

United States Department of the Interior  
National Park Service

DEC 19 1989

# National Register of Historic Places Multiple Property Documentation Form

This form is for use in documenting multiple property groups relating to one or several historic contexts. 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. For additional space use continuation sheets (Form 10-900-a). Type all entries.

**A. Name of Multiple Property Listing**

County Courthouses of Nebraska

**B. Associated Historic Contexts**

County Government in Nebraska, 1854-1941

**C. Geographical Data**

The State of Nebraska

See continuation sheet

**D. Certification**

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this documentation form meets the National Register documentation standards and sets forth requirements for the listing of related properties consistent with the National Register criteria. This submission meets the procedural and professional requirements set forth in 36 CFR Part 60 and the Secretary of the Interior's Standards for Planning and Evaluation.

*James A. Johnson*  
Signature of certifying official

12-12-89  
Date

Nebraska State Historical Society  
State or Federal agency and bureau

I, hereby, certify that this multiple property documentation form has been approved by the National Register as a basis for evaluating related properties for listing in the National Register.

*Patrick W. Anderson*  
Signature of the Keeper of the National Register

1/10/90  
Date

Earl

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   1  

---

### E. Context

County Government in Nebraska, 1854-1941

#### Introduction

The context statement for this multiple property submission is organized as follows:

##### Introduction

- I. Structure of County Government
- II. Settlement in Nebraska
- III. A County Acquires a Courthouse
- IV. The County Courthouse

Maps and other documents referred to in the text are found at the end of the context statement. The Appendix lists National Register-eligible county courthouses by property type and includes architects and date of construction.

#### Importance of County Government

The relationship between state and county government has been described as "legislative centralization with administrative decentralization."<sup>1</sup> County government is the chief way that state laws are applied at the local level. For example, state laws specify how to record land titles or settle disputes in the courts, but it is at the county courthouse that these basic events of American life, and many more, occur.

County government plays an important part in fundamental relations of American society. It is involved in such basic events in a democracy as holding elections, administering justice, preserving the peace, assessing and collecting taxes, protecting the needy, administering rural school systems, and providing roads, bridges, and county buildings. The county courthouse is the place to go to begin or end a marriage, record land titles, pay licenses and taxes, and settle legal disputes.

The basic structure of Nebraska county government is remarkably unchanged from its beginnings in 1854 when the Territory of Nebraska was created. Elected county boards and officials continue to carry out state mandates, and they also act on behalf of the county residents who elect them. The

---

<sup>1</sup>Survey of the Financial Administration of Nebraska Counties (Lincoln: Univ. of Neb. Dept. of Political Science, 1938), p. 22.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  2

---

diverse powers vested with county officials are limited by law, the geographical boundaries of the county, and local politics.

To meet changing needs within the framework of county government, new commissions, requirements, or services have been added or deleted over the years. For example, in 1890 the state authorized soldier's relief commissions in the counties to deal with needy Civil War veterans. In 1901 county clerks began issuing state hunting and fishing licenses. In the 1970s, the state assumed more responsibility for social services. County employees became state employees, and the county continued to provide space in the courthouse for them. Despite the evolving nature of county services, the basic mechanism, which revolves around the elected county board, remains intact.

The typical courthouse plan reflects this stability. The county clerk, treasurer, and other officials continue to require fireproof storage, counters in offices for the public to visit, and office space. District and county courts still need courtrooms. County boards require a place to meet.

The county courthouse houses the many functions of county government, and it is also the symbolic repository of American beliefs regarding government and democracy. Its form, whether a multi-towered Victorian mass or a compact twentieth century rectangle, is recognizable as the county locus of governmental responsibility. The three-fold importance of the county courthouse--function, form, and symbol--imbue the building with powerful meaning in Nebraska communities.

The courthouse holds a unique place as the focal point for political and civic functions in the community. Courthouse construction and county seat location were often the products of intense local rivalries, a further reflection of their significance. In addition to standing for the rule of law and justice, the courthouse symbolizes community pride, prosperity, and aspirations. For example, Washington County officials chose to adorn their 1889-91 courthouse with sculpture symbolic of the immigrant experience, the fertile soil, and democracy (ship, pumpkins and cornucopia, a shield). And all across the state, county residents sought to build the best, most elaborate, and costly monument to government that they could afford. The courthouse stands as a county's foremost architectural statement, one that reflects local hopes, esteem, and well-being.

### I. Structure of County Government

#### The County Board

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   3  

---

Meeting regularly in its specially designated room in the courthouse, the county board acts as the general administrative body for Nebraska counties. Sixty-five counties now operate with Boards of Commissioners, while the remaining twenty-eight have Boards of Supervisors.<sup>2</sup> Boards of commissioners have from three to five members, depending on the county's population and choice; boards of supervisors consist of seven members. Whether of commissioners or of supervisors, the county board has the same powers and four-year term of office, and officers (such as treasurer and county clerk) are also the same as other counties of the same population.<sup>3</sup>

Substantial powers rest with the county board, ones that define the nonjudicial functions of county government. The board legislates by passing rules, resolutions, and orders relating to county affairs. (They cannot conflict with state or federal laws.) It acts as a court in a sense by accepting or rejecting citizen petitions such as calling for a change in the county seat. As the financial heart of the county, the county board approves all bills, determines the amount of taxation, decides how monies will be spent, and enters into contracts. Another important responsibility is to provide a suitable courthouse, jail, and other necessary county buildings.

The county board has many executive functions, especially supervising other elected county officials, such as the county clerk, county treasurer, and sheriff. The various functions of county government, many of which the county board participates in, are discussed below. The duties and services often involve more than one county office, making a single location for county offices under one roof an appropriate plan. Activities involving considerable public contact, such as registering land transfers or hunting licenses, benefit from an easily reached location in the courthouse, typically the first floor.

### Land Title

---

<sup>2</sup>Commissioners are elected from commissioner districts or precincts and supervisors are elected from another type of political unit, the township. Beginning in 1875, county residents could vote to adopt the supervisor-township plan, which was considered more democratic and representative. A number of counties have switched back and forth over the years.

<sup>3</sup>Population minimums necessary for creation of a separate office vary with the office. For example, the county clerk is also the clerk of district court in counties of less than 6,000 population, but a separate register of deeds office is created if the county population exceeds 20,000.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   4  

---

The register of deeds, which in counties of less than 20,000 is also the county clerk, does just that, keeps a register of land deeds and also mortgages. Land sales formed the basis for much of the economic and settlement history of Nebraska counties. Counties help protect property rights through land surveys and recording and maintaining documents of land transactions. These records of real estate transactions are vital for proving title on property and must, by law, be stored in fireproof vaults in the courthouse. Since they are public records, they must be made available to anyone. The register of deeds vault is typically located just off the open office area to be accessible to employees and the public.

### County Finances

Taxes, licenses and other fees, and bonds provide revenue to fund county operations. The county treasurer is the fiscal agent of the county responsible for collecting and administering funds collected in the county. As such, all taxes (including for state, county, city, village, school district, and other county districts) are paid to and distributed by the county treasurer using a list the county clerk prepares.

The State Auditor's office regularly checks the treasurer's books, and the treasurer prepares a sworn statement showing the condition of county finances twice a year. Such safeguards help deter embezzlement or unsound fiscal practices.

Several Nebraska counties have learned, to their dismay, of thefts or misappropriation of county funds. In Chase, Lincoln, and Thomas Counties, an errant county treasurer apparently attempted to burn down the courthouse in an effort to hide his misdeeds. In 1910 Chase County officials offered a \$300 reward, "It being very evident that the fire that destroyed the Chase County Court House was of incendiary origin...." An audit of the Thomas County treasury in 1921 showed a shortage of \$11,000 after a fire required a replacement courthouse.

Like the register of deeds, the office requires fireproof storage to safeguard county financial records. Fireproof storage saved those records in Chase County, but not in Lincoln County. After dousing an American flag with oil, the Lincoln County treasurer burned records just before auditors were to inspect the county's books in 1923. In the process he also destroyed the old courthouse adjacent to its replacement under construction. Due to these and other county officials' misdeeds, the new courthouse took eleven years and \$325,000 to finish, a record on both counts among courthouses in this study.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   5  

---

County finances touch still other county positions. The county judge appraises estates probated in the county, using a statewide inheritance tax schedule. The county assessor is responsible for overseeing the assessment rolls used in establishing property tax assessments. The county board acts as the board of equalization to judge whether disputed assessments are too high or low or otherwise incorrect. The county sheriff becomes involved in county finances if there are unpaid or delinquent taxes. After formal notification procedures to the owner who has not paid his taxes on land, the sheriff is authorized to offer it at public sale.

The county board sets tax levies. In some cases, a special election will authorize a special tax or assessment, such as to underwrite construction of a new courthouse. If county residents vote to approve the proposal, the county board can issue bonds for necessary public buildings or to erase existing county indebtedness. Issuing bonds was by far the favored way to underwrite construction of a new county courthouse.

### Elections

The county clerk is responsible for election preparations in the county. The clerk publishes formal notice of elections and the candidates, has ballots printed, provides absentee ballots, accepts poll books and ballots from all the precincts, and prepares an abstract of the vote count. After the vote, the clerk supervises the official ballot count and transmits election results to the state. For county offices, the clerk issues certificates of election.

### Education

The county superintendent of schools oversees rural and village schools. (Cities have separate city superintendents.) From an office in the courthouse, the county superintendent office is the connecting link between local practice and state requirements, an example of "legislative centralization with administrative decentralization." The county superintendent visits schools in his domain and compiles statistics on them.

### Public Health and Welfare

The county is the traditional level of governmental assistance to needy residents. The county has been involved over the years with preventing of contagious diseases, assisting various needy groups, and acting as a liaison with state and federal programs. It is to offices in the county courthouse that residents now go to apply for help such as temporary

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  6

---

housing or payment of medical or funeral expenses. In the mid-1970s the Nebraska Department of Social Services assumed responsibility over former county employees who offer assistance to those in need. Counties are still required to provide office space, although the workers are now state, not county, employees.

### Public Works

The county level was by far the most important one for location, financing, and building roads during the Territorial period and early settlement years in Nebraska, as Danker has noted.<sup>4</sup> Writing of Nuckolls County in the 1882 Andreas history of Nebraska, the author noted, "During the early years of the existence of the county, much of the business of the county commissioners consisted of establishing public roads, and constructing bridges across the streams."

Residents submitted a petition with signatures of those favoring a particular public works project. The county board called for an election on whether bonds should be issued to fund the project. Generally, only those living in the affected road district voted on the bonds and had their taxes raised to pay the interest on the bonds. In Nuckoll's County in 1874, nine of the sixteen Beaver Precinct residents voted in favor of issuing \$10,000 in bonds, and the issue passed. The county administered these projects and maintained permanent records of these and other public improvements. Between 1874 and 1881 bonds totaling \$15,500 were approved for three Nuckolls County bridge projects. Records cover how projects were financed, approved, designed, located, built, and maintained. The county board followed similar procedures to fund other county projects, including courthouses and jails. Again, fireproof vaults were necessary to preserve these records.

### Agricultural Matters

The county agricultural agent is the local representative of state and federal farm programs. As such, the position is the primary conduit of the latest in agricultural information, requirements, and programs. The county agent typically maintains an office in the county courthouse, although it is not a county position.

### Administration of Justice and Law Enforcement

---

<sup>4</sup>Donald F. Danker, "The Influence of Transportation upon Nebraska Territory," Nebraska History 47 (1966).

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  7

---

A fundamental role of the courthouse, as the name suggests, is to provide a suitable place to hold court. The American judiciary system guarantees the right to a speedy and public trial by one's peers. Thus, the trial cannot occur at a site distant from the community. Also, the courtroom must provide for spectators and jury and witness boxes. With so many requirements for fair and acceptable court proceedings, the courtroom has specific features that necessitated a separate space, typically on the second floor of the county courthouse. Because of the symbolic importance of the administration of justice in America, many Nebraska district courtrooms are (or were) particularly ornate and imposing, as befit the site of solemn and important proceedings. Courtrooms in Franklin, Polk, and Richardson Counties are excellent examples.

District Court. Nebraska's district court system dates from 1854 when three judicial districts were created from counties hugging the Missouri River border. The districts were soon rearranged and expanded, a reflection of rapid settlement in the state. In 1875 six judicial districts covered the entire state. Twenty-one districts with 47 judges now act as trial courts of general jurisdiction. The district court also rules on appeals from county and municipal courts in addition to regular civil and criminal cases. Counties must provide district courtrooms to accommodate this traveling district court as well as sturdy storage vaults.

County Court. The county court has jurisdiction over civil cases involving up to \$5,000 and over criminal misdemeanors, including violations of city and village ordinances. The county court also meets regarding probate, estates, guardianships, and juvenile cases. Exceptions for the latter are the large counties of Douglas, Lancaster, and Sarpy which have separate juvenile courts.

It was not until 1972 that any major changes were made in these courts of limited jurisdiction. Each county formerly had its own county judge (and many also had police courts and justices of the peace), but now 44 county judges serve 21 judicial districts. Each county remains responsible for providing facilities and equipment in the courthouse for the county judge, although the county courts are now under state control. The county courtroom is smaller than and separate from the district courtroom.

Sheriff. The county sheriff's department is responsible for maintaining peace and order in the county. This official apprehends miscreants and jails them, typically straightforward activities primarily of local interest. In contrast, the Sherman County sheriff found himself in the midst of a small riot. On Flag Day, June 14, 1934 "Mother" Ella Reeve



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   8  

---

Bloor and six others were arrested for "violent interference with the sheriff and his deputies in their duty to preserve order," as the Nebraska Supreme Court put it in its 1935 decision on the case.

Mother Bloor, a 72-year-old radical, with other American Communists had spent the previous months attempting to capitalize on Nebraska farmer discontent during the Depression. Sherman County and its county seat, Loup City, were important sites for these activities. Communist sympathizers and proponents of the Farm Holiday movement spoke at the courthouse, and the first statewide convention in Nebraska of the Holiday organization was held in a Sherman County park. The presence in Loup City of a highly outspoken newspaper favoring their cause, the Loup City People Standard, brought the spotlight to that community.

The three-day jury trial was held in the county's district courtroom, which was "crowded at every session, despite the sweltering heat," according to another Loup City newspaper. The Daily Worker, the Communist organ published in New York, covered the trial of Mother Bloor, who stated in her memoirs that she was in Nebraska "to arouse the farm people against Fascism and the approaching war." The Loup City riot marked the end of the Farm Holiday movement in Nebraska.

Whether to house speakers calling for extreme actions or for less exotic misdeeds, operating a jail is the sheriff's responsibility. Only jails meeting certain state requirements (such as a fenced exercise yard) are now qualified to hold inmates for more than 24 hours, and many former county jails are now only temporary holding facilities. The jail may be a separate building as it is in Saline, Red Willow, and Webster Counties or it may have been designed as part of the courthouse as in McPherson and Dawes Counties.

### Summary

County officials felt that their specific and myriad duties worked most efficiently in facilities specifically designed to accommodate those public responsibilities. A description written at the 1927 dedication of the Saline County courthouse summed up this attitude:

The new court house and jail are of like construction and both are of modest, yet imposing exterior design, while the interior is indeed pleasing and the arrangement of the various offices is decidedly convenient and well planned for efficiency and comfort of the officials. Ample vault room has been provided

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  9

---

for the safe keeping of all county and courts record.<sup>5</sup>

### II. Settlement in Nebraska

#### Description

The presence--or absence--of rivers and their fertile valleys dominates any physical description of Nebraska. The Missouri River provides the east boundary of the state and was the site for considerable settlement in the 1850s. Steamboats could navigate the Missouri, making it an attractive and important transportation route. An estimated 46 steamboats plied the Missouri River along the Nebraska border in 1857, up from just two or three running between St. Louis and St. Joseph in Missouri three years earlier. As the first important settlement in a riverside county, dockside communities along the Missouri were often designated county seats. When the railroads supplanted steamboat travel and settlers moved farther inland, however, the exalted political status of riverfront towns was frequently challenged. Such was the case in Cass, Washington, and Sarpy Counties.

Another river played a longer role as a key transportation conduit. It has been contended that "A major reason for the organization of the territory and the resultant replacement of the Indian society with that of the white men was that Nebraska was bisected by the Platte Valley, a natural highway to the West."<sup>6</sup> The Platte River valley has been termed "Nebraska's Nile," for it forms a distinct a fertile east-west highway through Nebraska, one that is still followed today. The Platte River valley figures highly in the state's development--as immigrant trail, the first transcontinental railroad route, the first paved highway route to cross America, and interstate highway route. At a time when most Nebraska settlement hugged the Missouri River, a tongue of settlement followed the Platte nearly to Kearney by 1870 and stretched to Ogallala ten years later, evidence of the transportation role of the Platte valley.

Climatic and topographic factors also affected Nebraska settlement patterns. In the eastern third of the state, farming practices, rainfall, soils, and topography are similar to neighboring Iowa. Southern Nebraska, especially the Republican River valley, also enjoys deep and rich soils. To the west conditions change considerably. Average

---

<sup>5</sup>See Bibliography for this and other citations.

<sup>6</sup>Danker, "The Influence of Transportation upon Nebraska Territory," p. 187.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  10

---

annual rainfall drops dramatically, from 36 inches in the southeast part of the state to 15 inches in the northwest, and soils are substantially less rich than in eastern Nebraska counties. The Panhandle, the westward extreme of Nebraska, is lightly populated and has semi-arid conditions similar to adjacent Wyoming. The Panhandle and the west and north central parts of the state were settled later and more sparsely than the eastern third of the state, where two-thirds of the people live.

The aptly named Sand Hills, 20,000 square miles of rumped undulations of short prairie grasses, are ideal for cattle raising. Early settlers were unaware of the Sand Hills advantages and shunned the area in the north central part of the state until the 1880s (although large scale ranching operations first used the area in the 1870s). A reflection of the dearth of settlement was the absence of counties in the Sand Hills and Panhandle regions in 1865 (with the exception of part of Holt County). Rail line construction stimulated settlement and county formation beginning in the 1880s. Passage of the Kinkaid Act that increased the size of legal homesteads further encouraged settlement in cattle country after 1904.

### Early Settlement

American-born settlers brought with them certain beliefs in American political institutions along with the spinning wheel, ax, and family Bible. County creation was among the first acts of pioneer arrivals. Creation of county government imparted an immediate legitimacy to an isolated settlement, evidence to themselves of plans to persist and thrive on the wild prairie plains. County creation also had practical applications. It set up the mechanism for orderly land transfer, helped maintain the peace, and stimulated further settlement and land sales.

Early settlement in Nebraska, as evidenced by county formation, began with riverside settlement. The 41 counties established by 1865<sup>7</sup> (two years before statehood) emanated from the Missouri River as well as south of and along the Platte, and along the fertile valleys of the Loup River in north central Nebraska and the Republican River at the Kansas border. The Platte even served as the boundary for 14 of the counties in 1865. (See map.)

The procedure for establishing a county was simple. A majority of residents in the area signed a petition and presented it to the governor. The governor proclaimed the county organized, named it, and appointed

---

<sup>7</sup>A number of them were later divided to form two or three counties as settlement increased.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   11  

---

three temporary county commissioners from among the residents to oversee the first election in the new county. County residents then voted to selected permanent commissioners and a county seat. A county must have an area of at least 400 square miles, although the standard size is 576 square miles. (The largest county is Cherry with 5,979 square miles.)

For counties established during the early settlement period, the county seat was typically located where the most settlers were in the county. Later, arrivals were situated throughout the county and often called for a centrally located county seat, one that would be equally accessible to all county residents. Farmers wanted a county seat that was a convenient day's drive from home. In Cass County, the 1854 river town of Plattsmouth successfully fended off attempts to move the county seat inland in the 1880s. Lowell, county seat of Kearney County beginning in 1872, was not as fortunate. Despite having rail service and a brick courthouse, it lost out in 1876 in the county seat competition to centrally located Minden. Settlers in the south part of the county were behind the change. Other factors, especially railroad lines and rapid county-wide settlement, also affected county seat location in areas of later settlement.

County officials were charged with providing suitable space for county records in the newly created counties. In many cases, they took advantage of an existing building or built an extremely modest building and proclaimed it the courthouse. As Goeldner noted in his dissertation on courthouses, these early courthouses were perceived to be temporary measures which would be replaced when circumstances allowed. In Custer County, a log cabin on the Young ranch served as the first courthouse, between 1877 and 1882. Beginning in 1890, the first McPherson County courthouse was a sod building (not extant). In Thurston County a modest commercial storefront served as the first courthouse, beginning around 1889. County use then expanded to the adjacent hotel, and the "courthouse" existed in this cobbled fashion until 1927, a record for "temporary" use in the state. The next step in the evolution of courthouses was a building with permanent fireproof storage that was intended to convey its status as a government building.

### Railroads Foster Westward Expansion

Nebraska attained statehood in 1867, and the years following the Civil War saw dramatic population increases that did not peak until the 1890s. Several factors contributed to the late nineteenth century settlement of Nebraska: railroad construction, federal land policies, and advertising and other promotional work by the railroads.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   12  

---

<u>Year</u>	<u>Population</u>
1860	28,841
1870	122,993
1880	452,402
1890	1,058,910

Completion of the Union Pacific rail line across the state in 1868 heralded the railroad era in Nebraska. Rail lines, especially the Union Pacific and the Burlington lines, fostered westward settlement along their routes. Routes were built up from Kansas and over from Iowa; most extended from Nebraska's developing railroad center, Omaha. Lincoln, the new town created in 1867 to be state capital, was an obvious railroad destination, and two lines soon provided service. River valleys provided natural routes for additional construction. Not only were they good fertile places to farm but their relatively flat terrain facilitated rail construction. Railroads were planned beginning in the 1870s for the Platte, Republican, Elkhorn, and Loup River valleys.

Passage of the Homestead Act in 1862 also contributed to the settlement of Nebraska. The legislation was designed to encourage rural settlement by offering a quarter section of land (160 acres) to anyone who was head of a family, 21 years old, or an American citizen or had declared the intention to become one. To receive final patent or title to the land, the homesteader had to live on or improve the land for five years. Over half (68,862) the homesteads initially claimed between 1863 and 1895 in Nebraska were carried through to the final patent. While many of the original homesteaders did not remain, the Homestead Act and other factors did foster considerable settlement activity in the Nebraska countryside.

New counties proliferated during this period, a reflection of population growth and westward settlement activities. Of the 37 new counties created in the decade between 1870 and 1880, 31 dated from 1870-73. By 1875 the entire region south of the Platte was organized into counties, and substantial county development had likewise occurred north of the Platte, extending to the eastern edge of the Sand Hills. The Panhandle had been organized as immense Cheyenne County, later divided into seven smaller counties. Only the Sand Hills and the northwest corner of the state had no county government by 1875. (See map.)

New towns also were born with railroad construction. Indeed, as part of their promotional activities to stimulate settlement along their lines, the railroads (or their related land companies) platted rail stops, offered inducements to existing settlements to move to the rail towns, and donated property for public use. Recognizing the importance of the

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   13  

---

county seat designation to continued town growth and prosperity, the railroads offered inducements to ensure that their rail town was also the county seat.

In Chase County the Lincoln Land Company, the real estate arm of the Burlington Railroad, provided the first courthouse (not extant) for its rail town of Imperial. The railroad donated the courthouse block for the county seats of Dawson, Dundy, Greeley, and Phelps Counties. Not content with just offering a courthouse site in Phelps County, the railroad also gave free lots to those who would move from the then county seat of Phelps Center to the railroad town (and eventual county seat) of Holdrege. And in Morrill County the Lincoln Land Company gave \$10,000 toward construction of the present brick courthouse.

The arrival or presence of railroad connections on occasion vaulted a rail stop to county seat status. Such was the case in Box Butte, Greeley, Nemaha, and Washington Counties. In Nemaha County the citizens of the neighboring rail stops of Calvert and Sheridan so wanted the county seat that they put aside rivalries and merged to form the new town of Auburn, wresting the county seat from Brownville on the Missouri River in the process.

Economic and agricultural problems slowed development during some years of the 1870s but did little to dampen interest in the interior of Nebraska. Even the 1873 nationwide financial panic and grasshopper invasions followed by drought only served to slow development, not end it. Those settlers who survived the hard times of the 1870s enjoyed a time of relative prosperity in the mid-1880s. All the important variables fell into place--adequate rainfall, a strong agricultural economy, and a ready supply of optimistic settlers. Railroad construction continued apace, reaching 1,868.40 miles of track in 1880 and 5,144.48 the next decade.

Nebraska historian Addison E. Sheldon characterized the 1880s as follows:

In it came the largest addition to our population, the greatest increase in our production; the furthest extension of railway mileage; the greatest change in the physical aspects of our state. More land was taken by settlers in this period, more livestock added, larger increase in crops of all kinds, more new towns were founded, more postoffices [sic] were established, more schools were created, more churches built, more homes constructed than in any other decade in Nebraska

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   14  

---

history.<sup>8</sup>

Settlers eager for their own county government resulted in 26 new counties in the 1880s. Most new counties were in the west and north central parts of the state. With the exception of Boyd (1891), Morrill (1909), Deuel (1910), and Arthur (1914) Counties, 89 of the present 93 Nebraska Counties were in place by 1890. The last four counties were carved from existing counties, except Boyd which had been part of South Dakota.

Nationwide economic difficulties quieted the economic and speculative boom of the 1880s. Once again, Nebraska settlers endured a period of economic hard times. Despite the 26 new counties, no courthouse buildings were begun between 1894 and 1899, but one manifestation of a slowed economy.

### Prosperity with Entrenchment

The turn of the century and the early years of the twentieth century were a period of relative prosperity but also entrenchment in the state. The twin goals of high commodity prices and good growing conditions brought prosperity to Nebraska counties. Increased economic resources allowed consideration of additional public expenditures, including replacement courthouses. Between 1901 and 1918, 22 counties built new courthouses, all but four of them replacements for older buildings.<sup>9</sup> The early twentieth century courthouses were typically more costly and expensive than what they replaced. As a county's leading architectural statement, these citadels of democracy often featured imposing scale, design, and materials in an impressive landscaped setting.

The heady times of the 1880s when all things seemed possible--even cornfields on sand hills--had passed. The belief that "rainfall follows the plow," that mere cultivation of the land would increase precipitation, was by the turn of the century largely discredited. Nebraskans realized the agricultural realities of their state and its climatic change from east to west. In the 1910s farmers turned increasingly to winter wheat in the west as well as the flatlands of the southwest and the high plains west of the Sand Hills. Cattle raising was firmly entrenched in the Sand Hills. The pattern of relatively sparse

---

<sup>8</sup>Sheldon, Nebraska: The Land and The People, I, 661-2, quoted in James C. Olson, History of Nebraska, 2nd ed., p. 196.

<sup>9</sup>Arthur, Deuel, Morrill, and Sheridan Counties built their first (and present) courthouses.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   15  

---

population in the west and central areas gained wide acceptance.

Basic institutions of church and state assumed a great importance to the populace, especially in sparsely settled areas. The courthouse stood as an apt symbol of common aspirations. Noting the many religious denominations in America, Goeldner has suggested that

The nineteenth century pioneers were united by a common form of government rather than a common form of worship and expressed that unity in the principle house of government, the courthouse, which they often idealized as a "Temple of Justice."

### The County Seat Wars

If there were any doubt of the perceived value of the county seat of government, the many spirited, even violent, contests for that designation lay such reservations to rest. Of 57 counties surveyed, 36 (63%) experienced some degree of controversy over the location of the county seat. In at least 16 instances the county seat was switched at least once from one community to another. County residents realized the singular role of the county seat in the area's economic, political, and social development. In some counties, the county seat is the only town in the county; early boosters wanted that survivor to be their town.

In his book on violent instances in the American county seat wars, James Schellenberg noted that county seat controversies were a phenomenon almost exclusively occurring west of the Appalachians, where the county emerged as a key level of local government. The largest concentration of violent conflict was in the Great Plains in areas of rapid settlement. Most conflicts happened within ten years of a county's establishment and in the last third of the nineteenth century. (However, Dixon County officials fended off a county seat battle in 1939 when a large WPA addition was added to the 1883 courthouse in Ponca.)

Schellenberg found that most counties in the Midwest saw some degree of conflict. Only a handful had violent confrontations resulting in death, serious injury or forcible removal of county records (Schellenberg's definition of a violent conflict). In Nebraska violent confrontations occurred in Hamilton, Hitchcock, Perkins, Phelps, Saline, and Washington Counties between 1850 and 1899.

Only in Washington County was there a death related to county seat selection. In the 1850s and 1860s, the towns of De Soto and Fort Calhoun fought over the designation. A crowd of De Sotons mounted a siege on the



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   16  

---

log courthouse at Fort Calhoun. One man was killed. Fort Calhoun surrendered the county records to the mob after two days, but later regained the county seat designation in an election. The railroad town of Blair ultimately secured the county seat plum in 1869.

In Phelps and Clay Counties, otherwise law-abiding residents stole county records and spirited them to what became the new county seat. Clay Center boosters celebrated their thievery with a barbecue, speeches, and music on October 31, 1879, although a legal election choosing their town as the new county seat was not held until four days later. Phelps Center residents were so incensed at the theft of county records by Holdrege boosters that they passed a resolution pledging "not to trade, buy, sell [or] traffic in any way with the people of Holdrege." Further, they resolved that if Holdrege residents "ever bring out a candidate for any office within the gift of the people we shall do all within our power to defeat such a candidate."

In a few instances, disputes arose about the location of the courthouse within the county seat. In Burt County the question was whether the courthouse should be built north or south of the creek in Tekamah. The issue provoked such bitterness that when the courthouse (not extant) was completed, "safes and office furniture were removed secretly at night." In the Platte County seat of Columbus, controversy over building the new courthouse across the railroad tracks and nearer the "business center of the city," delayed its construction for several years.

While most counties did not resort to violence, considerable time, effort, and county expense did occur. Wheeler County voted no less than six times between 1881 and 1886 before Bartlett received the three-fifths majority needed to move the county seat from Cedar City and beat out rival Cumminsville. Knox County residents went to the polls five times to vote down dividing the county into two counties and five more times on the county seat location between 1887 and 1900. Finally, after three elections in 1900, the county seat was moved from Niobrara to Center, but not until 1902 and after court challenges to the vote.

Boosters recognized that an insubstantial courthouse building could jeopardize county seat standing. Writing in 1916, Seward County resident John H. Waterman noted the importance of the courthouse:

A court house was considered not only a necessity, but a help to seal the location of the county capital, therefore funds were procured by private donations to erect a court house....

Supporters of an alternate county seat site could point to a flimsy

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   17  

---

building as a firetrap that jeopardized precious county records. It thus behooved the threatened county seat to build for permanence to increase the likelihood of retaining the county seat. In Washington County, the residents of Blair voted to approve a tax levy to build the present courthouse in their community, in addition to a county-wide tax. Likewise, Benkelman residents approved a bond issue that only taxed their precinct in order to build Dundy County's first courthouse (not extant) in 1888. Providing a substantial brick courthouse helped them stave off attempts from a number of other towns to move the county seat to a more central location in the county. O'Neill area residents did the same in 1885 to underwrite building the Holt County courthouse (not extant).

Plans to construct a new courthouse sometimes signaled the opening gun for efforts to move the county seat. Voters favoring a new county seat had a potent weapon: withholding their approval of bonds for building the new courthouse in the old county seat. Eleven Nebraska counties saw delays in courthouse construction or serious efforts at county seat removal occasioned by the need for a suitable courthouse.

In 1889 Nuckolls County officials rented quarters for county use in the county seat of Nelson. Two bond issues to fund a courthouse had failed, largely due to the opposition of Superior. Hoping to gain the county seat, supporters of rival Superior also objected to the rental arrangement. County officials held yet another election for courthouse bonds to block Superior's efforts to move the county seat. The measure passed on July 30, 1889. Only one Nelson area precinct voter joined the 514 Superior area residents voting against the bonds, and the present courthouse was then built.

One of the more bitter county seat contests occurred in Saline County. Residents fought over the county seat designation in the 1870s when it was moved to Wilber. In 1920, the need for a new courthouse re-opened hostilities, which lasted for seven years. Finally, noting that "there has existed...a state of social and political strife" over the county seat designation, Crete residents resolved to end the fight "in deference to advancement of the general welfare of the entire county" and finally backed a bond issue for a new and badly needed courthouse in rival Wilber. The present courthouse was dedicated in 1929.

The seeming paradox of conflict, even violence, coupled with stability of American political institutions co-existed relatively comfortably at the county level. County seat controversies were isolated and decentralized events. The passions that ignited the feelings of boosters in one county held but passing interest to a neighboring county. The many units of county government remained stable despite isolated raids

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   18  

---

on county records, rigged elections, and heated charges and counter-charges. In Nebraska, county seat wars were a fundamental part of the history of county government.

### The Kinkaiders

Another factor stimulated settlement in western Nebraska, passage of the Kinkaid Act in 1904. This federal legislation grew out of efforts by President Theodore Roosevelt, his Public Lands Commission, and Nebraska Congressman Moses P. Kinkaid to stimulate settlement in vast tracts of unoccupied public lands. Under the Kinkaid Act, the basic homestead unit was increased from 160 to 640 acres in 37 Nebraska counties west of the 98th prime meridian. (The homestead acreage excluded irrigable land.)

Population in the 37 counties increased notably following passage of the Kinkaid Act in 1904:

<u>Year</u>	<u>Population</u>
1900	136,615
1910	199,676
1920	251,830

Between 1900 and 1920 population in the 37 counties rose by 84.3 percent. Population increased in 31 of the 37 counties. By the end of 1912 most of the government land had been taken, and there were virtually no new filings of claims at the county courthouses.

The Kinkaid Act affected settlement in the sparsely populated areas of the state. It changed the Sand Hills from an open range where ranchers used government lands freely to a closed range. Kinkaiders affected county government as well, placing increased demands on its operation but also providing increased county tax monies as former public lands came onto the tax rolls. Kinkaiders added millions of dollars to the amount of taxable property in settling up the approximately 9,000,000 acres of Kinkaid land. New residents successfully petitioned to create two entirely new counties, Garden and Arthur, which were carved out of Deuel and McPherson Counties, respectively.

### Another Economic Depression

Despite the impetus of the Kinkaid Act, Nebraska suffered from an agricultural depression at the end of World War I along with other farm states. The worldwide demand for farm products ended with the close of the war in 1918. Farmers who had bought additional land at high prices

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  19

---

found themselves burdened with debts at the worst possible time, when commodity prices plummeted in the 1920s.

When the agricultural depression spread to all areas of the economy in the 1930s, federal and state relief programs provided assistance at the local level. County assistance offices opened in county courthouses, and county boards served double duty as county assistance committees. As part of federal work programs, especially the Works Projects Administration (WPA), seven Nebraska counties gained new courthouses. Between 1930 and 1940 new courthouses were built in Sioux, Knox, Dawes, Holt, Rock, Gosper, and Dakota Counties. Only the Sioux County courthouse was not funded in part with federal money. Dixon County acquired a major addition to its 1883 courthouse, also funded in part through federal work programs. WPA courthouse projects reflected the growing role of the federal government at the local level.

### III. A County Acquires a Courthouse

One of most important and far-reaching county board duties is to provide a proper place for county records and for holding court. County boards met that responsibility by building a courthouse. With variations, county boards across Nebraska typically followed similar steps in acquiring a courthouse. The boards sought to replace a temporary courthouse such as rented quarters or to replace a facility they found too small, modest, or unfashionable. In some instances, an emergency--fire or a new county seat--necessitated a new courthouse.

Most of the 57 courthouses in this study are replacement courthouses, the second or third generation courthouse in the county. In just six counties is the present courthouse the only courthouse their county board built; in three others the first courthouse is extant but no longer used as a courthouse.<sup>10</sup>

Replacement courthouses were built with as costly materials and elaborate design as the county could afford. As Goeldner stated, "No comparison of stylistic sophistication in this [post-Civil War] era can honestly ignore the financial resources available at individual projects." Some counties were more prosperous than others when they built a courthouse, and a less elaborate building is not necessarily a less important or significant courthouse.

---

<sup>10</sup>County records are not always clear regarding the first building used as a courthouse; in general, briefly occupied quarters were not counted as the first courthouse in this study.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   20  

---

The county board typically took the following actions to acquire a new non-temporary courthouse:

1. Declare need for new courthouse
2. Hold election to approve issuing bonds to underwrite construction costs
3. Select architect and contractors
4. "Accept" the courthouse building

### Funding

The process for replacing a courthouse typically began with a petition. Interested citizens collected signatures on a petition calling for a new courthouse and presented it to the county board. If the board had little interest in a new courthouse, they might examine the signatures minutely to see that all was in order, reject questionable signatures, and generally delay a decision. If the board agreed that a new courthouse was necessary, they passed a resolution declaring the need for a new courthouse. In Washington County in 1889 the board stated:

Whereas, the County of Washington, in the State of Nebraska, is not provided with a suitable Court House, and the present temporary structure is unsafe, and the records belonging to the different offices and departments of the County are exposed to despoilation, and to destruction by fire, and the necessity for a new Court House has been apparent...

they ordered a special election on whether to issue \$35,000 in bonds.

Calling a special election to vote on \$75,000 in bonds in 1912, the Howard County commissioners noted that the courthouse is a "frame structure, old and in poor repair and not fire-proof." And the jail "is not of sufficient strength to hold prisoners and is unhealthy and unfit for use."

The most prevalent means for financing a new courthouse was to issue bonds. Forty Nebraska counties of the 57 studied issued bonds, sometimes in combination with other financing techniques. Other income sources included insurance collected after a fire, a direct tax levy, sale of town lots in the county seat, sale of the poor farm or other public ground, WPA grant, and bequests.

Substantial donations were rare, especially for other than a temporary courthouse intended to cement a community's hold on the county seat. Morrill County received \$10,000 from the Lincoln Land Company when they

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   21  

---

complied with the company's stipulations: a building with brick exterior walls costing at least \$15,000 and completed by April 1, 1910. The Seward County courthouse was funded in part from the generous gift to the county of their farm by pioneer settlers Lewis and Mary Moffitt. A plaque in the courthouse states that "their munificent bequest aided materially in the erection of this building," and the gift totaled approximately \$30,000.

To issue bonds, a county followed certain procedures. For example, in 1905 the Kearney County supervisors issued \$80,000 in bonds in \$1,000 increments redeemable in twenty years. The county then levied a property tax sufficient to pay \$4,000 of the principal and interest of the bonds.

Some counties funded their courthouses solely through tax levies. Extenuating circumstances turned some county boards from issuing bonds. For example, Sherman County was already burdened with debts, and officials were unwilling to take on the added bond responsibility. Dawson, Webster, Burt, Clay, Lincoln, Richardson, Franklin, McPherson, Perkins, Valley, and Knox Counties also funded their present courthouses all or in part through a direct tax levy.

Counties overlooked proper funding procedures at their peril. Box Butte County had to hold a second election over issuing bonds. Opponents of the new courthouse noticed that the county had failed to place notice of the first election in enough newspapers. Burt and Washington Counties simply levied a tax without letting taxpayers vote on the subject, an act that was later found to be unconstitutional. Valley County endured delays after an initial petition in 1915 was found to lack enough signatures to be valid, then found itself hamstrung by materials shortages and high costs related to World War I. When in 1921 the legality of warrants issued regarding the tax levy was questioned, the county needed a special act from the legislature to declare the warrants valid.

### Construction

Having achieved the means to fund a new courthouse, the county board turned its attention to actual construction. An architect or engineer designed all the Nebraska courthouses in this survey other than temporary courthouses. County boards selected an architect either through competition or by direct selection. The records for 17 counties mention a competition held to select the architect for the courthouse. The practice seemed to be more prevalent in the 19th century; however, the last mention of a competition was in 1920. From two to six firms typically submitted proposals, although Gage and Pawnee Counties each had

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   22  

---

fourteen architects to choose from.

Typically the county board reported on the competition in their records, as did Cedar County commissioners in 1891:

The several plans and specifications of the competing architects were duly submitted to the board, and after due consideration said board selected perspective and preliminary studies of J.C. Stitt.

The selection process was far less smooth in Gage County. For five straight days in 1889 the county board voted and voted on the fourteen plans before them. Finally, on the nineteenth ballot the Kansas City firm of Gunn & Curtis was selected.

Shortly before or after selection of an architect, some county boards visited new county courthouses to study their design. County records for ten counties mention such a "junket," as the Clay County clerk termed it. The Clay County board visited new courthouses in Howard, Custer, Greeley, Phelps, and Seward Counties in 1917. The study tour continued even after William Gernandt was chosen as architect for their present courthouse, for the board also visited his recently completed Merrick County Courthouse. Washington County officials traveled to the Washington County Courthouse in Kansas (not extant), perhaps thinking they would share similarities other than their name.

After selecting an architect, most county boards quickly proceeded to advertise for and select a building contractor. While earlier construction projects employed only a general contractor, by 1904 separate electrical and also plumbing and heating contracts were awarded for courthouse construction. After the bonds guaranteeing the work of the architect and contractors were approved, construction could begin.

County boards also had to consider how to continue county business during the construction period. Many continued to use the old courthouse, then razed it when the replacement was ready. Courthouses in Lincoln, Dawes, and Valley Counties are not centered on the courthouse square for this reason. Other counties solved the problem by renting quarters in the county seat. Howard, Greeley, and Webster County officials had a novel solution: moving the old courthouse from its central site to a corner of the courthouse block. When the centered new courthouse was complete, the old moved courthouse was removed.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  23

---

Minutes and proceedings reveal how some boards agonized over the smallest details, while others are virtually silent on the matter.<sup>11</sup> The Washington County board even voted on the location of the cess pool. But other counties' records made no mention construction matters or even that the building was completed.

The typical procedure was to have the county board physically inspect the completed courthouse. Chase County commissioners accepted their courthouse in 1912 "after a careful inspection and examination of every part of said building from basement to roof, [and found] the same is constructed of the materials and in the manner set forth in the contract...." If the county board found the courthouse to be properly completed, they formally "accepted" the building from the contractor. In the words of the Washington County supervisors, the contractor "tendered the keys of the Court House to the Committee for and on behalf of the County."

County board records frequently made no mention of formal acceptance of the new courthouse but revealed its completion in other ways. Among them were selecting a man to fill the "janitorship" position,<sup>12</sup> ordering insurance, razing the old courthouse, ordering window shades or other details, installing telephones, and directing county employees to move records to the new courthouse. All were among the last acts recorded in the process of constructing a courthouse.

Depending upon the availability of materials, the skill and experience of the builders, size of the courthouse, and the time period, Nebraska courthouses generally required from one to three years to complete. Construction costs ranged widely, as one would expect, over time and based on the size and materials of the facility. The Lincoln County Courthouse holds the record for time and expense, consuming \$325,000 over an eleven-year period. Other courthouses ranged in cost from \$15,000 to \$293,000, with many costing between \$50,000 and \$150,000. Eight examples, all built after World War I when building costs increased, cost more than \$200,000; several of them featured expensive terra cotta trim or stonework.

---

<sup>11</sup>It appeared that the more actively involved the board was, the more problems occurred, although active boards may simply have insisted on more complete records of their meetings. The architect for the Washington County courthouse, O.H. Placey, finally became so perturbed that he "positively refuse[d] to have anything to do" with completing the project.

<sup>12</sup>In Red Willow County 31 men bid on the position in 1927.



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  24

---

### Celebration

Nebraska counties commemorated construction of a new courthouse, especially with laying the cornerstone and formally dedicating the completed edifice. Cornerstone and dedication ceremonies were not uncommon but were not universally observed in Nebraska counties. But Seward County boosters even held a party before construction began, to celebrate passage of a bond issue. The event included 22 dummies for the 22 in the county seat who had voted against the measure.

When there were formal cornerstone laying ceremonies, fraternal organizations, most frequently the Masons, often were on hand to lay the cornerstone. The Howard County commissioners noted that "A committee of the A.F. & A.M. Lodge appeared before the Board stating that the Masons desire to have the honor to lay the corner stone of the new Court House as that being the custom of the order [sic]."

The complexity of cornerstone festivities varied considerably. Commissioner's records for Cherry County stated that on July 13, 1901:

The corner stone of the court house was placed in position at 3:10 P.M. today. Col. A.S. Towle was orator of the day. The Ladies Cornet band of Valentine furnished music. Com. W.E. Haley placed the box containing the history of the county<sup>13</sup> in the receptacle amid a large audience.

In Howard County cornerstone ceremonies scheduled for June 5, 1913 were considerably more ambitious. Among the events were parades, a baseball game and other sporting events, exhibition of two "flying machines," a program with eight addresses and five-minute talks by at least 18 old settlers, supper, band concert, and fireworks. An estimated 6,000 people, many arriving on special trains, attended but were disappointed in some respects. According to newspaper accounts, the parade "did not come up to expectations" since few of the lodges, societies, or villages participated. The afternoon automobile parade was also a "fizzle" for none of the owners decorated their cars and therefore no prizes were awarded. In addition, the "lowlight of the day" was the failure of the airship to get airborne and the crowd who had paid for a ride got neither a ride nor their money back. Regardless of these disappointments, the Howard County courthouse cornerstone was duly laid, county government duly honored.

---

<sup>13</sup>Phelps County placed a list of delinquent taxpayers in its cornerstone for future generations to have.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  25

---

### IV. The County Courthouse

As the focal point of county government, the courthouse aptly expressed the significant public investment and symbolic importance of this building type. The desire for a grandiose building that was sufficiently representative of the importance of the county produced as costly and elaborate a design as the county could afford. Soaring columns, imposing entrances, and ornately decorated courtrooms found in many Nebraska courthouses went far beyond legal requirements. Nebraska law merely stated that county officials were responsible for providing an adequate courthouse to safeguard county records and for holding court.

#### Setting

For many, the stereotype of the typical courthouse is that of a nineteenth century building with four equal or nearly equal sides occupying a full square block. This image of the courthouse square aptly located it in the center of the commercial heart of a centrally located county seat. Such a conception is attractive, for the series of physical centralities neatly symbolizes the central role of county government and implies equal access to government services.

Research findings bear out the image of the full courthouse square, although its location and the placement and design of the courthouse varies. In his dissertation on courthouses, Goeldner found that of 500 nineteenth century courthouses he studied in the Midwest and Texas, 80% enjoyed an entire block. Of 56 Nebraska courthouses having a courthouse site,<sup>14</sup> 39 occupied a full square, six were located on a half-block, and twelve made do with a quarter-block. Date of construction or location in the state were not predictors of block size.

That county officials approved of a relatively small setting for the jewel of county government may seem surprising. Yet in small towns such as Oshkosh and Harrison, set amid vast, sparsely populated countryside--where space is definitely not at a premium--the courthouse occupies but one-fourth of a block. However, the buildings are relatively compact in size--the Deuel County Courthouse in Oshkosh is 60x70'--and might seem lost on a full block that would also require more maintenance than a small lot. In some cases, the courthouse site was donated to the county, and the county could or did not buy more land to enlarge the site.

---

<sup>14</sup>Temporary courthouses were not counted.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  26

---

The presence of a full courthouse block did not necessarily determine the form of the courthouse.<sup>15</sup> There was no direct correlation between the 39 full squares and courthouses with four equal or nearly equal sides. Even courthouse squares with commercial buildings ringing them did not necessarily offer entrances on all sides of the courthouse. Only the courthouses in Johnson, Seward, Kearney, and Richardson Counties have entrances on four sides and occupy a full square with commercial development on four sides. Courthouses in Clay, Valley, Polk, and Thomas Counties enjoy a full square with commercial development around it, yet lack four entrances. The Clay, Valley, and Polk examples all replaced a previous courthouse on the same site which may have had the four equal entrances, but there was apparently no compelling urge to repeat the plan with the replacement courthouses.

Goeldner also found that the courthouse site was most commonly located to one side or at the end of a linear business district. Commercial buildings did not typically ring the courthouse square. This location is again in contrast with the usual image and also a finding borne out in the Nebraska study. With the many railroad-era county seats, some of them platted by railroad companies, the linear commercial strip emanating from the railroad tracks was common (Hudson's "T-town"). In many cases, the courthouse can readily be located at the end of or just off the principal commercial street. Examples are Cedar, Cherry, Morrill, Chase, Phelps, and Dawson Counties. In a number of instances, Webster, Washington, and Dixon Counties, for example, the courthouse was located several blocks from the intended commercial area. The distant site was often in an effort to stimulate development and real estate prices between the commercial area and the courthouse site.

Street plans as they related to the courthouse square, half-square, or quarter-square are straightforward in most Nebraska county seats. Grand avenues terminating at the center of the courthouse square are not a feature of Nebraska county seats. A rare exception, however, is the courthouse square for the Auburn County courthouse in Nemaha. The courthouse square blocks 19th Street, offering an imposing view of the Richardsonian Romanesque stone courthouse for those climbing this steep street. Geographer Edward Price has identified this form as the Harrisonburg Square, after a square dating from as early as 1780 in Harrisonburg, Virginia.

Courthouses were not necessarily placed at the center of the courthouse

---

<sup>15</sup>See Robinson, "The Public Square as a Determinant of Courthouse Form in Texas and Price, "The Central Courthouse Square in the American County Seat."

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  27

---

square in Nebraska county seats. In Dawes, Lincoln, Polk, Dundy, Gosper, and Valley Counties the present courthouse is located at one end of the square. In these examples the centrally sited old courthouse remained in use while the present replacement courthouse was under construction next to it. The old courthouse was then razed, leaving a broad grassy setting for the new courthouse.

Goeldner has also concluded that when a hill is present in the county seat, the courthouse was placed on this lofty site. Courthouses in Dundy, Hooker, Nuckolls, Polk, Richardson, Rock, Sarpy, Saline, and Saunders Counties enjoy such an imposing location. The hillside position was sometimes at odds with the expected placement in a linear T-town or in the center of the town square. The choice perhaps reflected a conscious decision to select an eminence as the suitably lofty site for the courthouse. Of course, many Nebraska county seats had no hillsides to choose from.

A resolution the Sarpy County town of Papillion passed in 1921 reveals perceptions about suitable courthouse sites:

[The courthouse] site should be as sitely [sic], centrally located and as close to the business center as is compatible with other considerations as to sightliness, [sic] convenience of access, etc.

The 1922-23 Sarpy County courthouse occupies a small but steep hill overlooking the railroad tracks and the principal early commercial street.

### Courthouse Grounds

Regardless of location within the county seat, the typical courthouse is set back from the street with grassy expanses around it and concrete walkways to it. Unlike commercial storefronts, it is set apart, enjoys a landscaped setting, and appears as a separate and distinct public building. Most feature lush lawns and a variety of deciduous and evergreen trees and shrubs. Trees may flank the prominent entrances, but formal landscaping is not common. Trees are scattered throughout the typical site. Most are maintained with care, a reflection of the importance of the courthouse to the county.

A variety of objects adorn the courthouse grounds, especially the full courthouse squares. Forty of the 57 courthouses have from one to eight objects or buildings on the grounds. In some instances, a small metal utility or a simple flagpole was the sole object.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  28

---

The types of objects county residents chose to place on their public grounds reflected their feelings for and need to commemorate events and contributions as well as to make the grounds useful and beautiful. Items may be classified as (1) military or patriotic commemorations, (2) pioneer remembrances (typically simple stone monoliths or small time capsules), (3) a building such as a jail and other than a small utility shed, (4) functional small buildings and benches, and (5) aesthetic objects (fountains, planters).

The most prominent and numerous objects are military or patriotic commemorations and included a torpedo in Saunders County and a tank in Burt and Johnson Counties. More typical were stone and/or metal plaques or statues listing veterans from the county. A particularly moving example honors Viet Nam veterans in Greeley County and is similar to the Washington, D.C. Viet Nam monument.

At least six Nebraska counties (Johnson, Washington, Nuckolls, Seward, Dawson, and Howard Counties) have G.A.R. statues on their courthouse grounds. All feature a stone statue of a Union Army soldier on a high base, although the base treatment varies. Many are centered on an entrance. Local posts of the Grand Army of the Republic apparently sponsored these statues. Howard County commissioners noted that the local post planned to sell their hall and use the proceeds to erect a monument "in honor of the old soldiers and sailors of the Civil War." The post also received rooms in the courthouse to use as long as they remained active, an uncommon arrangement.

### Types of Courthouses

Nebraska county courthouses could be classified or defined on the basis of a number of variables, such as stylistic influence, plan, or date of construction. The four types outlined below (the Temporary Courthouse, County Stronghold, County Capitol, and County Citadel) show the evolution of the form as well as reflecting attitudes toward the county courthouse. (See Appendix for list.)

Regardless of property subtype, seventy-one percent of all examples in the study are faced with brick, which is less costly than stone. Sixteen percent are stone-faced, two of them in the rough stone associated with the Richardsonian Romanesque style. The remaining examples feature varied materials, such as stucco, logs, clapboard. Brick and stone examples occur throughout the state, and "other" materials are likely to be found in less prosperous and populated areas.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  29

---

Over half of the courthouses studied were built between 1910 and 1930, and 53 percent of all examples were two stories with a raised basement. Examples range from one- to four-stories. The raised basement, which is often rusticated, is an important feature of county courthouses, especially the County Capitol and County Citadel types.

Temporary Courthouse. Early courthouses of inexpensive materials and often modest design were intended to be temporary, and they date from the early years of a county's settlement. County officials expected such a courthouse to be a temporary measure which would be replaced when circumstances allowed (increased population or prosperity, permanent county seat selection). Fireproof building materials, built-in vaults, and ornate symbolic design were therefore unlikely to be used. As Goeldner noted in his dissertation on courthouses, the pioneers were aware that log cabins or other modest or nontraditional courthouses were temporary measures to be replaced when practicable.

A variant of the Temporary Courthouse was adoption of an existing building for courthouse use (an early instance of "adaptive reuse"). In at least one case, Thurston County, this "temporary" arrangement lasted for decades. Sarpy County residents adapted a bank building (listed on National Register) to courthouse use in the late 1850s after the bank failed in the Panic of 1857. In use from 1890 until perhaps 1926, the first courthouse in McPherson County was of sod construction.

Inexpensive, readily available materials were typically used for the Temporary Courthouse, including sod, logs, clapboard, local brick, or stucco. Form varied but was likely to be modest, especially since county officials were seizing upon an opportunity to solve a temporary problem.

County Stronghold. The County Stronghold also dated from relatively early in the history of a county but, unlike the Temporary Courthouse, it was not considered to be a temporary expedient. Thus, modest ornamentation and other consciously designed elements adorned the building. Limited use of ornamentation on Nebraska examples included brackets, a cupola, small wood frame bell tower, cresting, small additional gables, and simple moulded or shaped lintels. These details were applied to a compact, boxy shape. Construction materials include clapboard, local brick, concrete block, and stucco, sometimes with stone for the foundation.

An additional typical characteristic was the presence of permanent vaults for fireproof storage of county records. The Temporary Courthouse, in contrast, would likely lack any such storage or, at best, have mobile

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   30  

---

safes.

Unlike the Temporary Courthouse, this type had features that showed it to be a public building. Indeed, with their regularly spaced windows and boxy shape, the County Stronghold resembled a public schoolhouse.

Historic photographs of ten County Stronghold courthouses in Nebraska as well as the four extant examples (Dixon, Blaine, Arthur, and Wheeler Counties) revealed a distinct preference for 2-story hipped roof buildings. The one-story courthouse in Arthur County was an exception. In many Nebraska counties a more costly, larger, and more elaborate building later replaced the County Stronghold while other counties skipped the County Stronghold phase.

The County Stronghold featured the limited use of ornament, a hipped roof, and some efforts to provide permanent fireproof storage. This type of courthouse dated from the relatively early years of county settlement. By its design and setting, the County Stronghold was intended to convey standing as a government or public building.

County Capitol. The County Stronghold represented a major step in the evolution of county government and resources. As it became feasible, county officials moved from temporary quarters to a more secure facility. As the counties enjoyed further prosperity, they frequently built a new, much more costly courthouse. The County Capitol (and also the County Citadel) not only provided good fireproof working conditions, they were also heavily imbued with the symbolic trappings of county government, local prosperity, and patriotism. (Not all counties followed this pattern, it should be noted.)

First identified by Goeldner, the County Capitol exemplified the mature county courthouse from the late nineteenth century. The thirteen significant Nebraska examples surveyed for this project and five more already on the National Register were built between 1888 and 1907. The multiple aspirations for a courthouse displaying appropriate symbolism and suitable form and function came together fully with the County Capitol.

An important feature of the subtype was the presence of at least one tower or dome. Some less intricate examples (Cherry and Sheridan Counties) had a single squared tower at the intersection of two wings. More elaborate examples featured a center dome and lower towers at all four corners. Inspiration for the domes may date from domes on the courthouse in St. Louis and the U.S. Capitol in Washington, D.C.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   31  

---

Most examples of the County Capitol had a raised basement, often of contrasting material or texture, with two stories above. More costly materials, including nonlocal brick and stone, were the norm. Fine examples occur in Johnson, Gage, Washington, Nuckolls, Cass, Cedar, Thurston, Nemaha, Saunders, Seward, and Kearney Counties.

The plan was basically symmetric. The extremely large tower in some examples dominated (and sometimes overwhelmed) the massing, making it a key design element. All four facades may match in examples with corner towers and a center dome, but in some cases only the opposite facades matched. Examples with corner towers were ideal for occupying a full courthouse square ringed by commercial buildings, but such designs seldom had such a setting.

Stylistic influences were sufficiently present to merit discussion, in contrast with earlier courthouse subtypes. The thirteen examples from this project displayed Romanesque Revival, Richardsonian Romanesque, Renaissance Revival, and Classical Revival stylistic influences. The later the example, the less likely that Victorian exuberance and/or a heavy Romanesque Revival influence were present.

The County Capitol featured the presence of a tower or towers or dome. It was built to extend more than one story using permanent costly materials, such as stone, brick, and stucco. Fireproof storage vaults were an integral part of the plan. The elaborate ornamentation, imposing massing, and costly materials conveyed a strong impression of a government building of permanence and solidity.

County Citadel. Like the County Capitol, the County Citadel is an example of the mature county courthouse, one that admirably fuses symbolism, form, and function. With 38 extant examples represented in this study<sup>16</sup> (37 of them Register-eligible), the County Citadel is the dominant county courthouse building type in Nebraska, accounting for sixty percent of the examples studied. Construction dates range from 1909 to 1941, a mark of the prolonged favor that greeted the County Citadel.

The County Citadel reflected a significant shift in architectural preferences at the end of the nineteenth century. In reaction to styles of the Victorian era and in response to the emphasis on classical styles popularized at the 1893 World Columbian Exposition in Chicago, architects turned to classical sources for inspiration. In some cases they applied

---

<sup>16</sup>And examples in Colfax and Custer Counties already on the National Register.



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   32  

---

classical form and simplicity to the venerable County Capitol type (Seward and Kearney Counties).

As the reaction to Victorian styles grew, towers, polychrome effects, and wasted space to accommodate up to four entrances were banished. The new courthouse type, the County Citadel, was modern, refined, and imposing. Contemporary comments (from the 1922 dedication of the Polk County courthouse) reflected this shift in taste:

The design of the exterior is along the line of the classics, a modern Renaissance style, and free from the old time tower or dome which once adorned the court house buildings, but which is now considered an expensive and useless ornament.

Architects and the county boards who selected them sought a courthouse that was a "modern, up-to-date and conveniently arranged building," as Denver architect John J. Huddart put it in 1916.<sup>17</sup> The dedication programs for both the Red Willow and Saline County courthouses characterized the new buildings as "modest, pleasing, and imposing," an apt description of these County Citadels. In a sense, the new courthouse type was more refined and self-assured; relatively simple, timeless forms replaced elaborate exuberance.

Like the County Capitol, the County Citadel was constructed of durable and costly materials (including stone, brick, stucco, and terra cotta) a reflection of the importance of the courthouse to county residents. Most examples are brick-faced with contrasting stone trim, but a number are entirely stone-faced or use terra cotta trim with the brick.

The compact rectangular shape of the County Citadel, a key distinguishing feature, conveyed modernity and efficiency. Most significant examples have a flat roof and a prominent raised basement (often rusticated) with one to three stories above. Plans are variable, having one to four entrances, and often feature a split staircase at the entry foyer. However, a number of examples have a ground level entry to gain maximum public use of the ground level, despite the appearance of a rusticated raised basement.

Entries are centered, and lavish design details and prominent steps are often found at the entry to highlight this main entrance. Some examples, notably those exhibiting Beaux Arts or Classical Revival stylistic influences, feature prominent entry pavilions or porticos with engaged columns

---

<sup>17</sup>Huddart designed the Garden and Deuel County courthouses.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  33

---

(Merrick, Clay, and Platte Counties, for example). Unlike the County Capitol, terra cotta was sometimes used most effectively to create elaborate detail (Polk, Clay, Valley, and Richardson Counties).

Stylistic influences included the Renaissance Revival, Beaux Arts, Classical Revival, and Art Deco. A number of examples exhibited stylistic influences from early 20th century American movements (Hooker and Dundy Counties) or were fanciful hybrids with free adaptations of classical motifs (Webster County) or references to the Jacobethan Revival style (Chase County). Later examples from the 1930s may combine classical and Art Deco details effectively (Sioux County).

The County Citadel is an identifiable form of the county courthouse. It is recognizable by its rectangular shape (generally with a flat roof), twentieth century construction date, and distinctive ornamentation, generally with some reference to classical motifs. The County Citadel is constructed using permanent costly materials, and is at least one story, often on a raised basement. Permanent fireproof storage vaults are part of the plan. The County Citadel conveys a distinct impression of a government building representing modernity, simplicity, strength and prosperity. It reflects a distinct change in the evolution of the county courthouse in Nebraska.

### Uses

Whether County Stronghold, Capitol, or Citadel, a building consciously designed to accommodate county government contains certain typical features that identify it as a courthouse. A comparison between the Johnson County courthouse (1888-89) and the Greeley County courthouse (1913-14) built 25 years later reveals some of these similarities. The older example is a County Capitol type with four entrances, while the other is a County Citadel with only one entrance. Both have central corridors (of varying size) and, on the first or main floor, rooms most commonly visited by the public (the treasurer's and clerk's offices and the commissioners' meeting room). (See end of context statement for plans.)

In the treasurer's and clerk's offices, a counter separates the public area from the semi-public office space, and there are also private offices for county officials behind this semi-public space. Both examples have fireproof storage vaults located off the semi-public office space (as do some other offices in these courthouses).

In these examples, vault locations occur in the same spot within the respective courthouse plan. The three vaults on the Johnson County

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   34  

---

example are found at the corners of the intersection of the corridors. Four vaults in Greeley County are adjacent to the four private offices that occupy each of the four corners of the building. The vaults are near public waiting areas in the offices so that public records can easily be consulted. (It should be noted that vault location and size within Nebraska courthouses varies, but their presence is ubiquitous.)

The two plans considered here do vary in the degree of spaciousness. There is ample space at Johnson County; ceilings are 14' high and the two intersecting corridors are 8' across and 91' and 68' long. The design is notably more compact at Greeley County; ceilings are 12' high, and the single corridor is just 13x36'. Johnson County has just five uses on the floor (treasurer, clerk, clerk of district court, commissioners' room, county attorney). Greeley County packs seven uses on the floor (county superintendent, county judge, county courtroom, assessor, treasurer, clerk, and commissioner's room). Yet Johnson County has over 2700 more square feet than Greeley County on the floor.

While specific interior arrangements vary, a visitor can expect to encounter central corridors and offices with counters and nearby storage vaults on the principal floor of a courthouse. On the next floor up the visitor can expect to find the district courtroom. The courtroom has very specific design requirements, including sufficient size to accommodate spectators at trials. Such a room would not fit on the first floor along with the commonly visited offices.

The district courtroom is seat of justice for a county. As such, it is often decorated with costly or elaborate details to reflect the importance of the proper administration of justice. The district courtroom for Polk County, for example, has fine heavy woodwork, including long consoles at the doorways and for the skylight. The Richardson County courtroom features murals, and Franklin County has elaborate hanging light fixtures.

The courtroom is designed to seat spectators, since trials and other court proceedings are open to public view and scrutiny in America. The bar, typically a low wood balustrade open at the center, separates public seating from the trial. Seating is typically rows of wood pews or folding opera seats with a central aisle between the two sides and leading to the bar. The seating is fixed and permanent, testimony to the unchanging importance of the law.

On the other side of the bar are tables for the attorneys representing two sides of the issue, the judge's bench, small desks for the district court clerk and court reporter, and witness and jury boxes. The judge's

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   35  

---

bench is generally elevated, even if just one step, to represent the importance of the position, and an attractive wood screen serves as a dramatic and decorous backdrop. The woodwork of these items, whether the light oak Art Deco designs of Rock County or the heavy dark fluted Corinthian columns of Saunders County, is often decorated and costly, and all the items of furniture typically match.

The elements of the district courtroom are familiar ones whose symbolic importance can easily be overlooked. But even the presence of district courtrooms in every county courthouse is revealing. The courtrooms are used infrequently, only when the district court comes to the county. Yet the provision of an appropriate space for holding a speedy trial, for allowing judgment by one's peers, and for holding a proceeding open to the public was considered so important that a large and often ornate room was specifically designed and set aside for that purpose.

Uses related to the district court are found on the same floor as the courtroom or elsewhere in the courthouse. These may include the judge's chambers, a room for attorneys to confer with clients, law library, district court clerk's office and vault, the jury room, the jail, and dormitory lodging for jurors.

The county courthouse is used to conduct and maintain county business and for legal proceedings. It may also have social uses unrelated to these basic functions. The convenient size of the district courtroom was sometimes used for lectures and speeches. In Sherman County in the 1930s, advocates of Communism and the Farm Holiday movement spoke at the courthouse. Courthouses have seen double duty for church services, dances, and meetings, especially in the early years of a county when other facilities did not exist.

In some cases, the social use of the courthouse continued. Courthouses such as those in Polk, Burt, and Kearney Counties had an assembly room for meetings (generally on the basement or ground level). On Sundays between 9 A.M. and 4 P.M., Valley County opened the courthouse's east door, which opened on to a community room. The basement of the Platte County courthouse had a "large community room for public gatherings and for use by patriotic societies" as well as a ladies' rest room.

Recognizing that farmers often came to the county seat for the day to conduct business, counties provided for their comfort. Provision of rest rooms for farmers and their families at the courthouse seems to have been an early 20th century phenomenon, one that reflects change in courthouse design. In 1912 Howard County commissioners noted that

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  36

---

While these public accommodation quarters are a new thing, we find that other counties building new courthouses are putting them in, and we consider them of much utility to the people.

Records and plans for a number of early 20th century courthouses reflect this interest in farmer comfort. The basement of the 1915 Deuel County courthouse had a "farmers rest room." A Lincoln County history described the "commodious rest rooms...where the farmers may come with their families when visiting the county seat and be able to call it 'homelike.'" Seward County boosters used provision of rest rooms as a selling point in the courthouse bond issue campaign, and the courthouse had a separate entrance for the restrooms.

Dodge and Seward Counties both provided a matron for the ladies' rest room. The 1918 dedication program for the Dodge County courthouse proudly described the Ladies' Rest Room as "elegantly furnished with wicker furniture and leather cushions of the best quality, and Moquette carpet." A 1914 newspaper article noted that the Dawson County courthouse's "large rest or public comfort rooms" were "intended for the use of the citizens of the county, and anyone can avail himself of the advantages they present and afford."

### Design Sources

County boards considered the design of the courthouse to be of such importance that they sought out architects in and out of Nebraska to provide plans. Architects, in turn, sought these plum commissions and submitted plans for distant counties and even courted counties in other states. Perhaps profitability, prestige, and the opportunity to display what they hoped would be large and impressive designs motivated the architects.

The architects likely hoped that a courthouse design would lead to more courthouse commissions. Eleven architects or architectural firms were successful in that regard and designed more than one Nebraska courthouse. William F. Gernandt led in the courthouse sweepstakes with ten Nebraska courthouses to his credit. Others were William Gray (five) and George A. Berlinghof (eight).<sup>18</sup> The following designed two courthouses each: Rose & Peterson, A.T. Simmons, W.T. Misner, J.J. Huddart, E.L. Goldsmith, E.B. Watson, John Latenser & Sons, and Marcus Evans. (See Appendix.)

---

<sup>18</sup>Berlinghof's Thayer County Courthouse has been altered and was not part of the intensive survey.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   E   Page   37  

---

Selection of a particular architect sometimes resulted in similar designs, apparently at the direction of the county board. W.T. Misner designed the 1904 Sheridan County courthouse to be a copy of the nearby Cherry County Courthouse built in 1901. George Berlinghof's designs for the 1912-15 Howard County and nearby 1913-14 Greeley County courthouses are virtually the same except for using different materials. And William Gernandt's 1917-19 Clay and 1919-21 Valley County courthouses are essentially identical. Valley County officials visited Clay Center with Gernandt and apparently liked what they saw. Other courthouse designs by Gernandt and Berlinghof were unique designs, although they carried clues that they were the product of these architects.

Twelve Nebraska courthouses were designed by architects from another state. Although the state was generally an adjacent one, A.T. Simmons journeyed from Bloomington, Illinois for the Dundy and Chase County commissions. The Kansas City area provided two firms, Rose & Peterson and Gunn & Curtis. Denver was home to J.J. Huddart and also William N. Bowman, and J.E. Reynolds practiced in Sioux City, Iowa.

Since they were responsible for 22, or 38 percent, of the architect-designed courthouses in this study, the careers of William Gray, George A. Berlinghof, and William F. Gernandt deserve mention.

William Gray ranked among the state's important 19th century architects, as his commissions for no less than five county courthouses reflect. Between 1887 and 1892, he also competed, unsuccessfully, for courthouse commissions in Buffalo, Lancaster, Gage, and Jefferson Counties, Nebraska, as well as Clinton County, Iowa. Successful commissions dated from 1888 to 1895: Johnson, Butler (not extant), Cass, York (not extant), and Hamilton Counties.<sup>19</sup> Gray's courthouses are firmly in the manner of the County Capitol and represent some of the best examples of this type of courthouse in Nebraska. In 1898 Gray abandoned the architectural profession and turned his attention to inventing and marketing a grain grader and a pressure cooker.

George A. Berlinghof was a German immigrant who graduated from the Polytechnic School of Darmstadt in 1879. In 1881 he came to Omaha and joined a well-established firm, Mendelsohn, Fisher & Lawrie. However, he soon had his own practice, Bell & Berlinghof, established in 1883. In 1898 Berlinghof struck out on his own in Beatrice, Nebraska. In 1905 he moved to Lincoln where his expertise and connections brought him the

---

<sup>19</sup>The Hamilton County example is on the National Register, and the Cass and Johnson County examples are on the Register as part of historic districts.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number  E  Page  38

---

title of Architect for the State of Nebraska, in 1907, and numerous state commissions. In the early 1910s his firm was known as Berlinghof & Davis, but by 1921 Berlinghof again practiced alone.

Berlinghof is known to have designed courthouses in Iowa, Missouri, Kansas, and Oklahoma, as well as the eight he or his firm designed in Nebraska. His Nebraska courthouses reveal how Berlinghof responded to changing architectural fashion. For example, the Nemaha County courthouse (1889-1900) is an excellent example of a Richardsonian Romanesque County Capitol. The very similar Kearney (1904-06) and Seward (1906-07) County Courthouses are transitional examples of the County Capitol courthouse type. Both retain the massing and characteristic towers of the type but with very simplified and refined classical motifs. The courthouses for Howard (1912), Greeley (1913-14), Lincoln (begun in 1921), and Franklin (1925-26) Counties are good representatives of the County Citadel courthouse. All but the Lincoln County example retain a vestige of the County Capitol type: slightly projecting corners (though without towers topping them).

William F. Gernandt may be considered the foremost exponent of the County Citadel courthouse type in Nebraska. The ten examples he designed between 1910 and 1923 are distinctive, bold, and effective. Gernandt employed the classical vocabulary with verve and imagination. He toyed with motifs, repeating them inside and out, applying in unexpected ways. Particularly notable was his use of terra cotta for elaborate cornices and entry pavilions.

Despite this record number of courthouse commissions, little is known about Gernandt. When he received the 1910 commission from Phelps County, he practiced in Fairbury. Sometime between 1911 and 1912, he moved to Omaha where his name appeared in city directories until 1923. The only other known commissions are the Anderson Apartments (1924) in Omaha and the Lutheran Hospital in York.

### Summary

The dominant courthouse type in Nebraska is what has been termed in this study the County Citadel. Based on analysis of the courthouses in this project, the typical example would have the following characteristics:

- brick-faced with stone or terra cotta trim
- built sometime between 1910 and 1930
- exhibit Classical Revival stylistic influence
- consist of two stories with a raised basement

United States Department of the Interior  
National Park Service

**National Register of Historic Places  
Continuation Sheet**

Section number   E   Page   39  

---

--located on a full courthouse square with a limited number of objects

The courthouse is a county's foremost architectural statement, and the form of Nebraska's courthouses well reflect their symbolic and functional importance. Imposing scale, siting, and appearance combine to create a memorable testimony to county government.



United States Department of the Interior  
National Park ServiceNational Register of Historic Places  
Continuation SheetSection number   E   Page   40  

## APPENDIX - BUILDING LIST

County's marked with an asterisk have courthouses that were determined to be ineligible for the National Register as a result of this survey. There are two Thurston County examples. Date of Construction is the year construction began.

<u>County</u>	<u>Property Type</u>	<u>Date of Construction</u>	<u>Architect</u>
Custer	Temporary	1876	Unknown
Thurston	Temporary	1889	Unknown
Dixon	Stronghold	1883	Unknown
Arthur	Stronghold	1914	Noll, J.S.
Blaine*	Stronghold	1909	Undetermined
Wheeler	Stronghold	1918	Foster, S.H.
Johnson	Capitol	1888	Gray, Wm.
Washington	Capitol	1888	Placey, O.H.
Nuckolls	Capitol	1890	McDonald, G.E.
Gage	Capitol	1890	Gunn & Curtis
Cass	Capitol	1891	Gray, Wm.
Cedar	Capitol	1891	Stitt, J.C.
Thurston	Capitol	1895	Unknown
Nemaha	Capitol	1899	Berlinghof, G.A.
Cherry	Capitol	1901	Misner, W.T.
Sheridan	Capitol	1904	Misner, W.T.
Saunders	Capitol	1904	Fisher & Lawrie
Seward	Capitol	1905	Berlinghof, G.A.
Kearney	Capitol	1906	Berlinghof, G.A.
Morrill	Citadel	1909	Eisentraut, J.P.
Chase	Citadel	1910	Simmons, A.T.
Phelps	Citadel	1910	Gernandt, W.F.
Merrick	Citadel	1911	Gernandt, W.F.
Pawnee	Citadel	1911	Gernandt, W.F.
Hooker	Citadel	1912	Kirschke, O.R.
Howard	Citadel	1912	Berlinghof & Davis
Dawson	Citadel	1913	Gernandt, W.F.
Box Butte	Citadel	1913	Rose & Peterson
Greeley	Citadel	1913	Berlinghof & Davis
Webster	Citadel	1914	Gernandt, W.F.
Deuel	Citadel	1915	Huddart, J.J.
Burt	Citadel	1916	Rose & Peterson
Clay	Citadel	1917	Gernandt, W.F.
Dodge	Citadel	1917	A.H. Dyer Co.
Valley	Citadel	1919	Gernandt, W.F.

United States Department of the Interior  
National Park Service

National Register of Historic Places  
Continuation Sheet

Section number   E   Page   41  

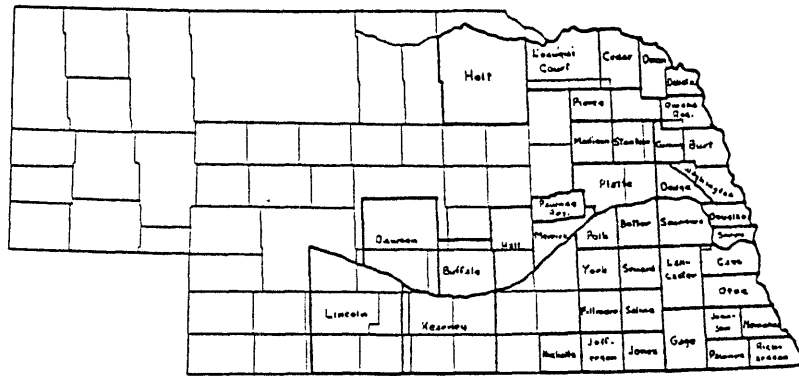
---

Platte	Citadel	1920	Wurdeman, C.
Scotts Bluff	Citadel	1920	Bowman, W.N.
Sherman	Citadel	1920	Henningson Engineering
Polk	Citadel	1921	Gernandt, W.F.
Dundy	Citadel	1921	Simmons, A.T.
Lincoln	Citadel	1921	Berlinghof, G.A.
Garden	Citadel	1921	Huddart, J.J.
Sarpy	Citadel	1922	Gernandt, W.F.
Richardson	Citadel	1923	Gernandt, W.F.
Thomas	Citadel	1923	Kelly, J.S.
Franklin	Citadel	1925	Berlinghof, G.A.
McPherson	Citadel	1925	Reynolds, Bert
Perkins	Citadel	1926	Reynolds, J.E.
Red Willow	Citadel	1926	Evans, Marcus
Kimball	Citadel	1927	Goldsmith, E.L.
Saline	Citadel	1927	Evans, Marcus
Sioux	Citadel	1930	Goldsmith, E.L.
Knox	Citadel	1934	Watson, E.B.
Dawes	Citadel	1935	J. Latenser & Sons
Holt	Citadel	1935	J. Latenser & Sons
Rock	Citadel	1938	Watson, E.B.
Gosper	Citadel	1939	McClure & Walker
Dakota*	Citadel	1940	Undetermined
Furnas*	Citadel	1949	J. Latenser & Sons

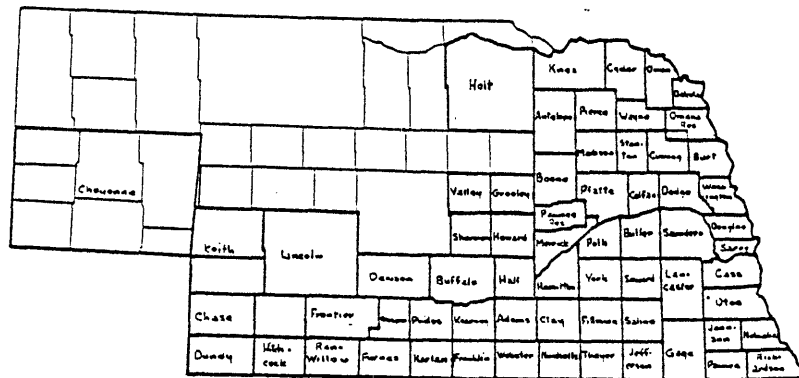
United States Department of the Interior  
National Park Service

National Register of Historic Places  
Continuation Sheet

Section number  E  Page  42



1865



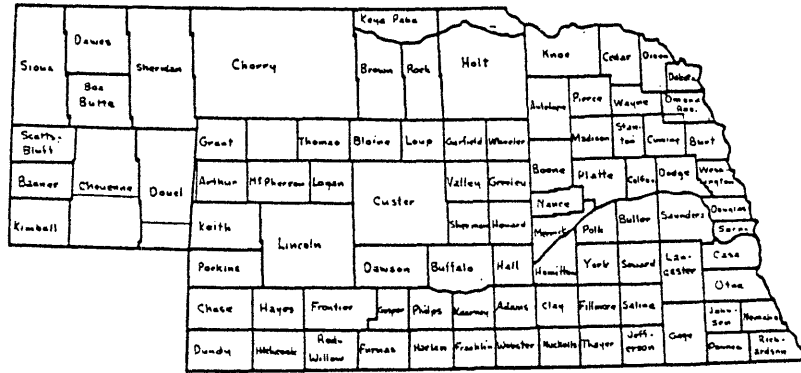
1875

GROWTH OF COUNTIES IN NEBRASKA

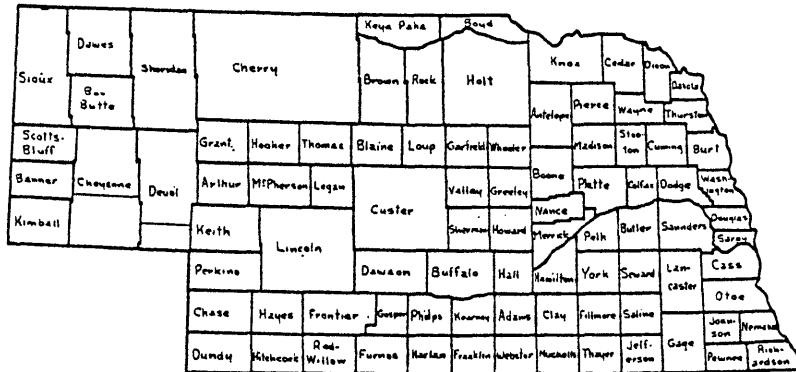
United States Department of the Interior  
National Park Service

National Register of Historic Places  
Continuation Sheet

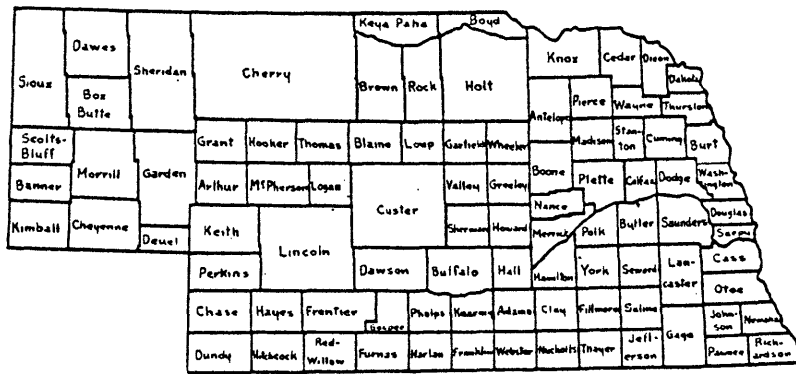
Section number  E  Page  43



1885



1895



1913

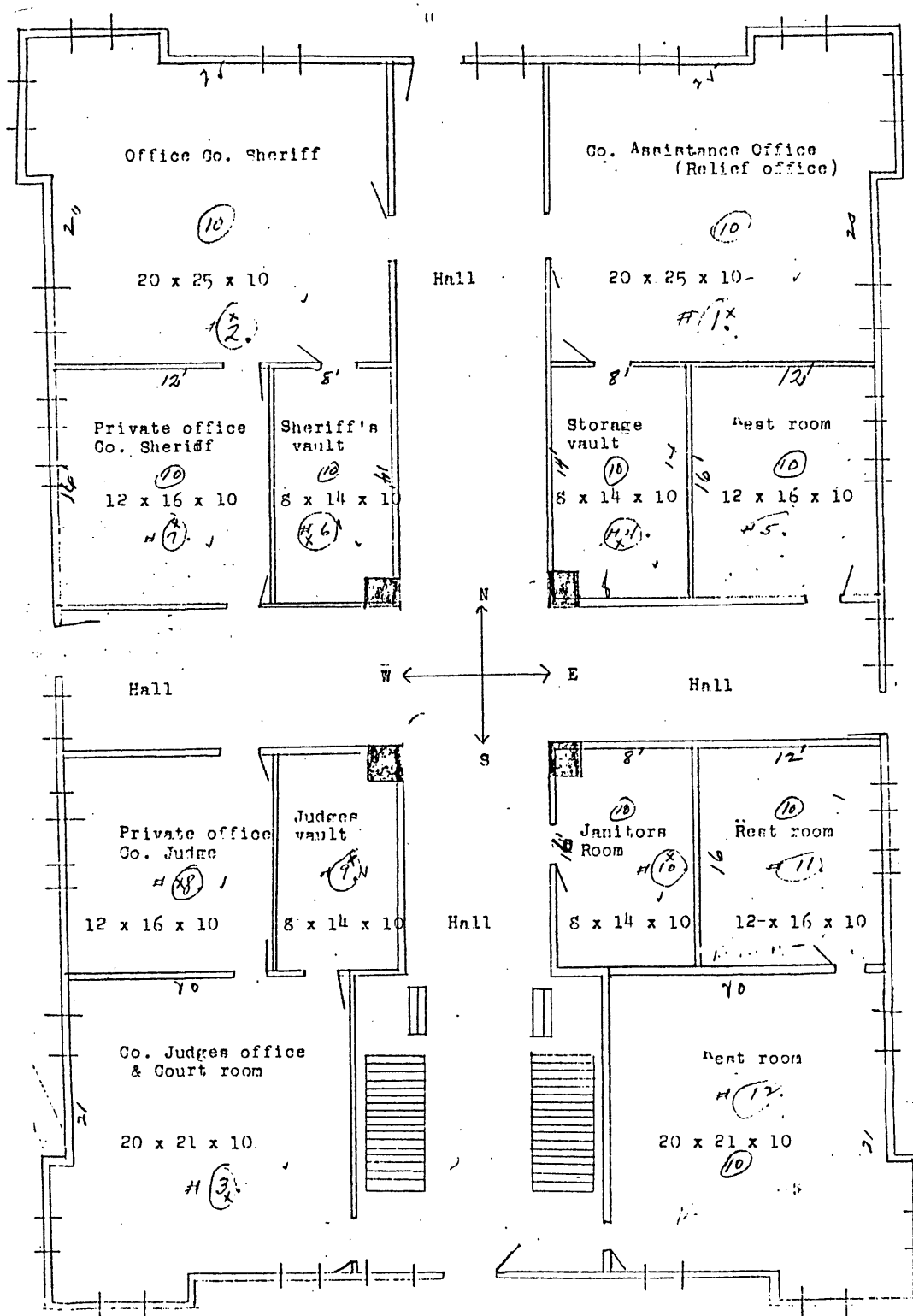
GROWTH OF COUNTIES IN NEBRASKA

United States Department of the Interior  
National Park Service

# National Register of Historic Places Continuation Sheet

Section number  E  Page  44

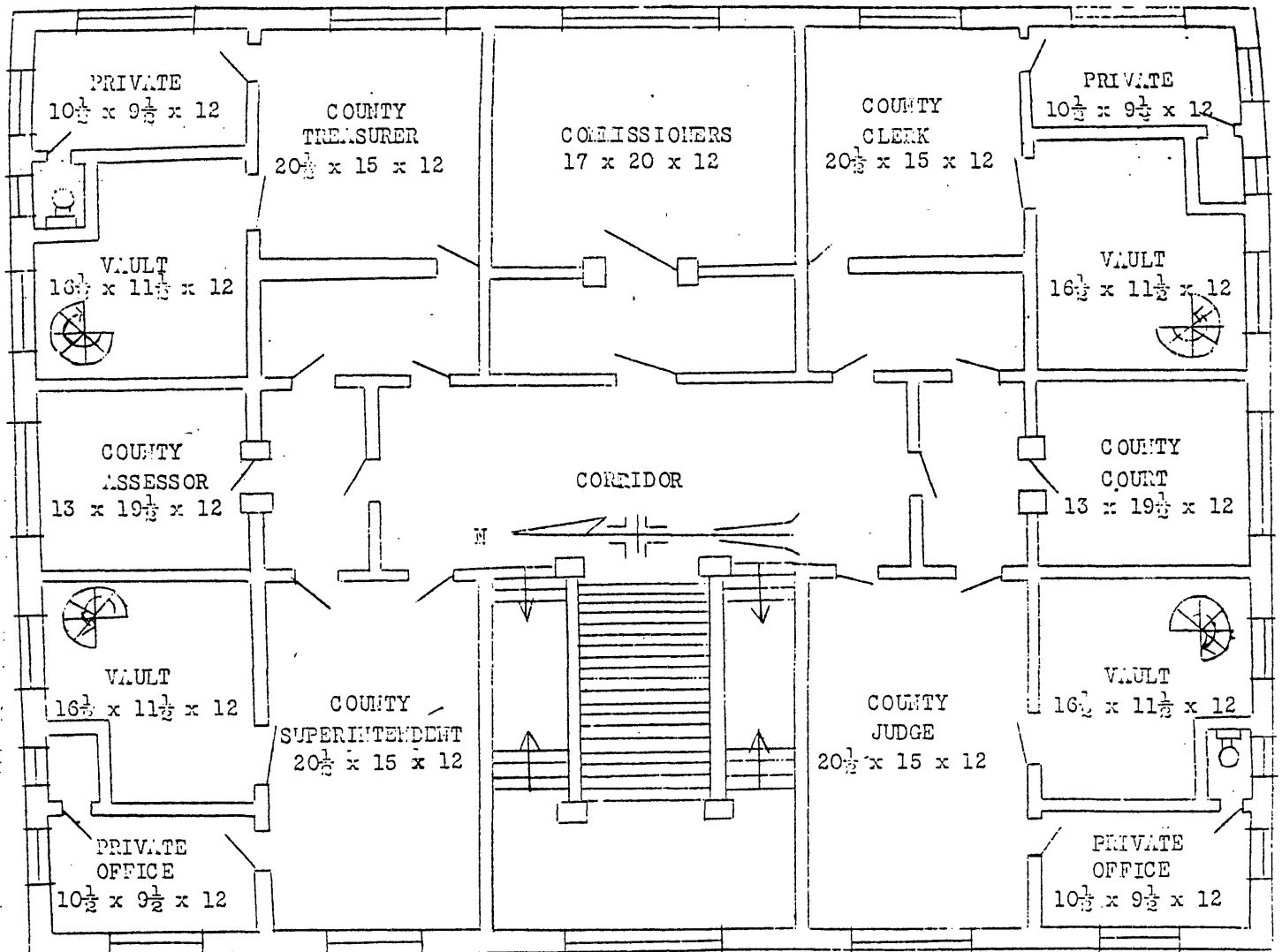
## JOHNSON COUNTY COURTHOUSE



United States Department of the Interior  
National Park Service

National Register of Historic Places  
Continuation Sheet

Section number  E  Page  45



GREELEY COUNTY COURTHOUSE, FIRST FLOOR

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   1  

---

### F. Associated Property Types

#### I. Name of Property Type

County Courthouses of Nebraska

The term "county courthouse" includes the site and any objects, structures, or buildings that share the site with the dominant feature, the courthouse building. Such properties are classified as "districts" if there are significant objects or noncontributing buildings, in order to count the number of resources within the property.

Small utility sheds (usually metal and modern) are not counted if they are easily removed and/or of unobtrusive size and location. Simple flagpoles, a ubiquitous feature of courthouse grounds, as well as minor commemorative objects, are also not counted.

#### II. Description

##### Physical Characteristics

As outlined in the Context, four subtypes characterize the county courthouse in Nebraska, the Temporary Courthouse, County Stronghold, County Capitol, and County Citadel. With the exception of Temporary Courthouse, county courthouses are examples of public architecture in their communities and contain good examples of design features and facilities distinctive to their design and use as courthouses. The following covers the important defining elements of the subtypes.

Temporary Courthouse. County officials intended such a courthouse to be a temporary measure which would be replaced when circumstances allowed. Fireproof building materials, built-in vaults, and ornate symbolic design were therefore unlikely to be used. Pioneers were aware that log cabins or other modest or nontraditional courthouses were temporary measures to be replaced when practicable. A variant of the Temporary Courthouse was adoption of an existing building for courthouse use.

Inexpensive, readily available materials were typically used for the Temporary Courthouse, including sod, logs, clapboard, local brick, or stucco. Form varied but was likely to be modest, especially since county officials were seizing upon an opportunity to solve a temporary problem.

The defining features of the subtype are:

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   2  

---

- modest design not intended to convey standing as a government or public building
- dates from early years of county settlement
- not intended to be permanent courthouse

County Stronghold. The subtype also dates from relatively early in the history of a county but was not considered to be a temporary expedient. Thus, modest ornamentation adorns the building. Limited use of ornamentation include brackets, a cupola, small wood frame bell tower, cresting, small additional gables, and simple moulded or shaped lintels. These details were applied to a compact, boxy shape. Construction materials include clapboard, local brick, concrete block, and stucco, sometimes with stone for the foundation.

An additional typical characteristic is the presence of permanent vaults for fireproof storage of county records. The Temporary Courthouse, in contrast, would likely lack any such storage or, at best, have mobile safes. And, unlike the Temporary Courthouse, this subtype has features that show it to be a public building.

Historic photographs of ten County Stronghold courthouses in Nebraska as well as the four extant examples reveal a distinct preference for 2-story hipped roof buildings.<sup>20</sup> One-story examples are possible, however, as in Arthur County. In many Nebraska counties a more costly, larger, and more elaborate building later replaced the County Stronghold.

The defining features of the subtype are:

- limited use of ornament
- hipped roof
- dates from relatively early years of county settlement
- some efforts at providing permanent fireproof storage
- intended to convey standing as a government or public building

County Capitol. The County Stronghold represented a step in the evolution of county government and resources. As it became feasible, county officials moved from temporary quarters to a more secure facility. As the county enjoyed further prosperity, a new, much more costly courthouse was typically built. The County Capitol and County Citadel not only provided good fireproof working conditions, they were also

---

<sup>20</sup>Similar to Goeldner's "coffee mill" style he found in Ohio, Indiana, and Illinois but frequently lacking a cupola. One extant County Stronghold, in Blaine County, was determined to be ineligible for the National Register because of the degree of alteration.



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   3  

---

heavily imbued with the symbolic trappings of county government, prosperity, and patriotism.

The County Capitol exemplifies the mature county courthouse from the late nineteenth century. The multiple aspirations for a courthouse displaying appropriate symbolism and suitable form and function came together fully for the first time with the County Capitol. The thirteen significant Nebraska examples surveyed for this project and five more already on the National Register were built between 1888 and 1907.

An important feature of the subtype is the presence of at least one tower or dome. Some less intricate examples have a single squared tower at the intersection of two wings. More elaborate examples feature a center dome and lower towers at all four corners. Most examples have a raised basement, often of contrasting material or texture, with two stories above. More costly materials, including nonlocal brick and stone, are the norm.

The plan is often symmetric, and the tower in some examples is extremely large. All four facades may match in examples with corner towers and a center dome, but in some cases only the opposite facades match. Examples with corner towers were ideal for occupying a full courthouse square ringed by commercial buildings, but in Nebraska such designs did not always enjoy such a setting.

Stylistic influences are sufficiently present to merit discussion, in contrast with earlier courthouse subtypes. The thirteen examples from this project displayed Romanesque Revival, Richardsonian Romanesque, Renaissance Revival, and Classical Revival stylistic influences.

The defining features of the subtype are:

- presence of a tower or towers or dome
- permanent costly materials, such as stone, brick, stucco, terra cotta
- more than one story
- elaborate ornamentation
- conveys impression of a government building of permanence and solidity

County Citadel. Like the County Capitol, the County Citadel is an example of the mature county courthouse, one that fuses symbolism, form, and function. With 38 extant examples represented in this study (37 of them Register-eligible), the County Citadel is the dominant county courthouse building type in Nebraska. Construction dates range from 1909

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   4  

---

to 1941, a mark of the prolonged favor that greeted the County Citadel.

Like the County Capitol, it too is constructed of durable and costly materials, including stone, brick, stucco, and terra cotta. However, the County Citadel dates from the twentieth century. Its rectangular shape, a key distinguishing feature, appears efficient and compact. Most significant examples have a flat roof and a prominent raised basement (often rusticated) with one to three stories above. Plans are variable but often feature a split staircase at the entry foyer. Despite the appearance of a rusticated raised basement, a number of examples have a ground level entry to gain maximum public use of that level.

Entries are centered, and lavish design details and a series of steps are often used to highlight this main entrance. Some examples, notably those exhibiting Beaux Arts or Classical Revival stylistic influences, feature prominent projecting entry pavilions.

Stylistic influences include the Renaissance Revival, Beaux Arts, Classical Revival, and Art Deco. A number of examples exhibit stylistic influences from early 20th century American movements or are fanciful hybrids with free adaptations of classical motifs or references to the Jacobethan Revival style. Later examples from the 1930s may combine classical and Art Deco details effectively.

The defining features of the subtype are the following:

- rectangular shape, generally with a flat roof
- built in twentieth century
- permanent costly materials, such as stone, brick, stucco, terra cotta
- more than one story, often on a raised basement
- fireproof storage vaults part of plan
- distinctive ornamentation
- conveys impression of a government building representing strength and prosperity

### Associative Characteristics

In addition to their representation as a physical property type, Nebraska courthouses carry important associative characteristics, often in multiples. These historical associations are discussed in detail in the Context statement of this document. As focal points of all important political and civic functions in a county, significant examples uniformly call attention to the county level of government in Nebraska, an important part of the historical development of the state. In addition,

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   5  

---

the presence of courthouses reflects settlement and settlement patterns within a particular county or region, for county establishment was a prime indication of permanent settlement in Nebraska. The courthouse may be the best representation in a county of this important historic theme.

County courthouses may well carry one or more additional associative characteristics. Significant examples located in one of the 37 "Kinkaid counties" and built within 25 years (by 1929) of passage of the Kinkaid homestead act illustrate the effect of this key legislation upon Nebraska settlement. The 25-year span allows time for increased settlement and related county prosperity as well as the delays sometimes encountered in seeking approval to build a courthouse. Not all courthouses located in Kinkaid counties reflect the impact of this legislation upon county resources and settlement.

Some courthouses reflect the role of the railroads in fostering settlement across the state and, in some cases, the rail company's direct participation in county seat designation and settlement. And still other examples are products of the many "county seat wars" that raged across the countryside as settlers sought the plum of county seat designation. Finally, some Nebraska county courthouses are directly associated with the role of federal government assistance programs during the Depression years of the 1930s. These additional historical associations are discussed in detail in individual nominations.

### Time Period

Significant examples could exist from virtually the beginning of the Territorial period for Nebraska, 1854, when eight counties along the Missouri River were established. The earliest known examples (both already listed on the National Register) date from 1857 and 1865, before statehood was achieved in 1867. The period of significance extends to 1941, the onset of World War II and the end of the Depression-related period of federal assistance programs that included courthouse construction in Nebraska.

Known examples from this survey date from between 1876 and 1941. Within the 1854-1941 time range, the Period of Significance varies with the subtype of the Property Type, as is noted in the Registration Requirements. Unless a courthouse still in use as a courthouse is associated with federal assistance programs, its Period of Significance ends at 1939, the fifty year mark.

For individual examples, Significant Dates and the Period of Significance both begin with the year construction of the courthouse began. In the

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   6  

---

absence of other evidence, the date the general contract was let marks the beginning of construction, for this is a reasonable indication that construction is about to commence. There are often considerable delays between other events in courthouse construction, such as holding a bond election or meeting with architects, and the onset of construction. The Significance Section of individual nominations states the Period of Significance and relates it to this document. The Period of Significance as well as Significant Dates are also listed at the beginning of that section, and the text explains the justification for the dates.

### Locational Patterns

Most significant county courthouses occur, of course, in a county seat in Nebraska. However, with Temporary Courthouses and possibly with County Strongholds, it is just as likely that the building is located in or near a former county seat. Such examples convey the changes that occurred during competition for the county seat designation, especially as settlement increased in a county.

As noted in the Context, courthouse are typically found at the end of just off of the business district in the county seat, often a reflection of the county seat's railroad genesis. A few examples are a courthouse square ringed on four sides by commercial buildings, often in the earlier settled areas of the state.

### Boundaries

The immediate public space surrounding the courthouse typically forms the significant boundaries. Courthouse grounds may extend to a full city block or may be confined to a half or even a quarter block. Important landscaping, objects, and buildings located on the courthouse grounds are considered, but small items such as modest utility sheds, simple flagpoles, and minor commemorative objects are generally not discussed at length in individual nominations or included in the property count.

County facilities (such as a jail) not on the courthouse grounds are generally excluded from consideration because they do not form a cohesive design intended to be viewed as a unit. (An exception is Saline County where the nearby jail matches the design, stone, and construction date of the courthouse.)

The siting of the courthouse on the courthouse grounds sometimes reflects the circumstances behind its construction. Since an older courthouse (often a County Stronghold subtype) occupied the prime center of the site, the replacement facility was located off-center. County work

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   7  

---

continued uninterrupted during construction. When the new courthouse was ready, the older building was razed.

### Condition

Most significant examples of county courthouses, especially the County Capitols and County Citadels, are constructed of materials not prey to considerable deterioration or alteration--stone, brick, stucco, terra cotta. County officials typically recognize the symbolic importance of the courthouse and seek to maintain exterior wall surfaces. While unfortunate choices are not unknown, original wall surfaces and a wealth of original ornamentation are typically present.

Interior alterations, on the other hand, are widespread. Typical and expected changes include dropped ceilings, fluorescent lights, wood paneling, new carpeting, and, in courtrooms, acoustical tile or wall coverings. Many courthouses do retain, in nearly original condition, woodwork, staircase railings and balusters, marble wainscoting and mopboards, tile flooring, plaster capitals, beams and pilasters, hall light fixtures, and basic room arrangement. The primary focus of the nomination is on the exteriors of courthouses. Notable interior features are discussed and considered, but a greatly altered interior (such as Nuckolls or Cedar Counties) does not alone eliminate a courthouse from eligibility.

The impressive size, siting, materials, and ornamentation of many significant examples work together to mitigate the negative effect of many common alterations. Usually the first impression when encountering a county courthouse is of the important original materials, setting, and mass, not of changes. It could be argued that a higher degree of certain types of alteration is tolerable in these public buildings than might be acceptable in more modest or smaller buildings. The most common exterior changes are replacement windows (including glass block, smaller windows, metal storms, opaque transoms) and provision of access for the handicapped (concrete ramps, small exterior elevators). Examples of courthouses with acceptable alterations are found in Thurston, Cedar, Platte, and McPherson Counties.

To meet changing state and federal requirements, some Nebraska counties have built an annex or addition containing a new jail, law enforcement facility, or other governmental use. In several cases, the addition was handled effectively. An intrusive addition eliminated a few courthouses from nomination (see Dakota County). Jails holding prisoners for more than 24 hours must provide an outdoor fenced exercise yard (generally with a basketball hoop), another alteration to the courthouse grounds.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   8  

---

Courthouse with acceptable additions are found in Box Butte and Scotts Bluff Counties.

Flagpoles and commemorative plaques and statuary are an important feature of many courthouse grounds. Memorials to military veterans, including those who served in the Civil War, Spanish-American War, World Wars I and II, and the Korean and Vietnam conflicts, are well represented. Less common are benches, decorative fountains, bandstands or gazebos, cannons, tanks and other military hardware, remembrances of pioneer settlers, and time capsules.

Most courthouse grounds are extremely well maintained and feature lush lawns. Full courthouse squares typically have an array of deciduous and evergreen trees randomly placed. The large number of mature trees in many cases made viewing (and photographing) of the building a challenge but do provide a shady respite.

### III. Significance

Within the overall Historic Context of County Government (as outlined in "Historic Contexts in Nebraska, Topical Listing"), the possible Areas of Significance for the Property Type, County Courthouses, are Architecture, Politics/Government, and, in some instances, Settlement. Significant examples of the Property Type qualify for National Register listing under Criterion A and generally under Criterion C. (Some Temporary Courthouses may lack sufficient architectural merit to qualify under Criterion C.)

Architecturally significant courthouses are important because they "embody the distinctive characteristics of a type [and] period." Some examples are good examples of an important architect or possess "high artistic values" as examples of public architecture and may be of Statewide Significance.

As the foremost architectural statement for county government within the counties and the focal point for county government, county courthouses have Local Significance. Architecturally significant courthouses display good examples of design features and facilities distinctive to their design and use as courthouses.

County courthouses served as the focal point of governmental and civic functions in counties and are therefore significant under Criterion A as locally significant examples. They are "associated with events that have made a significant contribution to the broad patterns of our history." The Area of Significance under this criterion is Politics/Government, because the courthouse was the site of administration of local government

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   9  

---

services and institutions.

In some cases, courthouses carry another Area of Significance, Settlement. Establishment of counties reflected the establishment and earliest development of new communities across Nebraska and their creation represented stability or governmental control in a new area. Some courthouses may further illustrate subcontexts of these basic themes, e.g., the effect of county seat wars upon settlement and local governing or the role of the railroad in fostering settlement.

Some examples of Nebraska courthouses are significant despite the presence of special Criteria Considerations. Courthouses built less than fifty years ago but within the Period of Significance, 1854-1941, (Criterion Consideration G) not only continue previously established patterns for Nebraska courthouses but also directly reflect the impact of Depression-related federal assistance programs.

Examples of the Temporary Courthouse subtype may have been moved (Criterion Consideration B) to preserve them. This very move to a commemorative park reflects the building's symbolic importance to county residents and standing as the surviving structure most importantly associated with an historic event.

The four subtypes of the property type, County Courthouses in Nebraska, illustrate the architectural evolution of the courthouse in Nebraska. They show the courthouse as form or identifiable building type. Significant examples reflect the evolution from temporary, often crude, quarters (Temporary Courthouse), to fireproof, more costly, well designed and permanent temples of justice (County Stronghold, County Capitol, County Citadel).

The courthouse is the physical symbol of law and order at the county level. As the locus for the various services of county government, the courthouse plays an important functional role. The three roles (form, function, symbol) are inter-related, a further source of power for the building type which intertwines their areas of significance.

The creation of counties was a fundamental step in the historical development of Nebraska. County government provided a nearby means for the orderly transfer of land holdings, maintaining the peace, settling disputes, holding elections, and recording legal proceedings. These services remain central to the foundations of American society.

The county seat designation typically assured a community of economic and population growth. The county courthouse thus forms an important part

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   10  

---

of the community's identity. Just as they worked to acquire railroad connections--itself often a factor in county seat designation--residents of newly settled areas fought and schemed to gain the coveted county seat, resulting in "county seat wars." In some cases, citizens built a new courthouse to retain or gain the county seat.

The creation of new counties, county seats, and courthouses also reflected settlement patterns of the state. As white settlement moved westward, new counties were created. Some of these were carved out of existing counties, a move that settlers in the "old" part generally resisted. Federal legislation, the Kinkaid Act of 1904, spurred settlement in western Nebraska.

#### IV. Registration Requirements

The Period of Significance for the Property Type, County Courthouses in Nebraska, is 1854-1941, although a subtype may have a more specific time frame (see below). Significant examples are eligible under Criterion A, and most are also significant under Criterion C. The Areas of Significance are Architecture (see Physical Characteristics below) and Politics/Government and Settlement (see Associative Characteristics). Significant examples must carry certain specific characteristics outlined below, and they may have additional characteristics of importance as well.

All examples are Locally Significant, but some have superseding Statewide Significance because they are of exceptional architectural design or have historical associations of statewide importance. Individual nominations discuss these requirements in detail.

#### Associative Characteristics

A. Significant examples of county courthouses must have the following associative characteristics:

- served as the focal point for the administration of local government services and institutions, especially the county level of government
- built between 1854 and 1941

B. Significant examples may carry one or more of the following associative characteristics:

- best representation to reflect settlement and settlement patterns within a particular county or region
- located in one of the 37 "Kinkaid counties" and built within 25



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   11  

---

years (by 1929) of passage of the Kinkaid homestead act.  
--reflected the role of the railroads in fostering settlement across the state and, in some cases, their direct participation in county seat designation and settlement  
--illustrated the "county seat wars" that raged across the countryside as settlers sought the coveted county seat designation  
--directly associated with the role of federal government assistance programs during the Depression years of the 1930s  
---regarded as an important symbol of the prosperity and progress the county had achieved

### Physical Characteristics

A. Significant examples of the subtype Temporary Courthouse must have the following physical characteristics:

--modest design not intended to convey standing as a government or public building  
--date from early years of a county's settlement  
--not intended to be permanent courthouse  
--built between 1854 (Nebraska established as territory) and 1914 (the year after the last county, Arthur County, was established)

In addition, they may have the following characteristics:

--inexpensive, locally available materials: sod, logs, clapboard, local brick or stone, stucco  
--used for other purposes, such as county clerk's home, in addition to courthouse designation  
--moved to commemorative park to preserve building in recognition of its symbolic importance to the county

B. Significant examples of the subtype County Stronghold must have the following physical characteristics:

--contains good examples of design features and facilities distinctive to its design and use as a courthouse  
--limited use of ornament  
--hipped roof  
--display some efforts at providing permanent fireproof storage  
--intended to convey standing as a government or public building  
--built between 1854 (Nebraska established as territory) and 1923 (within ten years of establishment of last county, Arthur County)

In addition, they may have the following characteristics:

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   12  

---

--possible details: brackets, a cupola, small wood frame bell tower, or cresting, small additional gables, simple moulded or shaped lintels  
--compact, boxy shape  
--two-story  
--limited special treatment of main entrance, including projecting bay, special staircase landing window, entry canopy  
--construction materials include clapboard, local brick, concrete block, and stucco  
--stone foundation  
--wood shingle roofing  
--stylistic influences (Italianate, Gothic Revival, Second Renaissance Revival) are not strongly represented

C. Significant examples of the subtype **County Capitol** must have the following physical characteristics:

--good example of public architecture in the community  
--contains good examples of design features and facilities distinctive to its design and use as a courthouse  
--tower, towers or dome  
--permanent costly materials, such as stone, brick, and stucco  
--more than one story  
--provision for fireproof storage vaults  
--elaborate ornamentation  
--convey impression of a government building of permanence and solidity  
--built between 1865 (beginning of settlement boom) and 1910 (wane of preference for this subtype)  
--exhibit stylistic influences: Romanesque Revival, Richardsonian Romanesque, Renaissance Revival, or Classical Revival

In addition, they may have the following characteristics:

--designed by an architect  
--single, often very large, tower  
--center dome with four lower corner towers  
--irregular outline  
--raised basement, perhaps of contrasting material  
--four (or two and two) well defined entrances rather than one dominant entrance

D. Significant examples of the subtype **County Citadel** must have the following physical characteristics:

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   F   Page   13  

---

- good example of public architecture in the community
- contains good examples of design features and facilities distinctive to its design and use as a courthouse
- rectangular shape
- entrance centered on principal facade, often having lavish design details and/or projecting from facade or above roofline
- permanent costly materials, such as stone, brick, stucco, terra cotta
- more than one story
- distinctive ornamentation
- conveys impression a government building representing modernity, strength, and prosperity
- provision for fireproof storage vaults
- stylistic influences include the Renaissance Revival, Beaux-Arts, Classical Revival, late 19th and early 20th century American movements, and Art Deco, but also fanciful hybrids: free adaptations of classical motifs or references to the Jacobethan or Commercial styles or combination of classical and Art Deco details
- built between 1900 and 1941

In addition, they may have the following characteristics:

- flat roof
- designed by an architect
- prominent raised basement (often rusticated) with one to three stories above
- cornice treatment of decorative courses, parapets
- interior plan with split staircase at the entry foyer
- ground level entry to gain maximum public use of the ground level despite the appearance of a rusticated raised basement
- rest rooms for farmers and their families

### Integrity

As noted in the Supplement to NR Bulletin 16, only those aspects which are required to convey the significance of the property are discussed in this document.

### Temporary Courthouse

- original exterior materials--wall covering, shape, form, window and door openings--must be present to a sufficient degree so that historic users of the building would recognize it
- ruins or other extremely dilapidated buildings are generally not

United States Department of the Interior  
National Park Service

**National Register of Historic Places  
Continuation Sheet**

Section number   F   Page   14  

---

acceptable since they do not adequately convey the historic associations of the Temporary Courthouse

--may have been moved to a commemorative park in order to preserve building and in recognition of its symbolic importance to the county  
--subsequent uses are expected

**County Stronghold, County Capitol, County Citadel**

--in general, more elaborate courthouse designs have a higher degree of tolerance for such expected changes as replacement windows, doors, handicapped access ramps, and additions

--original exterior materials and elements--such as wall covering, foundation, trim and other details, form, window and door openings, setting--must be present to a sufficient degree to recognize the architectural form of the building as a courthouse

--alterations to windows are expected and may include glass block or opaque transoms; window changes should not detract prominently from the overall appearance of the courthouse (see Perkins County, for example)

--provision of access for the handicapped, including concrete ramps and metal railings, is expected and acceptable if not visually intrusive

--changes--additions, exercise yards, some enclosed windows--are expected for examples with jail facilities still in use (see Chase County, for example)

--additions are acceptable if well designed so they do not visually intrude upon the significant features of the courthouse; successful additions generally extend from back of courthouse and are of scale, materials, and mass that do not overwhelm the courthouse (see Box Butte, Dawson, Scotts Bluff County courthouses for good examples; Dakota County for a large and intrusive addition)

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   G   Page   1  

---

### G. Summary of Identification and Evaluation Methods

The survey of Nebraska courthouses was statewide in scope, covering all 93 counties. Archival and pre-field survey research preceded intensive level surveying of all potentially eligible properties. The pre-field survey research consisted of telephoning county clerks and also studying NeSHPO survey records and State Historical Society pictorial archives to learn about the dates of construction and appearance of courthouses still in use.

Pre-field survey research served to eliminate from intensive level surveying courthouses that were too recent, too altered, or already individually listed on the National Register, with the result that 59 courthouses were deemed worthy of intensive level surveying. Courthouses nominated as part of a NR district were evaluated and included in the intensive level survey since their individual standing as examples of county courthouses was not part of district nominations.

The emphasis was on courthouses built to house county government, for these are the public buildings most strongly associated with the Historic Context. Buildings used as courthouses, but not built for that purpose, that were encountered in the pre-field survey research were also studied for their historical importance. Four such Temporary Courthouses were initially identified. One is already on the National Register and was therefore not again nominated. Another, a log cabin in ruins, was eliminated from NR eligibility. It had been moved, its status as the county's first courthouse was suspect, it would have served as a courthouse only briefly, and it was not commemorated as a first courthouse in the county.

Archival survey research in the pre-field survey phase was useful for fashioning contexts. General sources were found to be relatively limited that dealt with the county courthouse, especially in the Midwest. Goeldner's dissertation, however, was quite helpful. A number of useful sources dealt with the settlement of Nebraska and the Great Plains, and some interesting articles covered the courthouse square. The holdings at the Nebraska State Historical Society, including an excellent pictorial archive, provided valuable information on Nebraska counties and specific extant and razed courthouses. The WPA county records survey, although not comprehensive, provided useful data: floor plans, brief descriptions of courthouses and county histories, as well as a look at courthouse use in the 1930s.

Based on the archival research and survey work, three levels of courthouse significance (symbolic, functional, and the form) formed the

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   G   Page   2  

---

basis for the architectural and historic contexts. The courthouse is a familiar and ubiquitous public building type, and its very familiarity made it a challenge to dissect its obvious importance. A combination of the physical and associative characteristics that work together to produce the symbolic and formal power of the building type seemed a proper basis for beginning detailed analysis. Following the intensive level survey and collection of data on the courthouses, four subtypes of the county courthouse property type were developed. The typology is based on a combination of design, function, and association with county government.

Olson's history of Nebraska and Luebke's excellent essay on the development of the state provided important bases for understanding and tracing settlement patterns and county establishment. County records (especially county board minutes), county histories, newspaper articles, and Sanborn fire insurance maps were useful for specific county courthouses.

Information was in short supply regarding the many architects responsible for designing Nebraska courthouses. Letters to SHPO offices in the region produced a limited amount of useful information. The lack of information was especially unfortunate regarding William Gernandt. Contact with the Douglas County Historical Society, SHPO architects' files, the City of Omaha preservation planner, and Omaha public library failed to unearth much biographical data.

The period of significance for the topic began with Nebraska's Territorial period (1854) when counties were first organized and extended to the onset of World War II (1941). With the active role of federal relief programs in building courthouses during the Depression era, the end of Depression programs, which coincided with America's entry into World War II, seemed an appropriate end date. Five courthouses and one large addition were the result of WPA projects in Nebraska.

All courthouses initially determined to be NR-eligible were visited by the principal investigator as part of the intensive survey. Courthouses were photographed, mapped, described, and analyzed for NR eligibility. Local records were consulted to determine the construction date and circumstances of topics related to the courthouse and county government.

Upon inspection, three courthouses were eliminated from NR eligibility, and minimal survey information was collected. The Blaine and Dakota County courthouses were too altered, and the Furnas County courthouse was less than fifty years of age (1949-51).

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   G   Page   3  

---

Using the information from the intensive survey, a data base was created. Only courthouses from the intensive survey were entered, since relevant data was not uniformly available for other examples. Variables entered into the computer were the following: county, county seat, year of construction, property subtype, stylistic influence, number of stories, material, type of site (full, half, or quarter block), whether a T-town location, presence of objects on courthouse grounds, whether first, second, or third courthouse, sector of state, and whether the courthouse was an example of a WPA project, county seat wars, the Kinkaid act and related settlement, railroad involvement, or other events, such as arson. The data was thus based under three categories: basic information (such as county name), appearance, and circumstances behind construction. Information could readily be manipulated to reach a greater understanding of the typical features of the Nebraska county courthouse.

Data from the Blaine and Dakota County courthouses as well as examples already listed on the NR was often included in analysis of courthouses. As noted, a total of 59 courthouses were surveyed. The 57 courthouses referred to in the Context statement excludes the Temporary Courthouses since data for this property subtype was not applicable to, say, the number of courthouse squares, half-blocks, and quarter-blocks.

The standards of integrity were based on the National Register standards for assessing integrity. From the intensive level surveying, it became clear that if notable and substantial original elements remained, subsequent changes were frequently less intrusive than might otherwise be expected. The imposing site, design, and materials all combined to mitigate the detrimental effects of replacement windows and additions in many cases.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   H   Page   1  

---

- Cedar County Commissioners Record. Book 2. Quoting June 26, 1891.
- Chase County Commissioners Record. Book B. Quoting February 9, 1910 and January 23, 1912.
- Cherry County Commissioners Record. Book B. Quoting July 13, 1901.
- Clay County Supervisors Record. Book 7. February 15, March 7, 1917.
- Dundy County Commissioners Record. Book A. March 14, 1888.
- Gage County Supervisors Record. Book 4. November 12-16, 1889.
- Howard County Commissioners Record. Book 4. Quoting May 20, 1912 and January 27, 1914.
- Knox County Supervisors Record. Book 4. June 14, 1901-March 27, 1902.
- Morrill County Commissioners Record. Book 1. October 5, 1909.
- Seward County Supervisors Record. Book 5. September 30, 1905.
- Thomas County Commissioners Record. Book 2. June 10, 1921.
- Valley County Supervisors Record. Book 5. January 1, 1921.
- Washington County Supervisors Record. Book 3. April 17, 1889 and quoting April 18, 1889 and March 24, 1891.
- Wheeler County Commissioners Record. Book A. August 1, 1881-January 8, 1886.
- Dodge County courthouse dedication program. "Formal Dedication Ceremonies of the New County Court House and Jail at Fremont, Nebraska, Saturday, October the 19th, 1918."
- Sarpy County Records. Resolution Papillion Village Board of Trustees. September 24, 1921.
- Andreas, A.T. History of the State of Nebraska. Chicago: A.T. Andreas, 1882. Quoting p. 694 (Nuckolls County).
- Clay County Home Extensions Club. The Story of Clay County. n.p., 1969.
- Ott Brothers, comp. Noteworthy Men of Tekamah and Vicinity. n.p., 1903.
- Phelps County Historical Society. A History of Phelps County, Nebraska. Dallas: Taylor Publishing Co., 1981.
- Phillips, G.W. Past and Present of Platte County, Nebraska, 2 vols. Chicago: S.J. Clarke Publishing Co., 1915.
- Schrader, Forrest. A History of Washington County, Nebraska. Omaha: Magic City Printing Co., 1937.
- Sheldon, Addison E. Nebraska Civil Government. Lincoln: University Publishing Co., 1935.
- Abbott, N.D. "That Cass County Court House - An Informal History." Nebraska History 29 (December 1948): 339-350.
- Bang, Roy T. Heroes without Medals. A Pioneer History of Kearney County, Nebraska. Minden: Warp Publishing Co., 1952.
- Hudson, John C. "The Plains County Town." In The Great Plains: Environment and Culture, pp. 99-118. Edited by Brian W. Blouet and Frederick C. Luebke. Lincoln: Univ. of Nebraska Press, 1979.
- Kaura, J.W., comp. Saline County, Nebraska History. n.p.
- An Illustrated History of Lincoln County, Nebraska and Her People. 2 vols. Chicago: American Historical Society, 1920.
- Ostergren, Robert C. "Geographic Perspectives on The History of Settlement



United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section number   H   Page   2  

---

- in The Upper Middle West." Upper Midwest History I (1981): 27-39.
- Price, Edward T. "The Central Courthouse Square in the American County Seat." Geographical Review 58 (January 1968): 29-60.
- Robinson, Willard B. "The Public Square as a Determinant of Courthouse Form in Texas." Southwestern Historical Quarterly LXXV (January 1972): 339-372.
- Rowley, William D. "The Loup City Riot of 1934: Main Street vs. the 'Far-out' Left." Nebraska History 47 (September 1966): 295-328.
- Reynolds, Arthur. "The Kinkaid Act and its Effect on Western Nebraska." Agricultural History 23 (January 1949): 20-29.
- Goeldner, Paul. "Temples of Justice: 19th Century Courthouses in the Midwest and Texas." Ph.D. dissertation, Columbia University, 1971.
- Luebke, Frederick C. "Nebraska: Time, Place, and Culture." In Heartland, pp. 226-247. Edited by James H. Madison. Bloomington: Indiana Univ. Press, 1988.
- Green, Norma Kidd. "Ghost Counties of Nebraska." Nebraska History 43 (1962): 253-263.
- Nebraska Legislative Council, comp. Nebraska Blue Book, 1984-85. Lincoln: State of Nebraska, 1985.
- Schellenberg, James A. Conflict between Communities. American County Seat Wars. New York: Paragon House Publ., 1987.
- Scherzinger, F.A. "History of Nuckolls County." n.d. Typed report in Nuckolls County clerk's office.
- Dawson County Pioneer, January 23, 1914.
- St. Paul Phonograph-Herald, June 12, 1913.
- Tubbs, Verna Lee. "Settlement and Development of the Northeast Sandhills." M.A. thesis, University of Nebraska, 1957.
- Saline County Scrapbook. NeSHS Library.
- Danker, Donald F. "The Influence of Transportation upon Nebraska Territory." Nebraska History 47 (1966): 187-208.
- Aeschbacher, W.D. "Development of the Sandhill Lake Country." Nebraska History XXVII (September 1946): 205-221.
- Seward County League of Women Voters. "A History of the Seward County Courthouse." 1980.
- Nebraska State Historical Society. Photo collection.  
-----. Files in Historic Preservation office.
- Mellberg, Russell. "Moses Pierce Kinkaid, 1850-1922." M.A. thesis, University of Nebraska, 1933.
- Olson, James C. History of Nebraska, 2nd ed. Lincoln: University of Nebraska Press, 1955.
- Graebner, Norman. "Nebraska's Missouri River Frontier, 1854-1860." Nebraska History 42 (1961): 213-235.
- "Program of the Ceremonies Incident to the Dedication of the Polk County Court House...October 10, 1922." Quoting p. 7.