

Muskingum County Courthouse History



Muskingum County commissioners planned a new courthouse in 1874. Where should it be located? Letters to the editor of the *Courier* urged the block on North Sixth Street where the school board office now stands, Putnam Hill Park and McIntire Park. A disgusted citizen recommended a site that would favor no one and offend no one – the confluence of the Licking and Muskingum rivers. The building was eventually constructed on the site of the old courthouse at Main and Fourth streets and dedicated on May 1, 1877.

This structure still stands a century later. It is the best known building in the country. Official county business has been transacted in its offices for one hundred plus years.

Around its massive limestone walls have surged history and legend, tragedy and comedy, fire and flood.

When Muskingum County was formed in 1804, court convened in David Harvey's tavern on the southwest corner of Main and Third streets. Later sessions were held in other cabins

County business increased in volume. Deeds were recorded, marriage licenses were issued, and wills were probated. Muskingum County needed a courthouse.

The present building is the third courthouse on the same corner. On January 25, 1808, the county commissioners authorized construction of the first building. Commissioners Henry Newell and Jacob Gomber voted in favor of the project. But the third member, William Whitten, was shocked at the extravagance of the cost - \$480.00.

The majority ruled. In 1808 a two-story, hewed-log building was raised near the back steps of the present courthouse. Court was held on the second floor, and the jailer for the adjoining log jail lived in the first story.

A year later another courthouse was built in front of the new one. Why? It was not needed in this frontier community. The answer is: For political reasons. Chillicothe was not well located to be the capital of the state. The legislature was seeking a more central site.

Both Springfield (now Putnam) and Zanesville leaders had the same idea. If a completed building could be offered as a statehouse, the chances of securing the state capital would be improved.

The Springfield School House Company built the imposing Stone Academy that still stands on Jefferson Street. The Zanesville Courthouse Company, led by John McIntire, spent \$7,500 to erect an elaborate brick structure in imitation of Independence Hall in Philadelphia on the site of the present building. Neither town deceived the other as to its real intention.

The "School House Company" failed to secure the capital. McIntire and his associates were successful – temporarily. More shrewd politicians outwitted Zanesville.

On October 1, 1810, the legislature passed an act to move the capital from Chillicothe to Zanesville. But on the next day the members appointed a committee of five to select a permanent site not more than forty miles from the center of the state. That site became Columbus, and one of the owners of the real estate was a former Zanesville resident, Alexander McLaughlin.

Zanesville was capital for only two years, 1810-1812. The community enjoyed many benefits from that temporary honor. The state printer moved to this town, taverns were

patronized by the legislators, merchants prospered, real estate increased in price and Zanesville's reputation increased.

One cold day in February, 1811, an earthquake shook the area. The statehouse steeple vibrated six inches and legislators jumped out the windows. But no harm was done to the building.

After that state legislature vacated the building, it was used as the Muskingum County courthouse.

The Presbyterians of Zanesville and Putnam held services in barns, taverns and homes. They needed a bell to call the members to worship. At the cost of \$400 they bought a 675-pound bell made by Thomas W. Devering of Philadelphia and secured permission of the county commissioners to hang it in the belfry of the courthouse.

The bell was used for public events for sixty years. It called children to school, tolled for funerals, chimed good news at celebrations, and summoned volunteers to fight fires.

One night in 1825 some mischievous boys tied a string to the clapper and unwound the ball across Main Street to the roof of a building on the south side. Then they sounded a fire alarm. Frustrated and angry volunteers responded three times that night. Next morning a piece of string dangled from the bell, but the identity of the boys was never discovered.

Some of these boys grew up to patronize the Zanesville Athenaeum. Incorporated as a private library in 1828, the members needed a building. In 1830 the county commissioners leased land to the Athenaeum on the east side of the courthouse for one thousand years for an annual rent of one cent. The stockholders built a two-story brick wing on this site at a cost of \$3,500.

Meanwhile the fifty-foot square former statehouse was too small for county business. In 1833 the commissioners authorized construction of a two-story brick wing on the west for county offices at a cost of \$3,642. The old state capitol with two wings gave service for forty more years.

While the two wings were being added to the old statehouse, workmen on the National Road spread crushed limestone along Main Street and westward to Columbus and beyond to Vandalia, Illinois. They erected a milestone at the intersection of Court Alley and Main Street. It contained this inscription: "Wheeling, 71; Cumberland, 204; Baltimore, 340."

The milestone stood intact until the 1950's. Then automobiles rounding the corner began to chip pieces away from the 125-year old marker. By 1970 the entire stone was gone. The National Road nourished the growth of Zanesville business and industry, but civic leaders wanted more modern transportation. They helped to secure the Muskingum River improvement in 1841 and the first railroad in 1852.

In 1861 the quiet of the courthouse lawn was broken by men hurrying back and forth. They were recruiting soldiers for President Lincoln's army. Reverend C. C. McCabe stood on the steps and sang "We are coming, Father Abraham" to encourage enlistments.

The courthouse was the scene of frenzied activity in 1863 when Confederate General John Morgan approached with his raiders. The clanging of the old bell in the cupola summoned a crowd. T. J. Maginnis, chairman of the Military Committee, read Governor David Tod's appeal for men to hunt for Morgan. Next day a thousand rifles with forty rounds of ammunition apiece arrived from Columbus. Bells rang, stores closed, crowds jammed Main Street in front of the courthouse to hear the news. About 11:45 couriers on horseback galloped up to announce that Morgan had crossed the river at Eagleport.

Zanesville people heard the news of the fall of Richmond on April 3, 1865. The Civil War was ending. Crowds "filled the sidewalks and grogshops to excess" said the *City Times*. Flags waved, bands played, bonfires blazed, skyrockets flashed all day. At night McCabe, who sang "The Battle Hymn of the Republic." After several speeches the crowd sang "Praise God From Whom All Blessings Flow" and went home. Similar rejoicing greeted the news of Lee's surrender.

Before the Civil War the need for a new courthouse had been discussed. *The Zanesville City Times* said in 1858 that the storage areas were "damp, moldy places without any convenience to store away with any kind of order the valuable records of the county." The story added that several years earlier the commissioners had considered spending \$6,000 for repair but decided the building was not worth that expense.

Meanwhile a state law required that deeds and mortgages be indexed. The commissioners employed J. J. Ingles in 1869 to do the tedious and extensive work of indexing more than 80,000 deeds.

A reader of the *Zanesville Courier* wrote this vivid description of conditions to the editor: "Taxpayers, do you know your deeds and court records are in great danger of loss both by fire and by theft? Enter the old building and see for yourself.

"It is hung with stove pipes hung about from room to room, and from stove to flue, as thick as cobwebs in a deserted rookery. These pipes are hung on slender wires fastened into plastered walls with six ounce shoe tacks. There is nearly 200 feet of such pipe. The draft produced is fearful from cannon stoves heated to the red.

"In the clerk's private room the stove pipe hugs the dry pine stairway at a distance of a few inches, punctures the second floor and ends in a brick flue. The cases and valuable files of the clerk's blister and smell when this apparatus is half heated for comfort on a wintery day.

“In the recorder’s office, within 40 inches from the records, there is a fire machine that, if seen by every voter in the county, would cause them to hurl from the office in hot haste any officer who would plead parsimony when the hazard is so fearful.”

That writer had reason to be fearful. Three months later smoke poured from the windows and the belfry. Someone had fired a coal stove, and the pipe between ceiling and floor became red hot and ignited the joists. A section of the second floor was burned, and water from the fire hose dripped through the floor to the courtroom. Court adjourned to Odd Fellows Hall.

These hazardous conditions left no doubt about the need for a new building. In June, 1872, the county commissioners – William Hall, Daniel Hatton and Leonard Stump – voted a levy of one mill on the dollar of taxable property for the erection of a new courthouse. Since the grand duplicate was \$27,000,000, it was expected that the levy would amount to \$270,000.

Legislative approval was needed at that time for the issuance of bonds. William H. Ball introduced a bill in the legislature authorizing the commissioners to issue bonds of the county for construction of a new courthouse.

This was probably the largest appropriation since formation of the county. It was justified by the deteriorated condition of “Old 1809.” And it received the approval of taxpayers.

But there approval ended. Controversy raged over location, materials, design, workmen and decoration. Citizens expressed their gripes in four newspapers – the *City Times*, *Zanesville Germania*, *Zanesville Courier* and *The Zanesville Signal*. Both the *Courier* and the *Signal* published daily editions for the city and weekly issues for farmers in those days before Rural Free Delivery. There were enough German immigrants here to support a paper in their native language.

These papers defended their own political parties vehemently and attacked the opposition, sometimes by name, with unrestrained anger. Letters to the editor expressed similar wrath. Public officials could not silence or ignore public opinion. Before the days of football, hockey and gangster movies, journalistic violence entertained readers.

For example, the *Signal* editor, James T. Irvine, wrote about the editor of the *Courier*: “Shryock is still abusing the county commissioners for building the new courthouse on the old site, instead of giving up the lot to business purposes.” Irvine correctly reminded his readers that John McIntire designated that corner for public uses, but he was ignorant of the fact that courts can approve other uses if circumstances justify the change, as the court did in the case of the Market House lot.

A reader of the *Courier* wrote on April 3, 1872: “My suggestion is that the new courthouse be built upon Putnam Hill. There are several acres of land which were dedicated to public uses by the proprietors of the ancient village of Putnam...It is away

from the noise and confusion of the business part of the city, and is altogether a desirable location.”

If he thought that buggies and wagons made “noise and confusion,” he should be here to compare automobile traffic. Putnam had been annexed to Zanesville two days before he wrote. Perhaps local pride motivated him, but Putnam Hill was not seriously considered as a site.

The site suggested by “Public Spirit” in the *Courier* on June 4, 1873, was more seriously considered. He wrote: “The proper place to locate it, in my opinion, is the vacant square bounded by Sixth, Seventh, Center (now Elberon) and North (now Shinnick) streets.” On that lot in 1883 was completed the building used as Zanesville High School unit 1907, Hancock grade school from 1908 to 1924, Hancock Junior High until 1954 and since that date as the board of education office.

On the next day after “Public Spirit” suggested the Sixth Street site, “Progress” wrote a letter endorsing his suggestion. Said “Progress”: “It is a fact known to lawyers and judges, especially, that a courthouse should not be located on a business thoroughfare.” He argued that “The roar and rattle of iron wagons and every other kind of vehicle frequently renders it impossible for a jury to hear what a witness is saying when the doors and windows are necessarily open.”

“Progress” seemed concerned about courtroom conditions. But a few days later “Ill Gotten Gains” attributed another motive to him. “ ‘Public Spirit’ wants the commissioners to locate the courthouse NEXT TO HIS LOT, and so do I. He and ‘Progress’ are circulating a petition among their employees, and so will I...My choice is ON MY FARM a mile from town.”

A petition with 748 signatures in favor of the Sixth Street site was presented to the commissioners. “Ill Gotten Gains” was right. Location of the new courthouse on Sixth Street would have increased the value of property in the area.

McIntire Park was also suggested as a location. “A Tax Payer” wrote a letter saying that “McIntire Park would be good if moved over the river and located where the courthouse now is...In ten years at the present rate of increase, it would be in the center of the city.”

“Eureka,” disgusted with these selfish arguments, wrote sarcastically: “As eight out of nine wards will be left out in the cold if it is located in any one, I respectfully suggest, as the only situation in which equal justice to all wards may be done, that it be situated in the center of the confluence of the Licking and Muskingum rivers. This situation is sufficiently romantic, the danger from fire obviated, the ground will cost nothing.”

“Prudence” wanted to enlarge the old building. He said in the *Signal*: “The nub of the matter is that there is a big job in a new courthouse.” Add a third story and extend the old building backward was his suggestion.

The editor of the *Courier* opposed this patching up plan. He said: "Zanesville has few enough breathing spaces now. Rid the whole half square off, from Main to Market, and put up the county buildings in the center and construct handsome, well-shaped lawns fronting both streets."

What a wise suggestion! But "Won't You" improved on it in a letter to the *Courier* as follows: "Obtain all the ground between Main and Markets streets and Fourth and Fifth streets, vacate the alleys and erect the courthouse in the center."

That proposal did not receive much consideration, but if it had been adopted the problem of beautifying downtown Zanesville would have been solved a century ago.

The commissioners made a conservative choice for a site. They decided to build the new courthouse on the lot occupied by "Old 1809."

Immediately a barrier arose in front of them. They did not own all the tract from Main Street along North Fourth to Fountain Alley. The athenaeum held a one-thousand year lease on its site, and the city of Zanesville claimed part ownership in the entire tract. A city building stood on the northwest corner. It had served as a hose house, police headquarters and council chamber.

The *Courier* urged a fair compensation for the Athenaeum lot. The editor wrote: "The library has been the means of cheering the sick and afflicted. It has been the means of keeping thousands of the youths of Zanesville from bad company. The stockholders of the Athenaeum only ask a reasonable consideration for their property so that they can furnish the people with an opportunity for improving their minds."

The problem was submitted to a jury. After two and one-half hours of deliberation, the jury awarded the Athenaeum \$6,500 for the one-thousand year lease. Next day the *Courier* expressed disappointment that the amount was less than \$8,000.

Zanesville's claim was more complicated. John McIntire and Jonathan Zane, owners of a 640 acre tract, recorded the plat of a town called Westbourne (now Zanesville) at Marietta in 1802. On this plat lots 5, 6, and 7 of Square 12 were designated for "public uses." Did that mean county or town? The county was not formed until 1804, but it soon occupied most of the public tract, while the town took possession of a small building site at the corner of Fourth Street and Fountain Alley.

The editor of the *Courier* wrote: "We hope that the city will sell that little spot of ground to the commissioners. They should receive a sufficient sum to erect a new hose house and watch house on the city grounds, corner of Fourth and South streets." The commissioners finally paid the city \$8,000 for the corner of the lot on Fountain Alley.

That transaction should have ended the question of ownership. Legally it did. Believing that the selfish nature of these suggestions approached the ridiculous, "Progress" went to that extreme by writing in a letter to the editor this alleged proof that the county did not

own the lot: "I am informed that Pumpkin Moore a number of years ago purchased a Hairless Horse from a gentleman in Boston for the sum of \$2,000 and deeded the said lot in payment of the horse, which deed is duly recorded."

"Progress" further asserted that Moore displayed the horse over the country "for the consideration of ten cents per head." That is an absurd story. George S. Moore conducted a small grocery on South Fourth Street in the 1850's and acquired his nickname because he sold many pumpkins. But he did not display a Hairless Horse and he did not have title to the courthouse lot that would enable him to convey ownership by a deed.

With a clear title to the lots, the commissioners could proceed with plans. They engaged Harry Edward Myer as architect. He was born in Buffalo, New York, on December 16, 1837, and died in Cleveland on March 19, 1881. His brother was General Albert J. Myer, founder of the United States Army Signal Corps. Fort Myer in Virginia was named for the general. This information was supplied by the architect's grandson, who wrote to the *Times Recorder* to ask for information. He said: "We don't even have a picture of my grandfather."

The commissioners engaged Myer of Cleveland to furnish plans for a fee of \$1,500. His specifications and detail drawings were placed on file in the auditor's office. He was paid \$200 for each trip from Cleveland to Zanesville for supervision of construction.

For building material, the commissioners and the architect agreed on limestone. It was quarried at the White Cottage property of Mrs. Roberts.

A *Courier* reporter described the quarry as follows: "Great care is required in quarrying some of the largest landings. They must dress six feet in length, three feet in width, and ten inches in thickness. A cubic foot of limestone weighs 180 pounds. One of these landings weighs 2,700 pounds, equal to the weight of almost 14 barrels of flour. The thickness of this formation is not known; eleven feet has been reached without signs of the bottom." The Columbus Cement Company found that it extends for miles.

Ten contractors submitted bids for the job of building the new courthouse. On September 3, 1874, the commissioners awarded the contract to Zanesville contractor T. B. Townsend at his bid of \$221,657.

The last court convened in "Old 1809" on September 11, 1874. At the head of its news column, the *Courier* printed this farewell: "Good-by, Old 1809." The district court moved to Black's Music Hall, the recorder's office to the second floor of the jailer's residence, the probate judge to the marshal's office in the watch house, the auditor to another room in the watch house and the treasurer to the old Union Hose House.

Townsend lost no time in beginning to demolish the old building. He was allowed \$1,750 for the old structure. On September 10, 1874, his workmen lowered the bell from the belfry. Four days later the stone bearing the date "1908" was removed from its

position over the front door. The old brick was used in constructing the city prison at Third Street and Fountain Alley.

By October 9 Townsend had seventeen stone cutters at work, and he intended to increase the number to fifty. They built a small shed on Fourth Street for work during the winter. The contractor was burning lime at his quarries new White Cottage.

On February 5, 1875, the *Courier* reported “a \$2,000 blunder” in establishing the grade for the foundation of the new structure. The editor wrote: “The base stone on the Court Alley side is at least 18 inches underground. We learn that the grade was given to Mr. Townsend by an official, and he claims to have followed his instructions to the letter. The Commissioners have ordered the wall to be raised 18 inches.”

Captain William Hall of Zanesville was resident superintendent of construction when work began. On March 6 the commissioners voted unanimously to replace him by appointing Henry Voth of Cleveland to the job. The editor complained: “It seems to be the policy of the commissioners to furnish employment to strangers rather than to their friends and neighbors.”

“Reason” listed more examples of the failure to employ local men and materials in this letter: “How many Zanesville men have anything to do with the building of the courthouse?...Where do the men come from that cut stone for the courthouse? Only about half a dozen from Zanesville out of the 50 or 60 stone cutters, the builder has here.

“The sandstone trimmings come from Amherst, Lorain County, the iron from Pittsburg, the tile from Europe, the lumber from Michigan. A Cincinnati man does the galvanized iron work and roofing, a Pittsburg man the iron work, a Columbus man the painting and glass. And by a streak of luck or close calculation a Zanesville man happens to get the whole contract by a small sum of about \$3,000 less than any other man.”

Five competing newspapers kept watchful eyes on the use of tax money. Whether they were motivated by political prejudice or public spirit, they had the courage to speak out emphatically.

On May 1, 1875, the Republican *Courier* reported that the cornerstone had been laid that day without ceremony. The editor wrote under the caption “That Tombstone” as follows:

“The good people of Muskingum County never supposed that in one corner of the new courthouse would be placed a stone upon which would be recorded the names of dead politicians, or politicians trembling on the ragged edge of the river...What will succeeding generations say while gazing upon that stone? What comments will they make upon the representatives of Muskingum County in 1875? Great Heaven forbid! They will ask one another: Were these our ancestors?...Is it possible that these men were ever elected to honorable office? Is it not more probable that some lunatics broke out of an asylum and came in the night and defaced the beautiful structure?”

That is virulent criticism. What impelled the editor to make these malicious statements? Perhaps a look at the following inscription on the cornerstone will give a clue:

L. N. Stump	
John Sims	
William Hall	Commissioners, Muskingum County
A. P. Stultz	Auditor
R. H. Morgan	Probate Judge
Frederick Geiger	Clerk of Courts
William Ruth	Sheriff

Perhaps what infuriated the *Courier* editor was not the list of names on the stone but the names omitted. If the probate judge was named, why not the common pleas judge? If clerk of courts and auditor were included, the treasurer, surveyor, recorder and coroner were equally deserving of mention. Do you suppose they belonged to the other political party?

Workmen embedded this offensive stone in huge, heavy blocks. All the limestone was hauled ten miles from White Cottage by horse and wagon. At Fourth and Main streets the hammering by fifty stonemasons created a loud cacophony. To raise the finished blocks in place, the contractor rigged up a crane with block and tackle. It was slow work to chisel the stones to exact size and hoist them into place. By those slow methods the contractor did well to complete his contract in two and one-half years.

Before the building was completed, Zanesville celebrated the Centennial of the signing of the Declaration of Independence. At midnight on July 4, 1976, all the bells in the city clanged the beginning of the observance. The old courthouse bell was moved to the front of the new, unfinished structure where it could join the chiming. At sunrise a salute of thirteen guns thundered from Putnam Hill. Stores and homes were smothered with flags and bunting. A huge parade halted at the west steps of the courthouse for speeches. The *Courier* called the celebration “the grandest event in our history.” A century later the Bicentennial Commission did nothing on July 4.

Workmen had built the walls up to the tower. It was time to order a clock. Eight days after the Centennial program the commissioners gave the contract to Ralph S. Mershon, local jeweler, for a clock made by E. Howard and Company of Boston, Massachusetts, at a cost of \$3,000. The winding mechanism was operated by a hand crank that required the labor of a strong man for half an hour several times a week.

When construction was begun in 1874, no tile was made in this country. A year later the American Encaustic Tiling Company began operation in an old pottery on the canal bank. That firm manufactured the floor tile for the new courthouse.

Phillip Knopf of Columbus had the contract for frescoing the interior walls. His workers painted a figure of justice on the wall behind the common pleas judge’s chair. The alert *Courier* editor called it a “miserable daub.” He suggested sarcastically: “Let the picture

of a cow be made, with one client at the head and another at the tail, pulling, and the lawyers meanwhile milking quietly.”

One lawyer, Judge L. P. Marsh, proved that figure of speech in error. He collected a subscription fund to engage Zanesville’s best artist, James Pierce Barton, to paint an artistic figure of justice over the “miserable daub.” It remained for nearly half a century.

The esplanade was paved with Belgian flagstone at a cost of \$17,000. On the west side of this area the commissioners erected an elaborate fountain. At the base sat three half-nude maidens gazing into the pool around them while water that spouted from a tall column and filled a basin over their heads covered them with a cooling spray. Objections were raised against the fountain at once. Some said the spray annoyed pedestrians. A more serious complaint was that the “topless” maidens would demoralize the youth of the city.

In the spring of 1877 the county officials moved into the new building. It was an immense, imposing structure in the ornamental eclectic style of the period. From the ground to the top of the tower it extended 156 feet. At the base it measured 122 feet, 8 inches by 114 feet, 10 inches. Ceilings in the first and second floors were 18 feet high.

Over the front portico is the date stone from “Old 1809.” This stone confuses people about the year of construction. But if they would tilt their heads back, they would see this inscription at the third floor level: “Erected A.D. 1874.”

On the northwest corner, the old Presbyterian bell hung in a tower. It not only clanged for celebrations and tolled for funerals, but after 1879 it tapped out numbers that indicated the location of fires. Every home had a card listing the number of strokes and the corresponding section of the city. When crowds hampered firemen, that system was discontinued.

A flagpole was erected on the southwest corner. High on the roof above the Main and Fourth street porticos stood metal statues of Justice. The figure over the main entrance held scales in her hand. When a local boy had a tooth pulled, he coaxed the janitor’s son to admit him to the clock tower. Leaning over the railing, he carefully dropped the tooth into the east pan of the scales.

Officials moved in before the formal opening. Wild rumors hinted that there would not be anything there to dedicate. Deputy Treasurer Robert Silvey and his son were looking for a gas leak on the morning of April 3, 1877. The son thought he could find the leak by lighting a match. He found it by an explosion that blew his father across the room and bloodied his face, ripped out a section of counter, scattered currency over the floor and attracted a crowd of people who thought the boiler had burst. The fire was soon extinguished and Silvey’s injuries found to be more painful than serious.

The ornate arched windows, carved stone, towers, columns and barn-like third floor attic of the new building added to the cost. But Muskingum County people were proud of the

new and commodious structure. They were not, however, invited to the dedication in large numbers.

On May 1, 1877, at 2 p.m., the Muskingum County Bar Association and their friends met in the common pleas courtroom to dedicate the new building. E. E. Fillmore, chairman, concluded his introductory remarks by saying: "May we hope that in this place, truth and justice may prevail, and that right always triumphs over wrong."

On behalf of the commissioners, Frank H. Southard presented the new courthouse to the bar and the public. He said that construction had begun when the board was composed of John Sims, Thomas Griffith and William T. Tanner. John O'Neill accepted the building on behalf of the bar and the public. M. M. Granger then delivered a long address on "Muskingum County: Its Court and Bar."

The meeting then adjourned until 7 p.m. Lucius P. Marsh delivered an address on "The Efficiency of Courts and How Promoted." His address was followed by selections sung by a quartette composed of Mrs. George Harris, Miss Kate Cassel, James A. Cox and William H. Wilmont. Miss Clara Ayers accompanied the quartette on the organ. W. H. Ball concluded the meeting with an address on "The Relation of the Bar to the Court and the Community."

The Bar Association ordered 500 copies of the proceedings published in book form with the addition of lists of members of the bar and county officers since the formation of the county in 1804.

Muskingum County people were proud of their new building. Everything that happened there was news. The *Courier* reported on June 2: "A loving couple from one of the rural districts gave an interesting exhibition of their affection for each other on the promenade balcony of the clock tower at the courthouse this forenoon in the presence of half a hundred spectators. The fair young girl and her 'feller' hugged and kissed each other as though that meeting were to be their last on earth...It was a rich scene."

In the same month a strange bird perched "on the cap stone of the pilaster at the southeast corner." It was a species new to this country. A New York friend of St. Joseph's Seminary in Perry County had sent twenty-five pairs of English sparrows to the Seminary. What the *Courier* called "the little stranger" soon multiplied and took up residence here.

No one was present when the next mishap occurred. About 8:08 p.m. on July 6, 1879, a crash that could be heard for a block sent people running to the courthouse. Several men with tallow candles found that an 800-pound clock weight had broken loose, plunged through the floor of the tower and stuck in the ceiling of the second floor. The damage to the cornice above the front stair landing may still be seen. The 1,300-pound weights did not fall – at that time.

The falling weight did not injure anyone. A year later the papers reported a human tragedy. Jonathan Swank had fired the boiler for three years, but he was to be discharged because of his age and was despondent about getting another job. On November 21, 1880, he was found strangled to death by hanging in the furnace room.

The courthouse was relatively quiet at the turn of the century. Court convened, taxes were collected, wills were filed and marriages were recorded. After several years of business as usual, some changes were made.

Objections to the “topless” maidens on the fountain grew louder. Water had been turned off and the fountain had deteriorated. On June 4, 1903, the commissioners decided “for the best interests of the county” to donate it to the city. It was moved to McIntire Park where it was soon reduced to scrap metal and sold to a junk dealer. Miss Emma Goodlive of Prospect Avenue bought two of the maidens and gave them a refuge on her lawn. Flowers were planted in the former fountain site. A flag pole from the Mark Manufacturing Company was erected there.

In 1904 Zanesville welcomed former residents to a homecoming. They arrived by steamboat and train. One family drove from Columbus in a White steamer in the record time of three hours. Nell Schrack met visitors at the train. Ex-mayor William S. Bell welcomed the crowd in front of the courthouse on September 18.

That crowd would probably have trampled down the elm tree planted at a cost of \$12.00 by the D. A. R. on December 15, 1904. It shaded many loafers during its sixty-year life. Planted during Theodore Roosevelt’s administration, it reached its majority when Calvin Coolidge was president and arrived at the half-century mark when Dwight D. Eisenhower was in the White House.

At the curb on Fourth Street near the intersection with Main Street stands a granite drinking fountain. An inscription reads as follows: “Erected by the Woman’s Christian Temperance Union, March 22, 1905. ‘I was athirst and ye gave me drink.’”

The fountain cost \$300. To raise the amount, the W. C. T. U. solicited pennies from school children and placed penny contribution boxes in stores. When those methods failed, the members charged a small fee for oratorical contests.

A newspaper story said that “The basin for horses will be of sufficient height to permit the animals to drink without having his check rein lowered. The part reserved for people will have several cups...The fountain will be a great blessing to the town.”

State and local members of the W. C. T. U. sat on a large platform for the dedication. After the singing of “Onward Christian Soldiers,” Reverend J. H. Hutchman gave an address. State president Anne W. Clarke presented the fountain to the city and Mayor William B. Deacon accepted it. Years later no one remembered whether the city or the county owned the fountain and it was not maintained. Anyway, automobiles do not drink from fountains and public cups are considered unsanitary.

At that time the county engineer occupied the ground floor room at the right of the main entrance. In 1910 the commissioners converted that to a rest room for women.

One of the largest crowds in the history of the city greeted President William Howard Taft on May 15, 1912. He arrived by train. He stood over the spot on the courthouse steps from which President James Monroe spoke in front of "Old 1809" in 1817 and on the exact place where his son Senator Robert Taft spoke in 1944.

Taft called his former friend Theodore Roosevelt "an egoist, demagogue, flatterer, dangerous." The *Times Recorder* headline said: "Taft says two terms enough for Roosevelt." Roosevelt arrived here by train twelve minutes early on May 20 and was met by Dr. J. C. Crossland, chairman of the meeting. "Teddy" insisted on walking to Memorial Hall. On the way he greeted one of his "Rough Riders." On the stage he charged: "The opposition don't care for Taft, but they are trying to beat me all over the country." The split in the Republican Party made possible the election of Woodrow Wilson.

The next important event around the courthouse was the 1913 flood. That flood and the threat of Morgan's Raid were probably the two most terrifying events in the history of the city.

When the flood reached its crest on Thursday night, March 27, the water stood at 51.8 feet, which was fifteen feet higher than the previous record flood of 1898. The water was two feet deep at Fourth and Main streets and the ground floor offices of the courthouse. A horse-drawn cab floated down Fourth Street and was stuck at the intersection.

The courthouse basement soon dried out. The next year considerable damage was done near the top of the building. The janitor lived in the rooms now occupied by the commissioners. About 1 a.m. on June 25, 1914, he was awakened by a thunderous noise that sounded like the collapse of the building. A 1,000-pound weight had crashed from the clock tower through one floor as if it were paper and landed half way through the ceiling over the iron stairway in front of the balcony on the Main Street side. The *Courier* said, "There is no telling what will happen next." Buffers were placed beneath the weights to prevent further dangers.

Three years later the courthouse was the center of Muskingum County's preparations for World War I. This nation declared war against Germany on April 6, 1917. Draft boards worked at offices on the second floor of the courthouse. When the first group of eight "selects" got on the train for Camp Sherman after posing for a photograph on the courthouse steps, only twenty people said farewell to them because of a misunderstanding about the time of departure. The *Signal* asserted: "It is time for Zanesville to wake up."

Zanesville woke up. Each group of selects was photographed with draft board members on the front steps of the courthouse. On September 13 four hundred men, including

selects soon to be sent to camp, the National Guard members encamped at the Fairground and veterans of past wars, were honored at the courthouse. The W. C. T. U. pinned carnations on the lapels of the men. After dinner on the esplanade there was a program of speeches. Then four hundred girls marched from the sheriff's lawn through the main corridor of the courthouse and presented wreaths to the men.

The old statehouse bell was rung for five minutes to advertise the first Liberty Loan. A figure of the Kaiser was placed in a cage at the courthouse, and every \$50,000 subscription added another bar to his cage. American Rolling Mill workmen set up a forge on the esplanade, made a bar of iron and nailed it to the cage as a symbol of their contribution of \$50,000.

On Armistice Day the courthouse was the center of the celebration. Approximately an effigy of the Kaiser was buried in the flower bed on the esplanade where the fountain had formerly stood.

After the war the courthouse approached the age of fifty. Some renovation seemed necessary. But Fred Warnecke of Parkersburg did not make an improvement when he changed the painting in the courtroom. Barton's figure of Justice was standing on a pedestal with a sword in her hand, but in Warnecke's painting she sat down.

In 1925 the original flagstone blocks that had paved the esplanade since 1877 were sold for ten dollars. Adams Brothers received the contract in that year for excavating and paving the area with cement at a bid of \$2,959.34.

A tragic accident occurred during the repair of window frames on the second floor. The *Signal* reported on July 16, 1925, that Safety Week was in progress. Carpenter Alvah Hines fell to his death on the concrete fifty feet below. Some people rushed to his rescue, but others "thought it was one of the stunts used to advertise the Safety First" campaign.

More changes were made in the next decade. For years the commissioners had occupied cramped space over their present offices. In 1930 the janitor and his wife moved out of the building, and John P. Schooley, architect, was employed to draw plans for more convenient offices on the ground floor. A stairway was built to the auditor's office.

The original common pleas courtroom was twice the size of the present chamber. In 1931 Judge C. F. Ribble suggested that a partition be built to divide the room into two parts. The law library, which had been established in 1905, was moved to the east room.

By this time those metal figures of Justice over the south and west porticos had withstood winds and storms for half a century. It was feared that they might fall or be blown down and injure people below. The commissioners paid the Snyder Roofing Company \$42.50 in 1933 for removing them. About the same time the bell tower was removed.

A year later these statues were removed another was erected. The Veterans of Foreign Wars suggested that a statue of a Doughboy be placed in the circular flower plot.

Attorney E. R. Meyer was chairman of the World War Memorial Committee. Attorney Clarence Crossland was in charge of solicitation of funds in the schools. Some students donated a penny a day. Money was scarce in the Depression of the 1930's. Zanesville High School students gave \$7.73, Grover Cleveland \$6.01 and Theodore Roosevelt \$3.16.

The statue cost \$450. Throwing a grenade with his right hand and carrying a rifle in his left, the bronze Doughboy of World War I honors Muskingum County dead in all wars. On the rear edge of the bronze base are these words: "Copyright by E. M. Viquesney, Spencer, Indiana."

The dedication inscription on the statue reads: "Erected by the people of Muskingum County in recognition of those who rendered service to our country during the World War. Dedicated Nov. 29, 1934." But that date was changed and the dedication was held on November 30.

The garden clubs of the city have planted flowers around the statue. Magnolia trees burst into bloom every spring to beautify the scene. The statue is a favorite subject for photographers.

The sums raised for this statue seem small by modern standards. But those were the years of the Depression. Workers of the W. P. A. Writers' Project made an inventory of all the records in the courthouse, but it was never printed. Other workers established an office in the cold attic. From there they tramped over the county and made plats of all the cemeteries they could find, with indications of the graves of all veterans. These two volumes are on file in the office of county recorder.

The clock in the tower struck until about 1935. The sound could be heard about seven miles away. But a hotel owner complained that the vibration kept his guests awake and the striker was disconnected so that the sound was not heard for a dozen years.

On June 22, 1935, Russell Swiger was electrocuted in Columbus for the hold-up murder of Harold Fleming. He was the second man tried in the Muskingum County courthouse, sentenced to death and executed. The first was William George, who was hanged on May 17, 1888, for the murder of James Scott in Meigs Township.

At every murder trial, folklore circulates through the community. The people say that John McIntire deeded the courthouse site to the county on condition that no person should ever be sentenced to death in a building on that ground. No such provision or restriction was ever made, and it would not be legal.

The hands of the tower clock had continued to point to the time. On September 8, 1947, the commissioners contracted with the Tower Clock Service Company to electrify the mechanism at a cost of \$885.00. In 1967 the old clock faces were removed and replaced with plexiglass and new black hands.

The courthouse has been the focus of public attention. That has been true not only for county business but also for activities in peace and war. Again, as in World War I, the draftees assembled in front of the courthouse before starting for training camps. Families were invited to be present for the first contingents, but the farewells became hysterical and later groups said their farewells at home to relatives on their way to training camps for World War II.

Displays for scrap metal drives and War Chest campaigns were prominently placed on the esplanade. Political candidates continued to give speeches on the front steps. Henry A. Wallace and Senator Robert Taft were among the speakers who stood there.

One of the most extensive changes in the appearance of the courthouse area was made by erection of the Honor Roll Board. It was suggested by Joe Rathbun of the *Times Recorder* and designed by City Engineer Harold O. Church. The first panel contained the names of General Daniel Van Voorhis and members of the National Guard who were called to service early in the war. The Board was dedicated on Armistice Day, 1942. Panels were added until the Board extended across the front of the building and north around the corner on Fourth Street. It finally contained about 7,000 names.

The book *Muskingum County Men and Woman in World War II* contained 9,053 names and service records. The Honor Roll Board was removed in July 10, 1946.

V-E Day, celebrating victory in Europe over the Nazi forces, was observed with a restrained and subdued program because Japan had not been defeated in the Pacific and more deaths could be expected. Schools were dismissed and stores closed. A dignified parade stopped at the courthouse for a program of thanksgiving.

In other wars the news of peace was communicated through the county slowly by word of mouth, ringing of bells and, in World War I, by telephone and by newspaper extras on the street. Radio almost instantly informed residents on August 14, 1945, that the war was ended. Peace had come. At 7:05 p.m. the streets were deserted because people sat at home listening to radios in the hope of hearing the V-J Day had arrived. Two atomic bombs dropped on Japan had hastened the surrender of that nation. Within a few minutes cars filled with young people were racing up and down Main Street with horns blaring.

A quickly planned parade started at 10 p.m. from the Municipal Auditorium and moved to the Stadium for speeches. But most people crowded Main Street in the block between Fourth and Fifth in front of the courthouse.

During the war all building materials were needed by the military forces. After peace came, several changes were made in the courthouse.

For more than twenty years the need for an elevator had been discussed. Finally funds were appropriated in 1949. The contract was awarded to the Gen City Elevator Works of Dayton, Ohio, at the firm's bid of \$10,000. The Dunzweiler Construction Company of Zanesville was low bidder for construction of the elevator shaft at a cost of \$9,370. The

long-awaited elevator went into operation on January 8, 1951. On the 17th it was reported in the papers that it went “on the blink,” trapping the operator and a passenger when the doors would not open. It was repaired and later made a self-service elevator.

The elevator ascended to the third floor on the inside of the building. “Mad” Marshall Jacobs of Coshocton climbed up the outside wall on February 8, 1952, for the benefit of the polio campaign. The many projections and indentations made it possible for him to scale the perpendicular surface. While 8,000 people shivered in awe, the man who calls himself “the world’s greatest flagpole sitter” clambered from the street to the clock tower in forty-four minutes.

Then he came down and rested eight minutes. After looking at the buckets of dimes, he was not satisfied. He said he would give Zanesville one more chance to raise its quota. He turned and started again up the perpendicular wall. Only extraordinary strength and courage enabled him to cling with fingers and toes to hazardous crevices. When he reached the top the second time, he spent the night up there with the pigeons and starlings. And Zanesville reached its quota.

Those troublesome pigeons had taken possession of the roof and ledges about 1930. At first pigeons were thought to be pretty birds and people fed them. But when they increased in numbers and became a nuisance, the public complained and recalled that the birds carried Bang’s disease.

Law enforcement officials were helpless in dealing with the offensive pigeons. The *Signal* said on June 10, 1952: “Three or four old pigeons were cooing on a ledge near the second floor of the courthouse the other day, cooing so loudly it was disturbing common pleas court jurors who were hearing testimony in a damage suit. The judge sent Bailiff Guy Sagle out to quiet the noisy birds and no doubt many passersby were puzzled to see the bailiff throwing stones at the courthouse.”

The starlings moved in about 1940. the clatter and noise of the bird invasion was bad enough, but the nuisance to people walking around the building was worse. “A Pedestrian” wrote to the Times-Signal on March 10, 1957: “Three cheers. I read that the county commissioners plan to do something about the starling-pigeon problem at the courthouse...I like birds, but starlings are dirty outlaws. Personally we do not care whether the starlings and pigeons are gassed, electrocuted, scared, shot or shooed – just so long as we get rid of them.”

Authorities tried many methods to get rid of them. A wildlife expert in 1957 bombarded the birds with roman candles and installed a machine operated by acetylene that produced blasts like a shotgun. But the wise birds soon learned that these weapons were harmless. If it seems that this much space to feathered invaders is “for the birds,” it must be remembered that the nuisance continued for thirty years. Finally an exterminator was hired to place poisoned grain on the roof. A few dead birds lying there frightened others away.

It was easier to put human nuisances to flight. In the 1950's those drivers who had been parking their cars on the esplanade were routed. About the same time the selling of chances on the courthouse ground was prohibited.

Fire damaged three offices on the second floor on Sunday, January 9, 1955. Two policemen making a routine check saw water dripping into the probate court room. They went upstairs and found the hall filled with smoke. All available firemen were called and they extinguished the blaze. Water poured through the floor and did some damage in the probate court room.

It was believed that the fire started from a hot plate which had been left plugged in when the building was closed Saturday at noon. The chambers of the common pleas judge and the offices of the assignment commissioner and the court reporter were badly burned. Probation records were destroyed. The damage was estimated at \$30,000. Occupants of the three offices took up temporary quarters in the law library. Repairs were completed by March 17.

One citizen threatened the policemen who discovered the fire by saying, "If you see another fire in the courthouse and report it, I'll kick you." "Someone" wanted the building to burn down for reasons of his own.

In 1955 the Juvenile Court moved from the courthouse to North Third Street. Two years later, east and west county courts were established.

Many improvements to the building were made in the 1960's. A snack bar was opened in 1962 in the main corridor. It was supervised by the State Division of Services for the Blind. Herbert J. Wagner had formerly operated a stand there which had been discontinued fifteen years earlier.

A second floor in the law library was completed in 1964. C. W. Taylor and Sons of Zanesville had the contract for \$14,820.

The elm tree was felled on November 24, 1964. It had stood for sixty years. During that time it had sheltered many loafers and witnessed exciting events in war and peace. It finally succumbed to the Dutch elm blight. On December 15, 1964, the members of the Muskingum Chapter, Daughters of the American Revolution, replaced the elm with a pin oak tree.

In the same year the old Presbyterian bell was placed in a glass case in the main corridor. After its removal from the tower, it was stored in the basement. Then when some officials were disposing of scrap metal, it was consigned to destruction. But the supervisor of the Avondale Children's Home removed it to the playground of that institution. After some urging, the commissioners rescued the bell that had played an important part in the local history.

In 1966 new windows and doors were installed in the courthouse. The windows cost \$24,500, and the old ones were sold at auction for \$72.00. The low bid for new doors was \$16,697.

Also in 1966 the courthouse received a “face-lifting” or sandblasting. The contract went to Maintenance Contractors, Inc., of Marion, Ohio, at the bid of \$12,800.

When the courthouse was built one hundred years ago, it was not necessary to secure a title to any buggy or hay wagon. But times changed. Titles are required for motor vehicles. New county functions require new offices. In 1968 the motor vehicle title office was moved to new quarters on the third floor.

For ninety years the third floor had accumulated dust, provided a warm roost for pigeons and served as storage space for old records and newspaper files. The full-time maintenance men built and equipped a modern title office reached by the elevator.

Several time in the last twenty-five years the construction of a new courthouse has been mentioned in point. Advocates of a new building point to the age of the present structure and the need for more office space.

On the other hand, those who admire historic architecture say, “By all means keep the present courthouse.” They argue that more offices can be constructed on the third floor. And they call attention to the solid and massive limestone walls that count not be duplicated today.

History repeats itself. Just a century ago there was controversy over the site of the new courthouse, so today the same problems exists. Demolition of the escape-proof county jail in 1973 and completion of the present jail in 1976 blocked expansion of future courthouse construction in any direction on county-owned land. If the new jail had been located on a different site, space would have been available for plaiting of trees and shrubbery to help beautify downtown Zanesville or to provide expansion on an old or new courthouse.

Occupants of the courthouse change occasionally. For example, the Muskingum County Superintendent of Schools for many years occupied offices on the Fourth Street side and moved recently to 1965 Chandlersville Road. Those quarters now house the auto title division recently moved down from the third floor. Also on the street level are the commissioners, the Cooperative Extension Service, the utilities office and rest rooms for men and women. The Muskingum County Disaster Service Agency, the maintenance shops and the boiler room are in the basement.

Occupants of the first floor are the auditor, treasurer, recorder, engineer and probate court. On the second floor are the office of the common pleas judge, court room, probation officer, clerk of courts, support bureau and law library. The Comprehensive Employment Training Act occupies an office on the third floor.

The courthouse has been intimately associated with the life of Muskingum County people, their birth records, their marriages, their purchase of homes, their titles to cars, their payment of taxes, their legal battles and after death, their wills. Attention and activities have centered on this building for one hundred years and will perhaps center on it for years to come.

In conclusion it seems appropriate to quote the last paragraph of the annual report of the county commissioners which ended the book on the dedication of the courthouse in 1877:

“The new edifice was designed to be adequate not only to the present wants of the community, but to meet its probable wants for a long time in the future. With this object primarily in view, the new structure is built of the most enduring materials, proof against fire, and permanent in every part, as well as commodious and comfortable in accommodations for the people of the county now containing at least 60,000 inhabitants, and likely to contain fully 100,000 at or before the end of the next twenty-five years. Strength, neatness and adaptation to its uses were intended to be combined without extravagant ornamentation, and also without unnecessary expense.”



THE SHINNICK BLOCK, Main Street, Zanesville.



SCHULTZ'S OPERA HOUSE, Zanesville, Ohio.



OHIO

HISTORICAL
MARKER

SECOND CAPITAL OF OHIO

In 1809 the citizens of Zanesville erected a building on this site which served as the capitol of Ohio from October 1, 1810, until May 1, 1812. The 9th and 10th sessions of the Ohio General Assembly met here before returning to Chillicothe in May 1812. The building was then used as the Muskingum County Courthouse until the present courthouse was built in 1874. The 1809 date stone from the old building was incorporated into the new building and may be seen over the front steps.

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