

HISTORY OF THE GOODHUE COUNTY COURTHOUSE (1910)

FOREWARD

BY

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The recently erected law office of Philander Sanford served as the first courthouse of Goodhue County in 1854. Because Sanford held the dual posts of county attorney and clerk of court, his office was pressed into official service on multiple occasions, as an 1878 history of county explained:

Provisions were made to secure permanent offices for the use of the county officials. In the months of May and June, of this year, I. P. Sandford erected a small frame building next west of his residence on Main street, in the present city of Red Wing, for a law office, which was the first law office erected in the city. This building was used by the register of deeds, clerk of the court (Sandford,) treasurer's office, when he had office business to transact, and for the meetings of the board of county commissioners. The sheriff and treasurer, for the most part, "carried their offices in their hats." This pioneer lawyer's office was also used as a court house for the first term of court held in the county in 1854. It was also occupied by the United States land office in the spring 1855, and until more commodious quarters could be

secured; and the first government sale of lands was also made in this building. ¹

By the end of the decade, and after considerable wrangling among the county supervisors, a courthouse was built in Red Wing, the county seat. The supervisors, later known as commissioners, overcame unexpected hurdles when they floated bonds to finance its construction.

The history that follows appeared first on pages 105-115 in the second volume of a joint history of Dakota and Goodhue Counties published in 1910. The excerpts have been reformatted. The authors' spelling and punctuation are not changed. The title has been added by the MLHP.

¹ *History of Goodhue County, Including a Sketch of the Territory and State of Minnesota* 244 (Red Wing: Wood, Alley & Co., 1878). As frequently happens with county histories compiled in this period, there is confusion over dates. The quoted paragraph relates to proceedings of the county supervisors in 1855. Sanford probably erected his law office in 1853, when he arrived in Red Wing, or in 1854, just in time for the initial court session.

**“HISTORY OF THE GOODHUE COUNTY
COURTHOUSE”**

Excerpts From

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MINNESOTA**

Illustrated

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HISTORY OF THE GOODHUE COUNTY COURTHOUSE

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In the year 1857 action was taken in earnest, to provide county buildings. The county board consisted of S. P. Chandler, S. J. Hasler and A. W. Post. S. J. Hasler was elected chairman. At a meeting held April 10 the following action was taken: Whereas, It is the duty of the board of county commissioners to provide for the erecting and repairing of court houses, jails, and other necessary public buildings for the use of the county; and whereas. this county has no court house or jail; Resolved, That this board provide for the erection of suitable buildings for the use of the county.

Several resolutions followed in regard to the issue of bonds, their negotiation, etc. Then they resolved to receive plans and specifications for a court house, to be furnished on or before the first of May, at the register of deeds' office, and directed the clerk to have these resolutions printed three successive weeks in the "Red Wing Gazette." It was the opinion of this board that the court house block was too far from the river, and they resolved that the block now occupied by the Episcopal church should be the site of the county buildings, provided a good title could be obtained. But nothing came of the above resolves of the commissioners, probably on account of the great stringency in money matters which prevailed throughout the country that year.

The next reference to the building of the court house found in the minutes of the board is under date of February 2, 1858, when, upon motion of petition of T. J. Smith, it was voted to erect county buildings according to plans and specifications presented by the Messrs.

Chaffee, provided that sufficient county bonds could be negotiated at a sum not less than ninety cents on the dollar, the cost of said building not to exceed \$30,000. S. P. Chandler and S. J. Hasler voted in favor of this, and M. S. Chandler voted in the negative. It will be remembered that at that time Goodhue county bonds were worth from sixty to seventy-five cents on the dollar. On the third Monday in May the bids were opened and the contract awarded to Messrs. Simmons, Hill and Stevens, at \$24,000, that being the lowest and best offer and included the entire completion of the building. Monday, May 17, the board voted to notify the contractors that the court house and jail were to be erected on the block known and designated as "court house block" square, in the city of Red Wing. Tuesday, June 8, the board voted to accept the sureties given by Daniel C. Hill and others for the completion of the contract for building the court house and jail, and ordered that bonds be placed on file in the county clerk's office. It was also voted, to quote the minutes, "that the contract entered into by the county commissioners of said county of Goodhue county, Minn., parties of the first part, and Daniel C. Hill and others, parties of the second part, to build the county buildings, and to receive in pay therefor the bonds of the said county of Goodhue, Minn., to the amount of twenty-six thousand, six hundred and sixty-six dollars (\$26,666.00) be placed on file." Old settlers interviewed are unable to account for this difference in \$2,666 above the original contract price, but it may have, been due to the fact that the pay was to be accepted in bonds which were not at par value.

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Wednesday morning, July 14, [1858] a resolution regarding the court house was offered by A. B. Miller, and after some discussion the following was adopted: "Whereas, There exists a diversity' of opinion in reference to the binding force upon Goodhue county, of a certain contract

entered into by the county commissioners of Goodhue county, with certain other parties for the erection of courthouse and jail, and Whereas, Any action pending the uncertainty which now exists would be very imprudent and hazardous: therefore, Resolved, That this board by a committee of three of its members, to be elected by the board, proceed at once to ascertain our liability under said contract, by presenting the case, without delay, to the judge of the Fifth Judicial District of this state for his decision upon the validity of said contract, or to obtain the best possible legal advice on the matter. The resolution was especially considered at a meeting held at 2 o'clock that afternoon.

A communication having been received from the senator and representatives in the state legislature in regard to the passage of a bill, authorizing the board of supervisors to issue bonds for the erection of county buildings, Mr. Grow offered the following resolution: Resolved, By the Board of Supervisors of Goodhue county, that our senator and our representatives be requested to secure the passage of a bill introduced by Senator Hudson, July 9, 1858, entitled "An act to authorize the board of supervisors of Goodhue county to issue county bonds for the erection of county buildings." This was passed with an amendment to the effect that in making this request the board expressed no opinion as to the issuing of the bonds or the erecting of the buildings. It might here be explained that there was some opposition to the erection of these buildings, but the outlying townships, who believed that the new buildings would give Red Wing an undue advantage over the other villages. Orrin Densmore and J. C. Stearns were appointed on the committee to secure legal opinion, and a statement was secured from Judge D. Cooper, of St. Paul,² in which he declared that

² MLHP: The reference is to David Cooper, who served as an associate justice on the territorial supreme court from 1849 to 1853.

in his opinion, the contract made by the previous board of county officers was binding upon the county. Efforts were then made to persuade the Messrs. Hill, Simmons & Co. to relinquish their contract. This they refused to do, saying that they had sub-let much of the work, had ordered materials, and been to other expense. They offered, however, to accept for consideration a written proposition of the terms of a compromise.

In the meantime, on July 15, the board found that a still more commodious room was necessary, and Harmony Hall, at the corner of Main and Fulton streets, was secured. This hall the board occupied July 16, and at subsequent meetings. In after years this building was destroyed by fire. Efforts at a compromise with the contractors failed, and it was finally voted to assume the obligation laid on the county by the previous board, and proceed with the work on the courthouse. In passing this vote, the supervisors strongly censured the previous board for so heavily loading the county in debt, and expressed its regret that the county should be bound by such an act, and the same time declaring that there seemed no way in which the present supervisors could legally cancel the contract of the previous county board.

The second county board of supervisors was elected in April, 1859, and met in the office of the county auditor, April 18, of that year. J. A. Thacher, of Zumbrota, was elected chairman of the board. April 21, it was voted that the committee on public buildings accept in behalf of the county, the courthouse when completely finished according to contract, and that when so finished the county officers who were to occupy it were instructed to move into it.

The courthouse was completed and turned over by the contractors in August, 1859. The excavation, the stone work and the carpenter work was done by Hill, Simmons

& Co., the contractors. The brick was made by John Carter, and laid in the wall by Messrs. Brink, Todd & Co. The plastering work was done by the same firm. Some of the bonds issued to pay for the erection of the courthouse were sold to individuals in Washington, D. C., some to people in New York and Ohio, and a larger part were taken by Red Wing parties. They were sold at various prices, ranging from fifty to ninety cents on the dollar. They were all taken up later, and the expense of the courthouse, improvement and enclosure of the square were all paid for within about two decades of the time the bills were contracted.

Pending the efforts of the board of supervisors to secure a cancellation of the contract for the erection of the courthouse, and before the bonds were issued, the contractors had been advised that the bonds could be sold in the New York market for nearly their face value. An agent was sent on there to investigate the matter, but before negotiations were perfected a circumstance occurred which completely destroyed the value of Minnesota county bonds in that market. Hennepin county had issued bonds and built a courthouse. When the bonds became due they were not paid, a fact that threw discredit upon all county bonds, and rendered them worthless among commercial men and capitalists. The taxpayers outside of Red Wing and its immediate vicinity were fighting the courthouse enterprise, and using every possible means to induce the contractors to throw up the contract, even offering them as much as \$10,000 cash to do so. The business men and friends of Red Wing were as anxious the other way, and when they found the bonds could not be sold for ready money, they promised to render all necessary material assistance to the contractors—to take the bonds, advance the money, etc. When the money was needed, however, it was not forthcoming. When any of them did advance money to aid the contractors, they required a deposit of two dollars in

bonds for one dollar in money advanced, and three per cent: a month in money besides. At least this was the statement made by Mr. Hill many years after these events transpired. Sometimes bonds could be traded for lumber and other building materials, but only at heavy discounts. Through the influence of Mr. Phelps, the member of Congress from Minnesota, and Mr. Gebhort, member of Congress from Ohio, soon of the bonds were sold for seventy cents cash, both of these men, themselves, taking small amounts. Red Wing men, when the pinch came, were for the most part very reluctant to invest their money in these bonds and when they did so, asked very large discounts.

The building of the courthouse was undertaken at the instance of Red Wing interests. The taxpayers in the interior were opposed to the enterprise, hoping in time to secure a division of the county, or the location of the public buildings at a more central point. When the board of supervisors succeeded the county commissioners, the county townships had a larger representation, and acting in accordance with the will of their constituents, they sought to avoid for the county the responsibility of the contract made by their predecessors in office. As already mentioned, however, the legal advice satisfied the board that the contract was legal and binding; and rather than risk involving the county in heavy damages, the contract was allowed to proceed, and the courthouse was completed within the time specified in the agreement. For countless decades the building will remain as a monument to those early commissioners, who had the broadness of mind and strength of purpose to look ahead, and to plan for what the county was to become, regardless of the opposition and petty jealousies which surrounded them in their day and generation.

During the time the courthouse was building a feeling of dissatisfaction with the township system became general

throughout the state, and in 1860 an act was passed by the legislature providing that each and every county should have a board of county commissioners, and that in those counties in which at the last general election there were cast eight hundred votes or over, the said board should consist; of five members, and in all other counties of three members, who should hold their offices for one year, or until their successors were elected and qualified. This law went into effect April 1, 1860. The last board of supervisors adjourned January 10, 1860, and the first board session of the board of commissioners commenced June 4, following. The board was composed of J. A. Thacher, H. L. Bevans, J. A. Jackson, A. Hilton and E. A. Sergeant. Mr. Thatcher was chosen chairman of the board.

Before completing the mention of the courthouse, it might be well, to state that, with some alterations, the same building is still doing good service. Another building, upon same block, was erected in 1887 for a sheriff's residence and a jail. ■

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