

Sherburne County Courthouse  
320 Lowell Avenue  
Elk River  
Sherburne County  
Minnesota

HABS No. MN-138

HABS  
MINN  
71-ELKR,  
2-

PHOTOGRAPHS

WRITTEN HISTORICAL AND DESCRIPTIVE DATA

REDUCED COPIES OF MEASURED DRAWINGS

Historic American Buildings Survey  
National Park Service  
Department of the Interior  
Denver, Colorado 80225-0287

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HISTORIC AMERICAN BUILDINGS SURVEY  
SHERBURNE COUNTY COURTHOUSE  
ELK RIVER, MINNESOTA

**LOCATION:** City of Elk River, Block One (1); consisting primarily of Lot Eleven (11) and Lot Twelve (12); also the Northerly 20 feet of Lots One (1) and Two (2), and that part of Lot Ten (10) lying Southerly of a line 50 feet distant of the center line of United States Highway #10. Street address is 320 Lowell Avenue, the southeast corner of the intersection of Highway #10 and Lowell Avenue, Elk River, Sherburne County, Minnesota.

**USGS:** Elk River, Minnesota Quadrangle

**UTM Coordinates:** E 455 310, N 5016 730

**PRESENT OWNER:** Sherburne County

**PRESENT OCCUPANT:** Unoccupied

**PRESENT USE:** Vacant/No current use

**SIGNIFICANCE:** Constructed in 1877, the Sherburne County Courthouse is typical of numerous such structures built in Minnesota during the great era of courthouse building during the 1870s, 1880s, and 1890s. Despite varied exteriors, most courthouses of this period were designed with the county offices on the ground floor and the courtroom or rooms upstairs. The original 1877 portion of the Sherburne County Courthouse is representative of this pattern, having a large courtroom facility on the second floor and extensive office space with multiple vaults on the ground floor for the use of county government officials. This two-story courthouse is of simplified Italianate design that, although modified, retains such Italianate features as the framed window moldings and the heavy cornice on the exterior. Signs of the original exterior remain, including portions of the eastern roof line covered with wooden shingles and an exterior wall section with the original olive green clapboard siding. Some of the original interior fabric is evident, such as pressed metal ceilings and beaded pine wainscoting. The prominent site of the

courthouse within the community of Elk River, immediately adjacent to the historic central business district to the south and major highway and railroad routes to the north, continues to suggest its historic role both in the community and in the county. It is further significant as one of only two wood-frame courthouses surviving in the state, others of this type having been replaced in the late nineteenth and early twentieth centuries by more substantial structures of brick, stone, or concrete.

## Part I: Historical Information

### A. PHYSICAL HISTORY

#### 1. DATE OF ERECTION:

The courthouse was built in the six months between April and September of 1877 and the completed cost was \$2,390.

#### 2. ARCHITECT and CONTRACTOR:

W. C. Warner (architect), Horatio Houlton (contractor).

#### 3. ORIGINAL AND SUBSEQUENT OWNERS:

Sherburne County purchased the court house site from J.Q.A. Nickerson and his wife Julia on September 21, 1877. The erected structure and site have remained in the county's possession since acquisition.

#### 4. ORIGINAL PLANS AND CONSTRUCTION:

No original drawings or plans have been located. Scattered photos dating from 1877 to the present depict the building in its original form through various alterations and additions to the present.

#### 5. ALTERATIONS AND ADDITIONS:

The first addition to the building was made in 1887, adding two stories to the east side. Concrete vaults were added in a one-story addition on the south end of the building ca. 1895, and on the interior of the east addition ca. 1900. The south vaults were enlarged ca. 1910. In about 1925 the east vaults were enlarged, the stove heating system was replaced with centralized steam heating, the original chimneys were removed, and a basement was constructed with poured concrete foundations, walls, and floor. In 1939, as part of a

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Works Progress Administration project, the front tower was shortened and covered with a pedimented gable roof. The front entry was enclosed, the basement was enlarged, and the original wood clapboard siding was faced with stucco. In 1949, a two-story vault and office addition was added to the northeast corner of the building. The interior of the courtroom was altered ca. 1975, the floor being carpeted and the walls panelled.

B. HISTORICAL CONTEXT

Rivers and railroads: these two features were instrumental in the settling of what came to be Sherburne County, and the city of Elk River. Traders first utilized the waterways as they made their way into the Minnesota Territory, setting up trading posts and starting small communities. The settlers who next arrived instituted farming in the area. They were soon tied to the eastern markets by way of the railroads, which transported their produce while bringing more settlers into the area. With settlement eventually came government; by 1854, there were already 23 counties in the Minnesota Territory, and 40 additional counties by 1857 (63 total).<sup>1</sup> Sherburne County was officially organized in 1856.

The city of Elk River owes its origins to the proximity of the Mississippi River and the Elk River, for which it is named. In 1848 Pierre Bottineau, a French trader and a Northwestern pioneer, staked a claim and built a cabin in an unsettled area along the Elk River where it joins the Mississippi, in what is now the southeast corner of Sherburne County. The Village of Orono, incorporated in 1855 and later known as Upper Town, grew up near Bottineau's claim and was the principal town in the area for a number of years, and served as the county seat. It was an active milling village, using water power captured by damming the Elk River. In 1856 the Village of Elk River was platted and included both Orono and Elk River, but the village was not officially incorporated by legislative action until 1880. Thus, Orono continued as a separate entity until 1880. Initially the town center was on the southern side of the river, but it was moved to the northern edge with the building of the St. Paul and Pacific Railroad, the first railroad to penetrate this section of the country. As the population increased, businesses such as dry goods, flour milling, and saw milling sprang up to serve the needs of the community.<sup>2</sup>

Until 1867, the county seat was at Big Lake, then called Humboldt, and government operations were conducted at homes and in schools. Next, Orono became the county seat, but in 1872 it lost the seat to Elk River by public referendum, probably in recognition of the

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<sup>1</sup>Marion E. Cross, *Minnesota Courthouses* (St. Paul, MN: Minnesota Historical Society, 1966).

<sup>2</sup>The preceding information was found primarily in the Sherburne County Historical Society's *Sherburne County Heritage* (Dallas: Taylor Publishing Company, 1986), 15.

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importance of Elk River's position on a major railroad line. By 1877, when construction on the courthouse began, business trains, express trains, freight trains and wood trains passed daily through Sherburne County.<sup>3</sup> With the continuing population and commercial growth of the county, the county commissioners realized that a permanent facility was required to serve the governmental needs of the area. In 1877, the commissioners contracted with W. C. Warner<sup>4</sup> to prepare plans and specifications for a courthouse building.<sup>5</sup> His plans were accepted in April of that year, bids were obtained, and the building contract was awarded to Horatio Houlton, the owner of one of the Elk River sawmills.<sup>6</sup> The building was completed that September, at which time Houlton was paid the remainder of his original bid price of \$2390.<sup>7</sup>

The land for the courthouse had been donated by a prominent Elk River businessman, John Quincy Adams Nickerson, who supposedly made the donation to quell rumors that he would have profited from the move of the county seat to Elk River by renting several of his commercial buildings to the county for their use, rather than building a courthouse. The donated property was at the corner of Oak and Depot streets.<sup>8</sup> In 1941 construction began on U.S. Highway #10 running through Elk River towards St. Cloud; in the process of construction, numerous homes and businesses were razed and property consumed, including the north end of the courthouse lawn.

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<sup>3</sup>Cynthia Seelhammer and Mary Jo Mosher, eds., *The Growth of Sherburne County, 1875-1975, As Seen Through Local Newspapers* (Becker, MN: Sherburne County Historical Society, 1982), 20.

<sup>4</sup>Seelhammer and Mosher's *Growth of Sherburne County* mentions that in 1898 William Warner, a well known carpenter, died at 67. He had lived in Elk River for more than 25 years.

<sup>5</sup>Tom Jenkinson and Norene Roberts, *National Register of Historic Places Inventory--Nomination Form: Sherburne County Courthouse*, U. S. Dept. of the Interior, National Park Service, 14 December 1984. As taken from Sherburne County, Board of County Commissioners, *Commissioners' Record*, 1887, Volume B, 433.

<sup>6</sup>*Ibid.*, 436. Horatio Houlton and several other family members (including W. H. Houlton, founder of the first bank of Elk River) had come from Houlton, Maine. He came to Elk River in 1864 and opened a general store, but moved into the saw milling business in 1868.

<sup>7</sup>*Ibid.*, 449.

<sup>8</sup>According to Sanborn Insurance Maps, Oak Street has been changed to Lowell, which is now used in delineating the courthouse property boundaries.

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The few courthouses built in the days of the Minnesota Territory had been one-story wooden structures, and were more than sufficient for serving the needs of the few inhabitants of their region. At the time the two-story Sherburne County Courthouse was built, area immigration was at its highest level, caused when regional railroads and the State Board of Immigration sent agents to organize immigration parties from Germany, Sweden, Norway, Denmark, Ireland, and other countries. From a population of approximately 250,000 in 1865, the state of Minnesota surpassed 1.3 million total population by 1890. This rise in state population was mirrored by similar growth in Sherburne County.<sup>9</sup>

These boom times in population in the 1870s, 1880s, and 1890s were also the great era of courthouse building in the state. Of thirty-two courthouses built in the 1870s, the Sherburne County Courthouse is one of the few that remains standing. Like many of the courthouses from this period, the original interior was arranged with the county offices on the ground floor and the large courtroom with judges' chambers on the second floor. Area newspaper accounts throughout the last hundred years or so indicate that the courthouse facilities were in active use throughout this period.

Of historical interest, one of the last (some say **the** last) hangings in Minnesota occurred in the Sherburne County Courthouse in 1905, as the result of the infamous box car murder trial. The murder was committed in November of 1904 when C. D. Crawford shot Heino Lundin while he slept on the floor of a box car during a robbery as the train passed through Sherburne County. Owing to delays and postponements, Crawford was not executed until 5 December 1905:

The execution took place Dec. 5 at 1:45 a.m. in an enclosure at the rear of the courthouse. The trap was sprung by Sheriff Bernich of St. Cloud because Sheriff Ward had collapsed. In 13 minutes Dr. Whittemore and Dr. Cooney pronounced Crawford dead.<sup>10</sup>

Further accounts allege that the rope used in the hanging was rolled up and placed on the floor of the auditor's vault where it remained for some years.<sup>11</sup> With the removal of the county judicial services to the new county facilities on U.S. Highway #10 west of Elk River in 1980, the Sherburne County Courthouse now lies vacant but filled with memories of justice being served.

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<sup>9</sup>Cross, foreword.

<sup>10</sup>Seelhammer and Mosher, 201.

<sup>11</sup>Sherburne County Historical Society, *Sherburne County Heritage*, 15.

## Preservation Synopsis

Feelings toward the courthouse have been strong and varied since its construction. While the reoccurring issues in both the historic and contemporary criticisms has centered around adequacy of space within the county courthouse and the aesthetic value of the building, current debate involves essentially two questions: whether to keep the building at its present location (i.e. neither demolishing nor moving it), and if so, how to effectively reuse it. Criticisms about the courthouse were voiced soon after its completion in 1877. The following editorial from the 21 September 1877 *Sherburne County Star* illustrates early concerns regarding the courthouse:

Just as our new court house is finished, and some of us are congratulating ourselves on its size and good looks and general fitness, and others up in the upper part of the county are complaining that it cost too much, and that one half the size would have answered every purpose, along comes the editor of the *Monticello Times* from his little rural town to take the early train from this metropolis, and his horse being too slow and he having made a five minute miss of it, put in some of his spare time while waiting, inspecting with critical eye this new court house of ours; and straightway gets up and says that it is not big enough by a good deal, and that we have not enough to show or the money expended, and that somebody tells him that Wright county has something to show. Well, we admit that our house is not as large as we would have liked to have seen it, and that we have no ornaments in the way of bonds and mortgages [sic] attached to it; it is paid for; it will do for the present; nobody will have to pay any extra tax on it; we had hard work to get what we have; and more than all, everybody in the county who has seen it is suited with it now that it is done; and none are jealous of the Wright Co. splendors, and bonds and things.

In addition to past concerns of space and economy, there were critics of the aesthetic qualities of the courthouse as well. In describing the building as it stood in 18 November 1909, the *Sherburne County Star News* had this to say: "Nobody is proud of it, and it is probably the most primitive building in the state, but the county will doubtless have a modern courthouse someday."

These early critical comments became increasingly relevant nearly a hundred years later when Sherburne County agencies expressed a need for additional and more efficient office space. In spite of the numerous additions to the original courthouse, and the adjacent office annex, office space problems persisted. Beginning in the early 1970s, plans to expand government services prompted county officials to debate the status of the courthouse. While some advocated expanding the existing courthouse for an estimated \$1.7 million, others supported building a new, modern county courthouse at a new location for about the

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same cost.<sup>12</sup> The primary complaints regarding the courthouse included an inadequate jailing facility, and a lack of office space for the Sheriff's Office, as well as for other county services. Those who worked in the courtroom also complained of cramped conditions, inappropriate for the courtroom proceedings. In addition, lighting and ventilation were considered inadequate by office workers. Government services located at the courthouse subsequently relocated to a new facility in 1980.<sup>13</sup> From 1980 the structure was used for a variety of community functions, including a martial arts school, but has stood vacant since 1987.

Local enthusiasm for the courthouse continued to flag throughout the 1980s. Despite some explicit opposition from within the community, the courthouse was placed on the National Register of Historic Places in 1986. Those who opposed the designation felt that the neighboring administration building, which the county was seeking to sell, would be worth more with the old courthouse removed and replaced with more parking spaces.<sup>14</sup> However, a 1988 reuse study of the courthouse by Thomas R. Zahn & Associates, Inc., found the building worthy of renovation.

A primary focus of the reuse study was the importance of maintaining the courthouse in the central business district to reinforce the current downtown businesses, and to encourage further investment. In addition, the reuse study found many community concerns that would "negatively impact reuse" of the courthouse, such as a lack of community interest in the building's reuse, a lack of understanding regarding local history and the building's relationship to state history, as well as the current condition of the building. The report also cites the lack of a strong community leader to advocate the building's preservation. However, the report suggests several reuse alternatives which would take advantage of preservation-related economic incentives.<sup>15</sup>

In spite of the reuse study's recommendations, Sherburne County commissioners sought to demolish the courthouse, prompting Preservation Alliance Inc. to sue, delaying demolition and compelling the county to put the building up for sale. In 1991 the county subsequently offered the building to Preservation Alliance Inc. free of charge, in addition to

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<sup>12</sup>Ida Mae Middlestadt, "Site Selection Next Step in Bid to Move Sherburne County Seat," *Monticello Times*, 18 December 1975.

<sup>13</sup>Bruce Ellingson, "Sherburne County Officials Agree: Courthouse, Jail Facilities Outdated," *Monticello Times*, 1 April 1976, 4-5.

<sup>14</sup>Andris Straumanis, "County Balks at Tagging Courthouse as Historic," *Elk River Star News*, 5 November 1985.

<sup>15</sup>Thomas R. Zahn & Associates, Inc., "The Sherburne County Courthouse Reuse Study," Sherburne County Historical Society and Minnesota Historical Society, 1988.

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\$16,000 towards the building's removal to another location as an alternative to demolition.<sup>16</sup>

The future of the Sherburne County Courthouse is currently unresolved. A local ad-hoc group is seeking funds for the courthouse's restoration through a federal highway bill grant. If the building is saved, potential reuses for it include a museum or community center.<sup>17</sup>

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<sup>16</sup>Jake Jacobson, "For Free: 1 County Building," *West Sherburne Tribune*, 24 August 1991.

<sup>17</sup>Charmaine Barranco, "County Courthouse Sized-up by Students for Historical Archives," *Elk River Star News*, 14 April 1993.

## Part II: Architectural Information

### A. GENERAL SETTING AND ORIENTATION:

The Sherburne County Courthouse is located approximately 40 miles northwest of Minneapolis and St. Paul. It is located just south of U.S. Highway #10 and north of the Mississippi River, immediately adjacent to the historic central business district. The structure is situated at the southeast corner of the intersection of Highway #10 and Lowell Avenue. The street address is 320 Lowell Avenue, Elk River, Minnesota.

### B. ARCHITECTURAL CHARACTER:

Although later alterations and additions have created a complex massing arrangement atypical of the Italianate character, the Sherburne County Courthouse retains characteristics of the original 1877 simplified Italianate structure with its strong emphasis on symmetry. The symmetry is exemplified in the balanced fenestration patterns of the original structure. Other typical Italianate features include the framed window moldings and the heavy cornice. The original structure had symmetrical chimneys which have since been removed below the roof line; the structure now has one chimney for a centralized heating system. The front entryway and tower structure both have pedimented gables. The great majority of the interior furnishings have been removed. Some of the courtroom features, such as balusters, are stored in the judges' chambers in the southwest wing. Much of the original interior fabric remains, including pressed metal ceilings and beaded pine wainscoting.<sup>18</sup>

### C. CONDITION OF FABRIC:

Although in a state of disrepair, the Sherburne County Courthouse is in good condition structurally. Some settlement observed by Thomas R. Zahn & Associates, Inc., in 1988 in the second floor hallway can probably be attributed to construction work undertaken in the 1920s when the building was raised and a full basement was constructed. Much of the interior has been affected by damp.<sup>19</sup>

### D. DESCRIPTION OF EXTERIOR:

1. Overall Dimensions: The building measures 90' 6" x 67' 8", of irregular plan, with total floor area of 8,683 square feet.

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<sup>18</sup>Thomas R. Zahn & Associates, Inc., passim; Jenkinson and Roberts, passim.

<sup>19</sup>Thomas R. Zahn & Associates, Inc., 13-14.

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2. Foundations: Approximately 18" thick (average), limestone block with molded concrete facing, pressed brick in appearance.
3. Walls: Exterior walls are typically 12" thick, stucco on wood frame.
4. Structural System, Framing: Wood framing of 2" x 4" studs; 2" x 12" floor joists; 2" x 6" rafters.
5. Roof: Ridge roof with end-hips, including central blind dormer and additional lower gabled entrance canopy on main face; asphalt shingling.
6. Chimney: One red brick, centrally located chimney.
7. Openings:
  - a. Doorways and Doors: Doors are primarily of raised wood with some glazing.
  - b. Windows: Windows are pine, six-over-six, double-hung sash, symmetrically placed; see photographs for details.

E. DESCRIPTION OF INTERIOR:

1. Floor Plans: Basement has 13 rooms, arranged in irregular plan around the central physical plant room. First floor has central, east-west hallway with flanking rooms, and 3 vault areas of varying size and number of compartments. Vault walls are approximately 24" thick. Stairway rises to second floor from east-end of hallway, perpendicular to hallway line. Second floor rooms are arranged radially around the central stair well. Approximately one half of the floor space on the second level is covered by the courtroom and judges' chambers in the original 1877 section (west section). Refer to measured drawings for detail of interior floor plan.
2. Stairways: There are 3 interior stairways, and 1 exterior to basement.
3. Wall and Ceiling Finish: Painted walls, some panelling; some decorative pressed metal ceilings.
4. Hardware: Four vault doors, the faces of which incorporate decorative metal casting with painted landscape and gold stencil; see photograph for detail.
5. Heating: Centralized heating system.

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6. Lighting: The electrical systems consist of 1920s wiring and more modern systems installed in a conduit.<sup>20</sup> Tube fluorescent light fixtures hanging from ceilings predominate.

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<sup>20</sup>Thomas R. Zahn & Associates, Inc., 14.

### Part III: Sources of Information

A. ORIGINAL ARCHITECTURAL DRAWINGS: none

B. EARLY VIEWS:

*View of Elk River, Sherburne County, 1879.* Lithograph. 1879. Sherburne County Historical Society, Becker, Minnesota.

"Register of Deeds Office, A. Byson & daughter Ruth." Photograph. 1916. Sherburne County Historical Society, Becker, Minnesota.

"County Commissioners Meeting." Photograph. ca. 1940. Sherburne County Historical Society, Becker, Minnesota.

"Sherburne County Courthouse." Photograph. 1877. Sherburne County Historical Society, Becker, Minnesota; also at Minnesota Historical Society, St. Paul, Minnesota.

"Sherburne County Courthouse." Photograph. ca. 1900. Sherburne County Historical Society, Becker Minnesota.

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Written Report Prepared by:  
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## Part IV: Project Information

This material was prepared as a project for Architecture 5143, Historic Building Research and Documentation, a class offered in the College of Architecture and Landscape Architecture at the University of Minnesota (Minneapolis). The class project was prepared under the direction of Robert C. Mack, FAIA, in cooperation with the State Historic Preservation Office of the Minnesota Historical Society, St. Paul, Minnesota. Historical and architectural data were prepared by Wayne Gannaway, Kari Grabinski, and Mary M. Thomas. Drawings for the Sherburne County Courthouse were compiled by C. J. Gruninger, Andreas Hendrickson, Leigh Johnson, Robb Olson, James Thompson, and Martin Thompson. Photographic survey was prepared by Kevin Hession, with the assistance of Wayne Gannaway, Kari Grabinski, Andreas Hendrickson, and Mary M. Thomas. The project was conducted April - June 1993.

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