built to be a school in 1895 but displays qualities of the Property Type, County Capitol, following its 1927 conversion to courthouse use. Identifying features include presence of a tower, permanent materials, provision for fireproof vaults, some ornamentation, and limited Romanesque Revival stylistic influence. The relatively unaltered building conveys the impression of a government building of permanence and solidity. It appears to be the only example in Nebraska of a still functioning courthouse that was not specifically designed for that function. In an early and successful example of adaptive reuse, the former school was converted to courthouse use some three decades after its construction.

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The courthouse appears to be T-shaped because of the gabled wings, although it is actually an irregular, 73x89' roughly square shape. The roofline is similarly varied, with the gabled wings, a truncated hipped roof corner tower between them, and a hipped roof section on the southwest corner.

Wall surfaces are faced with red brick laid in common bond, and the high basement of the two-story building is concrete. The prominent tower wedged between two gabled wings carries the principal ornamental detail, although gable ends have simple moulded metal cornice returns and large simple brick chimneys. At the top of the tower, an arcade of three small round-arched windows recalls the Romanesque Revival style, but the building otherwise carries little stylistic reference. Below the arcade are three narrow rectangular windows that light the stair well. Like other window groupings, they share a simple smooth stone continuous sill.

Among the changes made in the mid-1920s were installing four fireproof storage vaults, a new roof, plumbing and some new flooring, also re-wiring, and new partitions. Even though the building was designed to be a school, room arrangements for courthouse use were changed to conform to the norm for courthouses. Commonly visited county offices and their vaults are on the first floor, and the district courtroom is on the second.

Exterior alterations are minor and expected and include replacement windows with opaque transoms, new roof, and a metal and glass entry door. Interior changes dating from after the 1927 conversion include new paneling and dropped ceilings with fluorescent lighting. During the 1930s, the courtroom was made smaller and received attractive wood Art Deco courtroom furnishings.

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The Second Thurston County Courthouse occupies a half-block site and is located on the west end of the site. A long concrete walk extends to the main entrance on the east facade, with walks perpendicular to it extending north and south. Deciduous and evergreen trees are scattered about the site, and a recently planted esplanade of deciduous trees lines the concrete walk. A small brick and concrete memorial dedicated to county veterans, a circular flower bed, flagpole and a time capsule with a low granite marker--all of very small scale and modest design and therefore not counted in this nomination--are concentrated at the northeast corner of the property. The courthouse site is just west of Pender's commercial district, and houses are the property's immediate neighbors.

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The Second Thurston County Courthouse is significant under Criterion A (Politics/government). The property derives its historical significance as the continuing focal point for the administration of local government and institutions in the county. Acquired to quiet interest in county seat removal from Pender, the property represents the "county seat wars" that characterized an important chapter in the county's political history. The courthouse forms a significant part of the identity of the county seat, Pender.

The Second Thurston County Courthouse was built to be a school but displays qualities of the Property Type, County Capitol, following its 1927 conversion to courthouse use. Identifying features include presence of a tower, permanent materials, provision for fireproof vaults, some ornamentation, and limited Romanesque Revival stylistic influence. The relatively unaltered building conveys the impression of a government building of permanence and solidity. It appears to be the only example in Nebraska of a still functioning courthouse that was not specifically designed for that function. In an early and successful example of adaptive reuse, the former school was converted to courthouse use some three decades after its construction.

The Period of Significance is 1927, when the county assumed use of the building, to 1939, when the "fifty year rule" takes effect. The Second Thurston County Courthouse is being nominated as an example of the Property Type, County Courthouses of Nebraska of the Context, County Government in Nebraska, 1854-1941, from the Multiple Property Submission, County Courthouses of Nebraska.

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Despite its location along the Missouri River in the northeast part of the state, Thurston County was not among the early riverside counties in Nebraska. Unlike most counties, it contains an Indian reservation, for the Winnebago and Omaha Indians, and the Indian presence was a factor in the county's late establishment. Thurston County was not created until 1889, following sale of former Indian lands in 1884.

Pender has always been the county seat. Largely through the efforts of W.E. Peebles, it was established in 1884. In addition to founding the town, serving as the first mayor, and building the Peebles House, Peebles donated a depot site to induce the railroad to come to Pender. By 1889, when the county was organized, population reportedly stood at 700.

In 1908 county commissioners sought to expand courthouse space from the one-story false-fronted building used as the courthouse (extant). The county leased space in the Palace Hotel adjacent to the existing

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courthouse. (See National Register nomination for First Thurston County Courthouse.)

Walthill residents eager for the county seat designation made an issue of the temporary nature of the First Thurston County Courthouse and these leasing plans. They took the commissioners to court and also began a petition drive to vote on the county seat location. Walthill enjoyed the more desirable location for a county seat, near the center of the county, while Pender was in the western extreme, a further problem for Pender.

The court case went all the way to the Nebraska Supreme Court, which reversed a lower court decision, and cleared the way for the county to lease the hotel space. The controversy raged on in 1909 and 1910, with charges and countercharges the order of the day. Walthill boosters eventually lost out on the petition drive when Pender supporters proved that Walthill was engaging in fraudulent practices to secure petition signatures.

Pender boosters recognized the importance of county-owned permanent courthouse facilities in stilling talk of county seat and moved to provide the county with its present courthouse in 1927. Following a school district reorganization in 1924, the 1895 schoolhouse located just west of the Pender business district was closed. Pender residents raised funds to buy the former school and also helped the county alter it to meet the specialized needs of county government, providing the present Thurston County Courthouse.

In an early instance of adaptive re-use, the county hired J.F. Reynolds, an architect in Sioux City, Iowa, to plan the changes. (The architect for the school is not known.) In February of 1927, Reynolds met with interested parties at a mass meeting "and gave a very desirable talk on preservation of the present Old School Building," according to county commissioner records. On September 29, 1927, the county board examined the new courthouse and formally accepted it.

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Long, Barbara Beving. "County Courthouses of Nebraska." Multiple Property Submission. 1989.  
Thurston County. Commissioners' Records. Books 2 and 3.  
Pender, Nebraska. Sanborn Fire Insurance Map. 1893, 1923.  
Works Progress Administration. Survey of County Courthouse Records. 1936.  
NeSHS Archives. Thurston County.  
County Assessor's Records.  
Pender Centennial Book Committee. Pender, Nebraska. The First 100 Years. 1885-1985. Dallas: Curtis Media Corp., 1984.  
"Pender Pan-O-Rama. Diamond Jubilee...Official Historical Booklet."  
Typed report on courthouses. Clerk's office. Thurston County. 1939.



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Verbal Boundary Description

The nominated property occupies lots 7-18 of Block 20 of the Original Town of Hartington and is roughly 200x100' in size.

Boundary Justification

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