NPS Form 10-900
(Oct. 1990)

OMB No. 10024-0018

United States Department of the Interior
National Park Service

FINAL

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in How to Complete the National Register of Historic Places Registration Form (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Newton County Courthouse

other names/site number

2. Location

street & number One Courthouse Square N/A ☐ not for publication

city or town Kentland N/A ☐ vicinity

state Indiana code IN county Newton code 111 zip code 46951

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this ☒ nomination ☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36CFR Part 60. In my opinion, the property ☒ meets ☐ does not meet the National Register criteria. I recommend that this property be considered significant ☐ nationally ☐ statewide ☒ locally. (☐ See continuation sheet for additional comments.)

Paul A. Hess 6/12/2008

Signature of certifying official/Title Date

Indiana Department of Natural Resources

State or Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. (☐ See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is: Signature of the Keeper Date of Action

☐ entered in the National Register.
☐ See continuation sheet.

☐ determined eligible for the National Register
☐ See continuation sheet.

☐ determined not eligible for the National Register

☐ removed from the National Register

☐ other, (explain:)

5. Classification

Ownership of Property
(Check as many boxes as apply)

- ☐ private
- ☒ public-local
- ☐ public-State
- ☐ public-Federal

Category of Property
(Check only one box)

- ☒ building
- ☐ district
- ☐ site
- ☐ structure
- ☐ object

Number of Resources within Property
(Do not include previously listed resources in the count)

Contributing	Noncontributing	
1	1	buildings
1	0	sites
0	0	structures
1	0	objects
3	1	Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing.)

N/A

Number of contributing resources previously listed in the National Register

0

6. Function or Use

Historic Functions
(Enter categories from instructions)

GOVERNMENT: Courthouse

Current Functions
(Enter categories from instructions)

GOVERNMENT: Courthouse

7. Description

Architectural Classification
(Enter categories from instructions)

19th & 20th c. REVIVALS: Italian Renaissance

Materials
(Enter categories from instructions)

foundation STONE
walls BRICK
roof TERRA COTTA
other STONE

Narrative Description
(Describe the historic and current condition of the property on one or more continuation sheets.)

Newton County Courthouse — Newton IN

Name of Property — County and State

8. Statement of Significance

Applicable National Register Criteria
(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ **A** Property is associated with events that have made a significant contriibution to the broad patterns of our history.
- ☐ **B** Property is associated with the lives of persons significant in our past.
- ☒ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ **D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations
(Mark "x" in all the boxes that apply.)
Property is:

- ☐ **A** owned by a religious institution or used for religious purposes.
- ☐ **B** removed from its original location.
- ☐ **C** a birthplace or grave.
- ☐ **D** a cemetery.
- ☐ **E** a reconstructed building, object, or structure.
- ☐ **F** a commemorative property.
- ☐ **G** less than 50 years of age or achieved significance within the past 50 years.

Narrative Statement of Significance
(Explain the significance of the property on one or more continuation sheets.)

Areas of Significance
(Enter categories from instructions)
ARCHITECTURE
POLITICS/GOVERNMENT

Period of Significance
1906-1957

SignificantDates
N/A

Significant Person
(Complete if Criterion B is marked above)
N/A

Cultural Affiliation
N/A

Architect/Builder
Hutton, Joseph T. (architect)
Lund, Erick (builder)

9. Major Bibliographic References

Bibliography
(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- ☐ preliminary determination of individual listing (36 CFR 67) has been requested
- ☐ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey # _____
- ☐ recorded by Historic American Engineering Record # _____

Primary location of additional data:

- ☒ State Historic Preservation Office
- ☐ Other State agency
- ☐ Federal agency
- ☐ Local government
- ☐ University
- ☐ Other

Name of repository: _____

Newton County Courthouse
Name of Property

Newton IN
County and State

10. Geographical Data

Acreage of Property Less than 1 acre

UTM References (Place additional UTM references on a continuation sheet.)

	Zone	Easting	Northing
1	16	462500	4513070
2			
3			
4			

☐ See continuation sheet

Verbal Boundary Description
(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification
(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Camille B. Fife

organization Westerly Group, Inc. date 08-06-2007

street & number 225 E. Main St. telephone 812/ 273-8826

city or town Madison state IN zip code 47250

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A **USGS map** (7.5 or 15 minute series) indicating the property's location.

A **Sketch map** for historic districts and properties having large acreage or numerous resources.

Photographs

Representative **black and white** photographs of the property.

Additional items
(Check with the SHPO or FPO for any additional items)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Newton County Commissioners

street & number One Courthouse Square telephone 219/ 474-6081

city or town Kentland state IN zip code 47951

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

7. Narrative Description

Summary:

Newton County is located in northwest Indiana, the heart of the former prairie lands in the state. The Newton County Courthouse is situated in a landscaped square which encompasses an entire city block in Kentland, the county seat. The core of Kentland's downtown commercial district surrounds this pleasant and distinctive landscape. The land surrounding the courthouse square and the heart of downtown is flat, devoid of any extreme topographical elements. The courthouse is a three story building that reflects inspiration from the revival of Italian Renaissance design ideas popularized at the turn of the twentieth century by such nationally significant architects as McKim, Mead, and White. Completed in 1906, the building has an architectural tile roof, brick walls and limestone trim. The building is set with the first or basement floor partially below grade, and thus, does not intrude on the streetscape, but rather is sympathetic to the one, two and three story structures which surround the square.

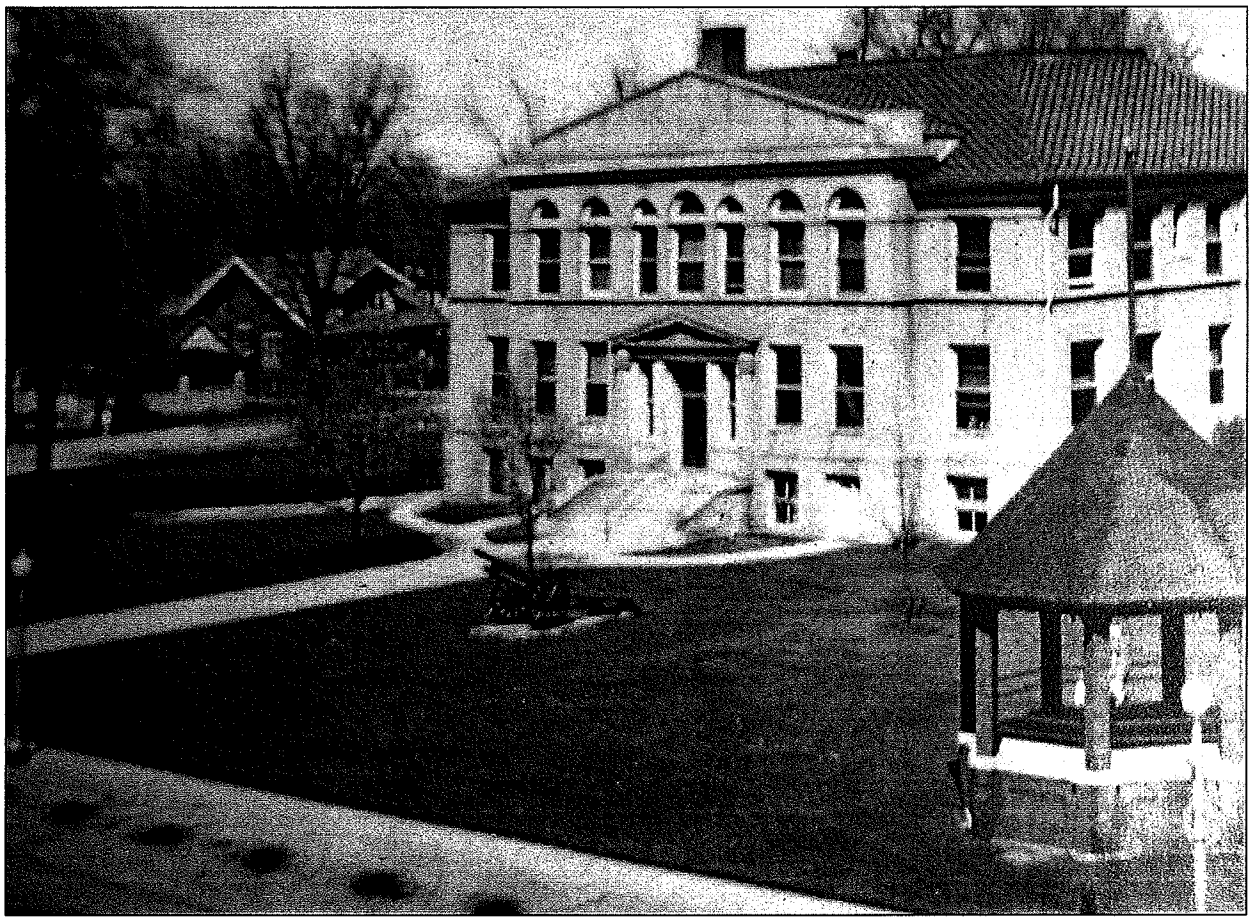
Description:

The Newton County Courthouse is a public building. As such it plays a prominent part in the life of downtown Kentland and the entire county. It was constructed of sturdy materials, among the best available at the time, including buff brick, limestone and architectural tile. As described above, the building is set in the approximate center of the commercial downtown, between North 4th and North 3rd Streets, East Graham and East Dunlap Streets (See Site Plan). Evidence of the influence of automobile culture can be found in the parking facilities which are extensive, including on-street parking around the square, an asphalt-paved lot just north of the building and a second to the east of the building which bisects the square. Extensive land to the east of the building has been reserved for trees and lawn, as well as a brick-paved walk behind the building with a small seating area and fringe planting along its sides. A concrete walk, running north-south parallels the eastern border of the square and contains plantings as well as decorative benches for the pleasure of passers-by (See photos no.1 – 9 for various exterior views of the courthouse and the square).

The front lawn, bordering North 3rd Street is bisected by a central sidewalk leading to the main entrance of the building, with subsidiary walks to the left and right. Decorative planting elements grace the north and south west corners of the lawn and the south half also contains a planter, several flag poles, a dedicatory stone, an artillery piece, as well as several decorative benches and a picnic table. The northern half of the front lawn also contains a decorative elliptically-shaped planter, under construction. The lawn is planted with large shade trees and evergreens. On the whole, the courthouse square provides a welcome respite for busy trades people and tired shoppers.

The courthouse square contains a small memorial plaza which also serves as a respite for smokers, who must go outside the smoke-free courthouse environment. A concrete base supports an

artillery piece and two limestone benches. Judging by an undated historic photograph (below, courtesy of the Newton County Historical Society), the armament has probably been in place at least fifty years. The larger of the two benches is inscribed: "In memory of Judge Robert E. Smart" and the smaller declares the plaza a "smoking area". Shrubbery and ground covers soften the surrounding edges of the plaza. The plaza also holds three flag poles. Slightly to the east, a picnic table is situated next to a trash container, to



allow residents and court house employees to eat out of doors in good weather. A similar table is located in the northwest quadrant of the courthouse square.

Two benches are located adjacent to the city sidewalks, one on the southwest quadrant and the other on the northwest quadrant of the square. Also on the northwest quadrant is an oval planter. An additional flag pole is also present. The sidewalk which divides the north and south quadrants on the west

side is situated in line with the main entrance on the N. 3rd Street side. Secondary walks lead around the building, with an A. D. A. acceptable entry on the South side. A dedicatory plaque is located to the south of the main walk.

Above, looking south from sidewalk next to artillery piece and memorial seating area on the courthouse square.

There is a storage shed on the north side of the courthouse, in the north parking lot. A vertical board fence surrounds it. A small metal and glass kiosk is also located in this area (See Photo No. 6). These items appear to be temporary and/or movable. On the east side of the square, a slightly curved, east west brick sidewalk bisects the lawn. At the center of this feature is a small seating area with a simple bench. The walk is edged with shrubs and ground cover.

The courthouse square, including the various landscaping plants, and street furniture, as well as the memorial plaza is counted as one contributing site. The artillery piece is counted as a contributing object despite the fact that it has been moved at least once. There is a shed on the north side of the

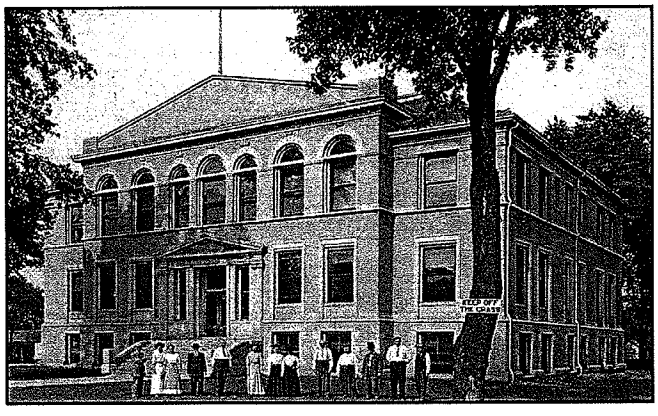
building, which is counted as a non-contributing building. A waiting shelter appears to be integral with fencing and other parts of the site. The courthouse itself is counted as one building.

Courthouse

The building is rectangular in plan, with three stories, the first or basement being slightly below grade. This allows light from the basement windows to penetrate the inner spaces. However, the building's three stories are slightly lower in the streetscape than otherwise might be the case. All of the rooms of the main floors are organized on either side of a main stair case, located at the center back of the building. Today, this stair case surrounds a central elevator, a modern necessity for compliance with A. D. A. (Americans with Disabilities Act) requirements. The courthouse walls are comprised of a buff brick, hard fired and of an even texture. The truncated hipped roof is covered with architectural tile, in a Spanish or Roman style. The ridge lines are decorated with ridge crests of tile, as is the ridge line of the dormer which connects to the front bay of the building. Air conditioning and other units are located on the flat area of the roof, which is finished with a flat metal coping.

The building's main or west façade has a large projecting central pavilion containing a seven-bay fenestration. In addition, left and right blocks each contain a single, square window with a flat lintel on each floor. The central pavilion is lighted by seven arched windows on the third floor grouped together in a rhythm of A A B A A. On the primary (second) floor, the main entrance provides a focus for the façade. A grand stairway, the width of the entrance, gives access to the building. The entrance itself is a aedicula with two stylized Ionic pilasters supporting a frieze and pediment. Sidelight windows are tucked between the pilasters and the molded vertical elements that flank the double doors and transom.

The central pavilion is terminated by a cornice and pedimented parapet with stone coping and plinths at the outer edges. All windows, except those on the third floor pavilion are flatheaded. The window surrounds on each floor are slightly different. String courses of stone form the unified sills of most of the windows. The basement windows are recessed while the second and third story windows have roll molding string courses of stone at their sills. The first floor (basement) windows have quoins and flat, dressed stone heads while the second floor window surrounds are decorated with molding at the top and stone panel infilled below.



Photograph c. 1915 courtesy of the Newton County Historical Society

The third story windows also have a flat, dressed stone lintel, similar to those on the first floor. The decorative third story windows in the central pavilion, like the other

windows are comprised of two-over-two light, double hung windows, with a half-round fixed light above. The composition emphasizes the round arch with a row of stone voussoirs and central keystones.

The east or rear entrance to the building faces N. 4th Street. It is similar to the west elevation, except that it does not contain large arched windows on the third floor, nor a pediment. Instead, the three-part entry is surmounted by a flat entablature supported by modified Ionic pilasters and molded verticals flanking the recessed entrance. Unlike the west elevation, the east side of the building does not have a projecting pavilion. Above the rear door are three panels in brick and the third floor string course. The fenestration of this façade contains nine bays on the third floor, six on the second and first (not counting the entrance element). The latter two floors are comprised of three windows flanking either side of the central entry element. The lowest windows, in the first floor, are nearly square and, like those in other parts of the building have stone quoins in the surround. All windows are two-over-two, double hung.

Photo of the East façade of the building (facing N. 4th Street) The Westerly Group, Inc.2007

The north façade of the building which faces E. Dunlap Street contains seven bays on the third floor, consisting of four nearly square two/over/two windows and three openings between them, one, a former two/over/two window which has been converted to a door to serve as access to a fire escape, required by law. A very narrow window provides light into this floor. The second or main floor contains a six-bay fenestration with the two central being narrower than the two at the outside of the façade. The first

floor follow a similar pattern and have quoins like their counterparts on other facades of the building. There is a tall chimney at the roof line on this elevation. In addition a picket fence connects a storage shed and waiting area. There is also a covered, gable roofed entry.

The south façade, facing E. Graham Street, also has seven bays on the third floor, and six on the first and second. One of these openings has been adapted, on the first floor as an A. D. A. entrance for disabled persons.

Interior

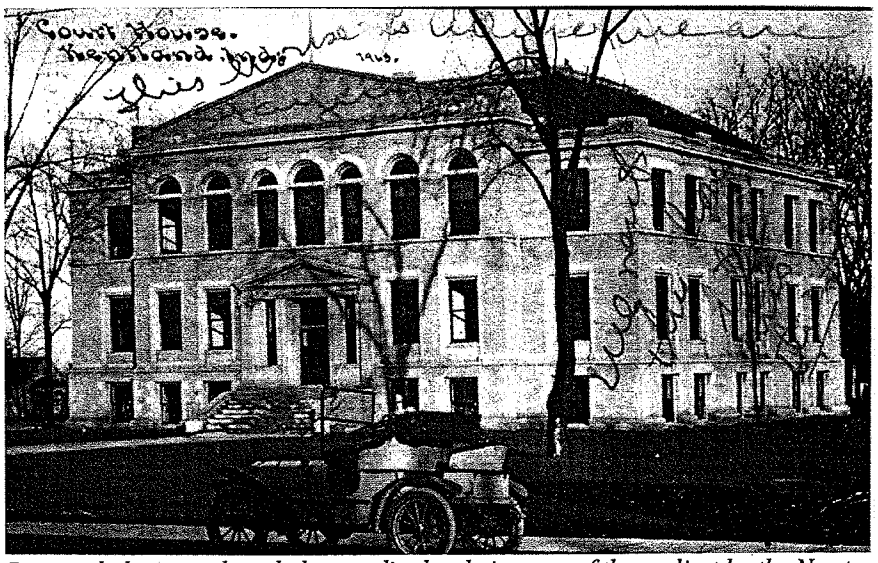
The Newton County Courthouse is actively used today for county business. The spaces in the first or basement floor were originally empty or dedicated to heating and other mechanical systems. Today, the first floor contains those same functions plus a meeting room for the County Commissioners and offices for Probate officials and the County Assessor (See First and Second Floor Sketch Plans). The second or main floor contains offices for the Treasurer, Auditor, Recorder and Clerk, as well as security in the lobby. Photos No. 13 and 14 show the lobby and security area. A painting of Alexander J. Kent, the founder of Kentland may also be found in this lobby, along with other items of historical interest (See page 12, Section 8.) The third floor (See Third Floor Sketch Plan) contains twin sets of court rooms, judge's chambers, clerk's offices and jury rooms. In addition, there is a library and a bailiff's room.

A number of original features remain in the interior of the building. Window surrounds are, in general, intact. These consist of a simple stained wood surround with a slight projecting cornice in the lintel (See photo no. 16). Windows have been replaced. The doorways to various offices are also in near original condition. A good example is the door to the Auditor's Office (See photo no. 14). In addition, several offices contain original wooden elements. For example, the lower half and part of the upper half of the counter in the Treasurer's office is notable (See photo no. 18). In addition, the lower counter in the Auditor's Office is original, although painted (See photo no. 15). The only original drawing available shows the foundation and first or basement plan, with a stair in the same position as those on the floors above. Today, the stair remains on the upper floors (See photo no. 21) and the south half remains in the basement (photo no. 11). Most interesting, however, are the various vaults, all of which appear to be the work of a well-known 19th and early twentieth century company, MacNeale and Urban of Cincinnati, Ohio. Some of the metal doors to the vaults have been repainted, although several appear in original condition (See photos no. 12, 19 & 20). Decorative work is featured in the door surrounds (Photos no. 19 & 20). The interior of the vaults are also relatively intact (Photo no. 17) and contain original wall units and cabinets in many cases. There are two vaults in the first or basement floor and four on the second or main floor.

The courtrooms on the third floor have been remodeled, but the doorways and other office features have remained (See photos no. 23 & 24). The interior renovation included dividing a large single courtroom into two smaller ones, within the footprint of the original room. These were outfitted with new wall decorations, details and furnishings. The floor also contains the central lobby and other offices which all

share the same, chaste, stained wood finish, original to the building. Renovation of the courtrooms provided two venues, a Circuit and Superior court, in place of the original single court room (See photo no.22). In the judge's chambers, an original desk is still used (photo no. 25).

The Newton County Courthouse remains remarkably intact since its construction was completed in 1906. It was remodeled c.1989, which resulted in the division of the court room into two facilities and the addition of an elevator. Other changes include the inauguration of stringent security activities and the equipment that they demand. The building retains the dignity which its architect intended, while adapting to the needs of modern court rooms, security and enhanced governmental services.



Postcard photograph, n.d., but credited as being one of the earliest by the Newton County Historical Society. Source: Newton County Historical Society.

Section 8. Statement of Significance

Summary:

The Newton County Courthouse is significant under National Register Criterion A for its association with local government in Newton County and northwest Indiana. It represents a good example, with a high degree of integrity, of a local county court house during the period of the first quarter of the twentieth century. The building is constructed of excellent local materials, and was designed by a regionally known architect. The courthouse has been the center of local political activities within the county since its construction and as such, is a focal point, even today. The story of its construction also reflects many of the political influences which were typical, as communities vied for prominence within their respective areas. As in other places, Kentland struggled to maintain its distinction as a county seat, especially during the time when the new court house was being contemplated, from 1904 until its construction in 1906.

The courthouse is also significant as the work of a master, regional architect, Joseph T. Hutton of Hammond, Indiana. It embodies the architectural elements associated with the Italian Renaissance Revival style which was popular in Indiana and other parts of America from the late nineteenth century through the first part of the twentieth century. This style was often associated with public buildings, such as this courthouse. Constructed of sturdy brick and limestone, the building still demonstrates the attention to detail and concern for high quality which embodied construction during this pre-World War II era.

Statement of Significance

The town of Kentland, originally named Kent, became the seat of Newton County, when it was formed in April of 1860. Newton County had previously existed, at least for a brief time, between 1835 and 1838. Then a collection of commissioners were nominated by the Indiana General Assembly to meet and consider joining Jasper and Newton counties as one, under the auspices of Jasper County. The commissioners met at the house of Robert Alexander, of Jasper County and found favor with the idea. By January of 1839 it was approved. One year later, Benton County was formed, taking some of its territory from the newly consolidated area. It is probable that the consolidation was favorably considered because of the lack of population in northwest Indiana at the time. Nonetheless, a conviction remained that the large area would be subdivided once again into two counties. [1] Eventually this would come to fruition.

The land which ultimately formed Newton County was occupied by various Native American tribes, before European-American exploration drove them westward out of Indiana. Prominent tribes which roamed the northern Indiana area included the Miami, Wea, Kickapoo and Potawatomi. The last-named was most closely associated with the area which would become Newton County. The Potawatomi actively

[1] F. A. Battey & Co., *Counties of Warren, Benton, Jasper and Newton, Indiana. Historical and Biographical,* Chicago: F. A. Battey & Co., 1883, P. 593-595.

sided with the French and later the British until the final peace treaty of the War of 1812 which was concluded in 1815. Although a few remained in Indiana on special reserves and lands, most of the Potawatomi endured forced emigrations, the last in 1838 under General John Tipton. A few trekked back to purchase lands in Indiana and their descendents are still living in some of the most northern counties. While the land around the county seat, in the southwestern section of the county, is primarily flat, there are some interesting remnants of pre-American settlement activity. To the north of Morocco is a ridge and a broad depression which represents the site of a beautiful lake, called "Lake of the Beavers" by the native Americans. It once covered 1,600 acres and was surrounded by 26,000 acres of swampy marshes. Before it was drained it served as a vast range for trappers and hunters, both native American and white. A large number of encampments surrounded this feature. The Lake Ditch was created to drain the water in a northwesterly direction to the Kankakee River.

Newton County is watered by a number of streams. The largest, the Kankakee River, forms the northern boundary, separating Newton from Lake County. Moving southward, one finds the Lake Ditch, mentioned above, then encounters Beaver Creek, in Beaver Township. The next stream, four miles north of Kentland is the Iroquois River. The county has two watersheds, the northern being the Kankakee Valley and the southern in the Iroquois Valley. The first white settlements in the county were along the streams. Early roads followed several Indian trails which meandered across the county from west to east.[2]

The population of northwest Indiana grew. By 1857, spurred on by talk of a division in the north part of Jasper County, the citizens of the western portion energized themselves and called a public meeting. They prepared a petition, to re-authorize Newton County out of the western portion of Jasper. It was signed by nearly every voter in the area west of the line dividing Ranges 7 and 8. The first version was rejected on a technicality, but the intrepid petitioners made a Herculean effort and managed to obtain nearly as many signatures overnight. Although this was presented to the county commissioners in September, it was still not destined for approval. Opposition from other parts of the county evidently gave two of the commissioners a case of faint heart. When they didn't show up for the scheduled 9AM meeting, thus preventing a quorum, the disappointed Newton County hopefuls had to trudge home and await the next term.

At the time of the presentation, the petitioners had selected the name of Beaver for the new county, but it was quickly changed to Newton in honor of the friendship of Sergeants Jasper and Newton. This tale of friendship and courage was well known to the residents of Jasper County. [3] It is an interesting story, related by Parson M. L. Weems (1759 – 1825) and General Peter Horry in their popular book *The Life of General Francis Marion, A celebrated Partisan Officer, in the Revolutionary War, against the British and Tories in South Carolina and Georgia,* first published in 1824, with many later editions. It

[2] Joseph E. Hiestand, *An Archaeological Report on Newton County.* Pp. 8 – 11.
[3] Ibid., P. 595.

was probably the edition of 1854 which encouraged the re-naming. Parson Weem's tale, although certainly exaggerated, recalls the adventures of Jasper and Newton, two American sergeants in Marion's band. On one daring occasion, the close friends overwhelmed ten British soldiers that were escorting some American prisoners, rescued the patriots and their families, and brought them to safety. Since Jasper and Newton Counties adjoined, were similar in size and shared an early history, it seemed appropriate to name them after two compatriots in a noted band of Revolutionary troops.[4]

At the December term of the County Commissioners, the petition for division of Newton County was again presented. Although there was opposition from many outside the proposed new county territory, the commissioners rejected this remonstrance and allowed the intrepid Newton County petitioners to proceed, nominating three citizens as a committee to confirm the proposed boundaries of the new county. But the opposition took the matter first to the Circuit Court, then to the Supreme Court, on the grounds that the legislature, not the commissioners had the power to designate new counties. However, the Supreme Court agreed with the commissioners and the petitioners, allowing that they did have "original and exclusive jurisdiction." At last, in December of 1859, the Board of Commissioners adopted the boundaries and officially created the new county. Its boundaries were described as follows: Beginning at a point on the State line between Indiana and Illinois, at the southwest corner of Town 27 north, Range 10 west, at the corner of Benton and Jasper counties; thence east along the line of said counties of Jasper and Benton, between Townships 26 and 27 north, to Range line between Ranges 7 and 8 west; thence north along said range line of 7 and 8 to the Kankakee river; thence south along said line to the place of beginning. [5]

Difficult as it was to establish Newton County, the selection of the county seat, in the town of Kent, seemed remarkably easy, at first. The governor of the state, the Honorable A. P. Willard was a friend of A. J. Kent, a businessman and extensive landholder in northwestern Indiana. He appointed three commissioners to select the county seat and they obligingly chose the "town" of Kent. Of course, Mr. Kent's contribution of $500 in cash, 160 acres of land and an additional $245 from other subscribers certainly did not hurt the cause. Nonetheless, protesters came forward, even erecting a courthouse at a site they were proposing in Beaver Township to no avail. The commissioners denied their petition and retained the county seat in Mr. Kent's village. Still, it set a precedent for many more protests to follow. In 1861, a site near the town of Brook was proposed. In 1870 some citizens petitioned to relocate the county seat to Morocco (a more central location). Once more, in 1872, Brook was offered. A final attempt was tried, in 1876, in favor of Morocco. All of these efforts failed and the county seat was retained in Kent (the name was later changed to Kentland). [6] Perhaps because it was not centrally located, the county seat would be challenged over and over in the future.

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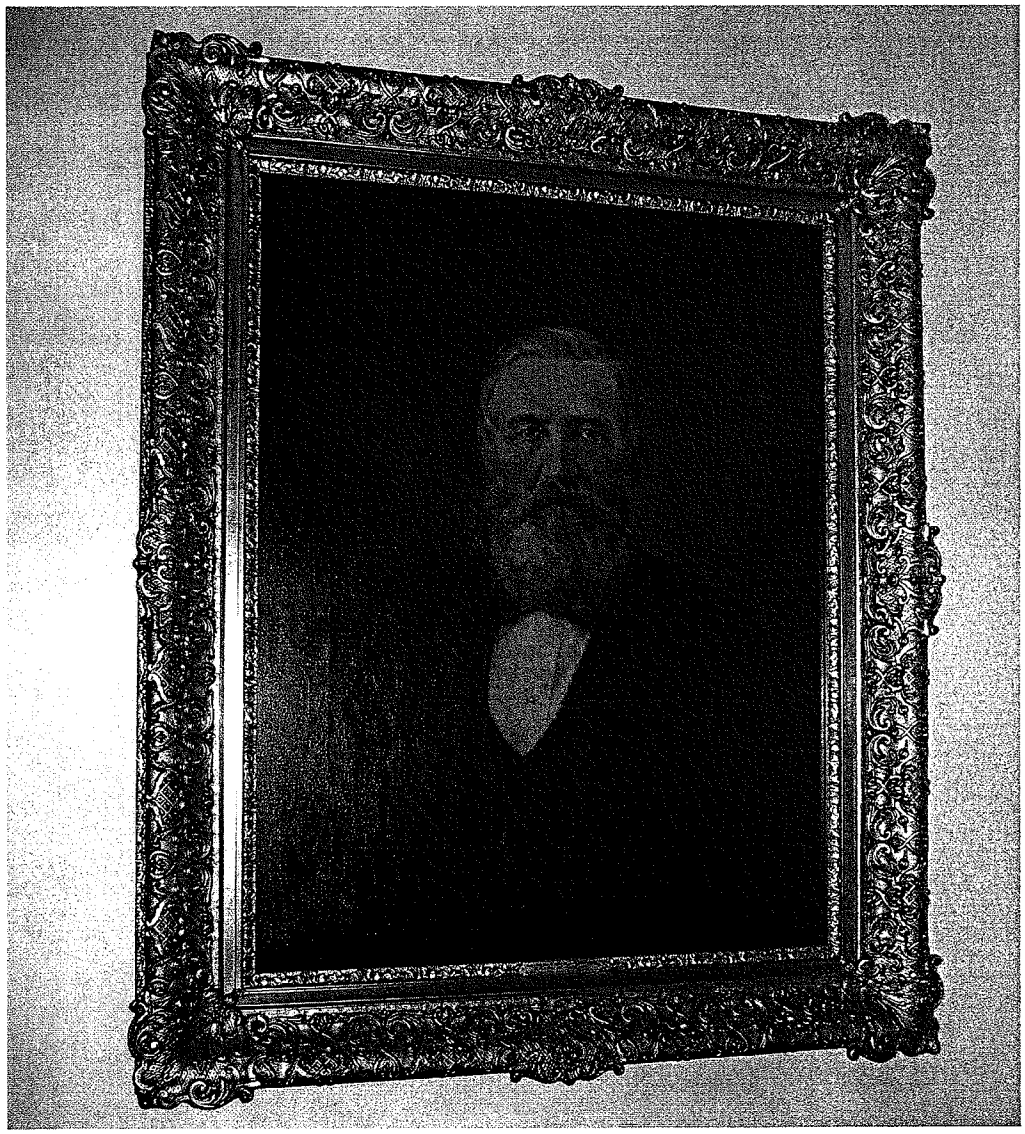
[4] Ibid., p. 605, John Ade, *Newton County, 1853-1911,* Indianapolis: the Bobs-Merrill Co., 1911, P. 57.
[5] Ibid., Pp. 597 -600.
[6] Ibid., Pp.

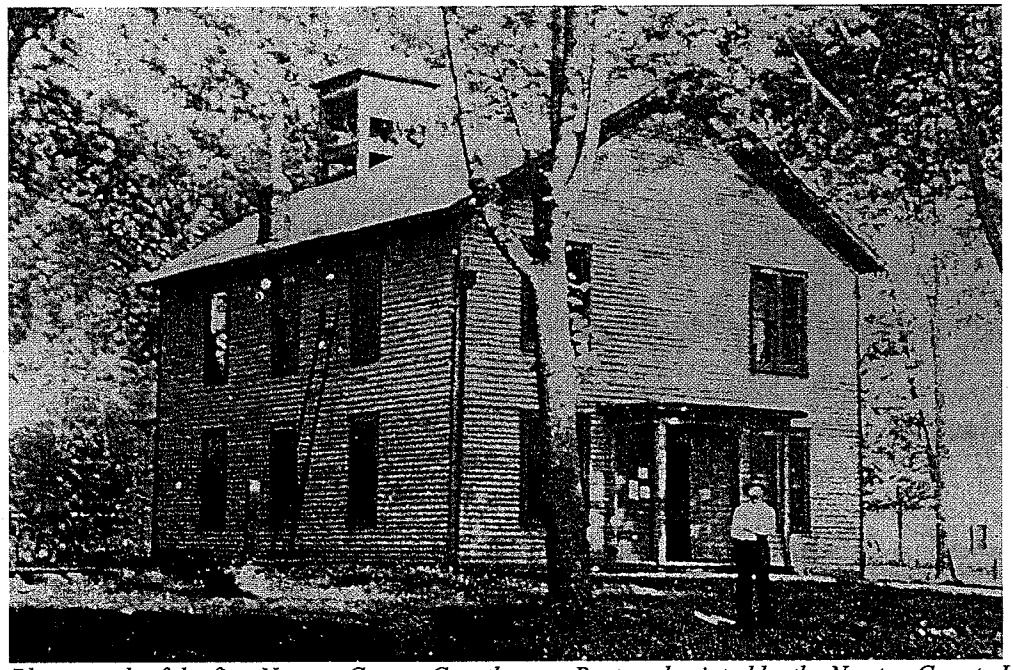
In spite of attempts to relocate the county seat, the commissioners had moved forward to establish a site and a courthouse building. In 1860 they selected block 16 containing 30 lots in the plat of the town of Kent for the public building. In March of 1861, they authorized the construction at a cost not to exceed $1,000. One month later, John B. Chesebrough was selected to build a court house for the sum of $974. Mr. Chesebrough was not the original lowest bidder, however. That distinction went to James VanNatta, but he was dissatisfied with the commissioners' terms of payment and refused to accept them. [7] With the addition of a portico over the east door, the cost came to the authorized $1,000. The builder also probably provided plans for this first edifice, since a separate architect was not named. This first courthouse was a plain, frame structure, two stories with rooms for the clerk, auditor, treasurer and recorder on the first floor. A court room and two jury rooms were located above. The commissioners inaugurated the facility with a meeting on June 3, 1861, in the court room on the second floor. This modest courthouse would serve the needs of the county for 45 years, until the present building was complete, with only the addition of a small secondary building on the site.[8]

[7] James Robbins, "The History of the Newton County Courthouse", *The Newcomer, Vol. 11 Issue Three, Summer 2006, P. 1.*
[8] Ade, Pp. 130-132.



A painting of Alexander J. Kent, (see above) founding father of the town of Kentland, is proudly displayed in the lobby of the present courthouse. This self-made man was born in upper New York State in 1815, where he inherited land from his father. Alexander invested in the famous California Gold Rush, with a successful wholesale grocery company. Purchasing a seagoing vessel with profits from that venture, he

and his partners conducted a successful trading venture between San Francisco and China during the 1850s. Their ship is credited with bringing the first Chinese to the American west. After a few years, they sold their ship to a Chinese businessman and returned to New York. Mr. Kent's brother had located in Indiana and convinced A. J. to do the same. By 1855 he had become a Hoosier land owner, increasing his investments in north western Indiana until he held more than 25,000 acres. In 1859 he and his family moved to what would become Newton County. [9] His influence during the selection of the county seat and construction of the first court house was crucial to the development of Newton County. But he was also known as a generous and kind-hearted citizen, especially during the Civil War, when many families and soldiers faced incredible hardships. He died in May of 1882, leaving five children from two marriages.



Photograph of the first Newton County Courthouse. Postcard printed by the Newton County Historical Society (n.d.)

Shortly after the county was organized, the commissioners began the process of setting off various townships. At the time of the founding, there were five townships, but, after several petitions and additions,

[9] Battey, Pp. 731-732.

by 1872 there were a total of 10 townships, the same number that exist today. With its organization in 1859, Newton County became the newest of the State of Indiana's 92 counties.

Wrangling over the location of the county seat in Newton County continued into the turn of the twentieth century. A "county seat act" had been passed by the General Assembly in 1899 which specified that any town could file a petition on behalf of such a move. Obtaining a substantial number of legal resident's signatures was the first step. Once verified, the commissioners were required to hold an election to determine the outcome. 65% of registered voters were needed to authorize a move. The town proposing the move would also be responsible for hiring an architect and providing land for a new court house as well as paying for the election and the costs of an appraisal of the old county property. [10] The prize must have been worth the effort, however, since the first challenge came from the town of Morocco early in 1900. The petition was presented and the election held, but Morocco could not attract the required 65%. Aspirations had been intense. One person was arrested and charged with importing a carload of illegal thugs to swell the vote for Morocco. Within a few months, a similar petition came from the town of Brook, but again, the required vote was not attained. In the fall of 1900, petitioners from the nearby town of Goodland tried their luck, but their petition lacked sufficient bond and signers and so was dismissed. At about the same time, nearly 600 people appealed to the commissioners for a new courthouse at Kentland. [11] On October 6, 1900, they authorized $10,000 for the new building and a notice was placed in the *Newton County Enterprise* to solicit architects who would prepare the plans and specifications. But plans to build the new courthouse were delayed by a revival of the Goodland petition. An election was set for January of 1901, then, because of additional legal questions, it was delayed until June of 1902. This time, the Goodland supporters were successful, achieving 13 votes over the required 65%.

Goodland selected an architect, provided the plans, the land and tried to move forward with the proposed new courthouse, along with a new jail. By September of 1902, the bids for the new courthouse and jail were received. But the county commissioners delayed, refusing to select a bidder. The matter was turned over to the county council, who also refused to accept the low bid. By January of 1903, complaints were being filed against both bodies in the circuit court, averring negligence. In February, the commissioners and the council decided to stick by their actions (or lack of them). The matter was referred to the Circuit Court of White County, but the judge's decision was immediately appealed to the State Supreme Court. In fact, the legal wrangling hinged upon the constitutionality of the County Reform Law which had been enacted in 1899. That law had dictated the method for relocating county seats, and in fact had installed the petition/election process. It had removed such issues from the sole decision-making powers of the county commissioners. In January of 1904, the Indiana State Supreme Court declared the

[10] Robbins, P. 2.
[11] Ibid., P. 3

1899 County Reform Law unconstitutional. [12] This ruling placed the responsibility back in the hands of the county commissioners. They proceeded swiftly, declaring the old court house "wholly insufficient and unsafe". The county council met to authorize the appropriation of $25,000 for the new building and sell bonds – acts which fell within their jurisdiction. The appropriation was approved by a vote of five out of six.

The wrangle over the location of a county seat, and the construction of a new courthouse in Kentland, Indiana had set into motion a series of events, which eventually affected state law. It had implications which could be felt well beyond county bounds. The effect on the local community was intense, but for a time it seemed the matter was settled. One of the council members who had been in favor of the relocation put it this way: "...It has taken a long time to reach a settlement of this question, and the result is but half satisfactory, yet the matter is settled and that is a source of consolation to every conservative citizen of the county. ...The deplorable and unprotected condition of our public records left those with a sworn duty to perform but one course to pursue: order a courthouse, and order it now."[13]

Proceeding with their charge, the commissioners hired the well-known Hammond, Indiana architect, Joseph T. Hutton to develop the plans for the courthouse. He would be paid 5% of the cost of the building for his services. The plans and specifications were due by February of 1905. Architect Hutton met his deadline and presented his work on the 6th of February. The offices for the Auditor, Clerk, Treasurer and Recorder, on the main floor were generous in size and each was supplied with a well-made and secure vault. [14] Spaces on the upper, court room floor were equally pleasing. It was time to sell county bonds and advertise for a contractor.

Within a few months five bids were received for the building and eight for the heating plant. A contingent of citizens from the town of Morocco also attended the April bid opening. Unsuccessful in their relocation attempt, they came to protest the letting of a contract for the courthouse in Kentland. Like storm clouds appearing on the horizon, trouble for the new building hung in the air.

The low bidder was Erick Lund of Hammond, Indiana. The commissioners approved his bid and ordered a contract drawn up. The Auditor was ordered to sell the bonds to the best bidder, a company from Indianapolis, Indiana. He did so. Perhaps the protesters appeared because they knew that only a few days before the bid opening, an injunction had been filed by three of their fellow Moroccans, to restrain the commissioners from letting a contract. They claimed irregularities in the procedure. When the matter was heard by the Circuit Court, the Indianapolis lawyer hired by the protestors added the claim of illegality to the suit. Both were summarily denied and thrown out of the court. Another hurdle overcome, architect Hutton was free to move forward. Within a few weeks he had staked the building. By the end of April carloads of

[12] Ibid., P. 5
[13] Ibid., P. 6
[14] Ibid.

brick and stone were delivered to the site. By June 1, the cornerstone of the building was laid. It seemed that, at last, Kentland would have its new courthouse and peace would come to Newton County.

But it was not to be. Those clouds of contention were manifest again, this time in the form of an injunction from the State Supreme Court. Lawyers for the Morocco citizens who had been denied by the Circuit Court had appealed to the highest state court. Only eight days after the cornerstone was laid, the Supreme Court granted a temporary injunction until June 20, 1905, stopping all payments to the contractor. Ten days later they granted an injunction against the Newton County Commissioners. Even with materials delivered and work begun, Erick Lund's contract to build the court house was suddenly null and void. [15] This decision brought everything to a stand still. It destroyed the legality of the bonds, causing another suit from the bond owners to be flung into the fray. The Supreme Court decision was based upon what in hindsight might be viewed a "technicality." The Newton County Council had authorized the appropriation by simple motion rather than by ordinance. This oversight was ruled illegal, stopping construction which had reached the first floor of the new building.[16]

While laborers sat idle through the months of the summer of 1905, an additional law suit was filed by a Morocco citizen attempting to reverse the work completed. Awaiting decisions on these matters, the commissioners solicited costs to complete the work, should they be able to proceed. Understandably, the new fees, which also included costs for legal fees incurred during the various court room appearances, were substantially higher. This fact elicited a disgruntled response from the neighboring *Morocco Courier:* "We understand that the Commissioners... made an order asking...for an appropriation of $24,000 ...to complete the courthouse structure already half done and more than half paid for, although the payment was of an illegal nature. ...Perhaps some of the citizens of Kentland...can explain the matter satisfactorily....we would like very much to tell the people how figures can lie or liars figure." In response, *the Newton County Enterprise* sought to set the record straight: "...the Commissioners do not ask for $24,000 with which to complete (the) building ... but their requisition plainly reads: 'for the repair and completion of the new courthouse. Also heating apparatus, plumbing, wiring, etc. $19,450. This sum was added to the $12,800 that has already been paid on the building, makes a total of $32,250 or an increase over the former contract of $6,055." [17]

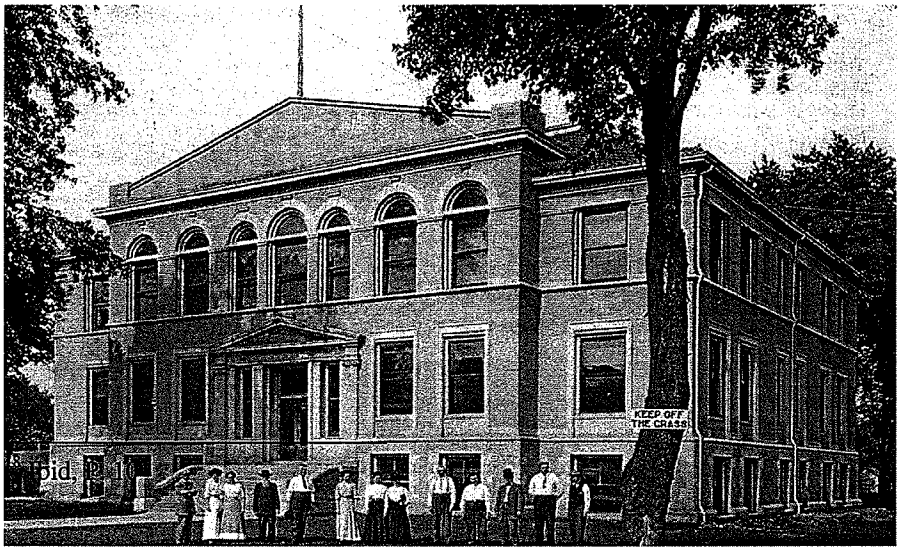
Although the delays and turmoil of this confrontation must have been frustrating to many, one benefit was added. With time to reflect, the commissioners decided to authorize the installation of a tile roof, rather than the metal one originally planned. This change as well as costs for light fixtures, furniture and other items not in the original budget, represented part of the increase, according to the *Newton County Enterprise.* The newspaper went on to state, "It also includes $1,500 for attorney fees, $250 for

[15] Ibid, P. 7
[16] Ade, P. 136-137.
[17] Robbins, P.8

architect fees, neither of which ... would have been necessary had Morocco permitted the completion of the work under the original contract." Meanwhile, the legal maneuvering continued, with various cases filed and withdrawn. In September, displaying a confidence they may not have felt, the Newton County Council passed the requisite legal ordinance for the authorization of the courthouse, without dissent. One month later, on October 16th, the Circuit Court judge dissolved the restraining order, giving the Commissioners the authority to complete the new courthouse in Kentland. By November, the county was allowed to redeem the bonds sold and preserve its credit. Ill feeling still ran rampant in the county, and one more appeal was filed to attempt to stop the construction. Ultimately, this too failed. At last, on January 1st of 1906, contractor Erick Lund, once again the low bidder, was allowed to complete his building. New bonds to finance the costs were sold to a Chicago firm. [18]

Contractor Lund predicted that the new building would be completed by the end of July, 1906. By August 6, the architect had reviewed the building, pronounced it complete and the Commissioners officially accepted it from the contractor. County officials began to move into the new structure as furniture and fixtures were installed. One day after its acceptance, the Clerk performed the first official act in the new courthouse by granting a marriage license to Isaac McKinney and Mary Tyler - a good omen.

With some interior changes and rehabilitation, the Newton County Courthouse has proudly stood in the courthouse square in Kentland ever since the day it opened in August of 1906. The intensity of the struggle to be named the center of county government demonstrates how vital this designation is to a community's economic life. The story of Newton County's courthouse also vividly portrays the evolution of state attitudes and laws about how local government can and should operate. The Newton County Courthouse is significant for its association with local government, with the evolution of county laws and for the development of local economic life.



At left, an early picture of the Newton County Court House with local citizens on the front lawn.

Over the years, the functions and services of county government also have evolved. Many more services are provided and required. As a post script to the story, it is interesting to note that in recent years, Newton County has spread its activities beyond Kentland. A new Newton County Government Center was opened recently in the Town of Morocco and now serves the Department of Child Services, Health, Adult Education and several other entities. The descendants of the original petitioners would probably be pleased. The courthouse continues to be the main county facility dedicated to legal matters, including commissioners meetings, Clerk, Recorder, Treasurer and Auditor functions as well as both Circuit and Supreme Courts. The Sheriff's department has moved into new facilities in Kentland not far from the courthouse.

Besides its distinction as Indiana's last county, Newton County is known as the birthplace of George Ade, a foremost American writer, newspaper columnist, and playwright. [19] His father, John Ade, was a banker in Kentland who witnessed many of the events recalled in this document. He was the first Recorder of the county and was an on-looker as the old county courthouse and its fixtures fell under the auctioneer's gavel in November of 1906. His 1911 Newton County history has been a useful reference. The family lived outside of town and George Ade died in nearby Brook in 1944.

Architecture

The Italian Renaissance Revival of the late 19th century was initiated by the prominent architectural firm of McKim, Mead, and White with their design for the Villard Houses in New York City in 1883.[20] Five years later the same firm created one of the most celebrated buildings in the style with their plans for the Boston Public Library. The design confirmed the style's applicability for large public buildings. Other prominent American architects like Richard Morris Hunt were also inspired by the Italian Renaissance. In the home he designed for Cornelius Vanderbilt II in Newport, RI, "The Breakers", Hunt created an opulent American version of a fifteenth century Genoese palazzo.

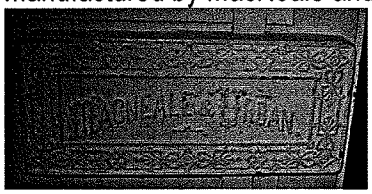
The style is distinguishable from the general Neoclassical taste of the period in its frequent direct references to specific Italian Renaissance models and adoption of the Renaissance classical vocabulary. Motifs such as rusticated ground floors, quoining, low tile roofs, and window openings with architraves and consoles were employed in addition to the Orders. The style does not differ so much from the Italian

[19] Wikipedia "George Ade"; Robbins, P. 10.
[20] Whiffin, Marcus, *American Architecture Since 1780,* p. 154.

Renaissance taste seen earlier in the century in such works as John Notman's Philadelphia Athenaeum as it expands upon it in richness of ornamentation and historical reference.

The design of the Newton County Courthouse, though subdued in comparison to the works just cited, reflects the taste for the Italian Renaissance at the turn of the twentieth century in several respects. The building's simple, rectangular massing with subtly projecting front pavilion demonstrates the clarity of form found in many Renaissance palazzi. The courthouse's two full floors are raised on a tall, projecting basement that has quoins at the corners and around window openings to distinguish this level visually in the way many palazzi used heavy rustication on the ground floor. The main entrance on the west façade is treated as a temple front and contrasts with the smooth brick elevation wall in a way that recalls the Villa Medici at Poggio a Caiano. Similarly, the window openings on the main (second) floor are surrounded by white, molded enframements to give them greater contrast; a device used during the Renaissance and the turn of the century revival. In many cases, the roofs of Italian Renaissance Revival buildings are invisible from street level, hidden behind a roofline balustrade. When roofs are visible, as on "The Breakers", they are typically low in profile, hipped, and frequently sheathed in tile. Such is the case with the Newton County Courthouse whose truncated, tiled roof ends at the eave in a slight bell curve.

On the interior of the courthouse, the vaults which were installed in the building are of a very high quality. A manufacturer's plate, still present on the Auditor's vault, indicates that the vault doors were manufactured by MacNeale and Urban Safe Co., of Ohio. (See photo below)



The company was founded in Cincinnati c. 1855. It opened a new Plant in Hamilton, Ohio in 1890. During its peak it employed 600 men and produced 50 to 60 safes daily. By 1907 the plant had been purchased by The Mosler Safe Co. [21]

The Indiana Historic Sites and Structures survey of Newton County is in progress so that data for comparative purposes is unavailable. A windshield survey of Kentland, however, did not turn up other examples of Italian Renaissance Revival inspired design leaving the courthouse to represent the style in the county seat.

Joseph T. Hutton, architect

The architect chosen to design the Newton County Courthouse, Joseph T. Hutton was one of the most prominent in Hammond, Indiana at the time. He had become known for designing large scale public buildings, at least by the end of his career. His first courthouse design was for the Lake Superior Courthouse which was constructed in 1903. [22] Hutton would have been familiar with the work of Daniel

[21] *Hamilton Daily News,* October 14, 1970, "Hamilton and Butler County Historical Highlights,", Butler County Historical Society, web pages on http://freepages.history.rootsweb.com, 7-4-07.
[22] Hammond Historical Society, *Flashback, February 2004.*

Burnham, the famed Chicago architect whose work was very popular after 1871. Burnham also coordinated much of the 1893 World's Columbian Exposition architecture and served as one of its designing architects.[23]

Joseph Hutton was born in Canada to a farm family of modest means. He attended school, including high school there. Upon graduation he attended Toronto University and graduated with degrees in Architecture and Engineering in 1883. He worked for the Canadian Government for a year, designing and building lighthouses on lakes in the northwest. In 1884 he moved to Chicago, Illinois where he worked for several architectural firms until 1890, when he relocated to Indiana. His first stop was in Rochester, Indiana. He then moved to Michigan City, and later to South Bend. In 1895 he relocated to Hammond, Indiana, where he established an office, in 1896 in the Hammond Building. The firm he established is still in business, but at a different location in the City of Hammond.

Architect Hutton's work on the Newton County Courthouse was begun relatively early in his career. Following his work in Kentland, he was engaged to design the Boone County Courthouse. This building, of a much grander scale, was commissioned in 1909. When it was completed in 1911, it had cost $265,000, approximately ten times that of the Newton County Courthouse. Hutton used the Neoclassical style for the Boone County building which was said to have, "an air of massive grandeur and enduring permanence."[24] At least two other courthouse commissions were to follow, one in Hammond and the other in Gary, Indiana. Other important buildings designed by J. T. Hutton included a Methodist Episcopal Church and a Carnegie Library, as well as many schools, including Hammond High School. Joseph T. Hutton died in 1932. The firm he founded, now known as Hutton & Hutton, Architects and Engineers, is presently managed by William P. Hutton.[25]

The Newton County Courthouse is a sturdy and well-designed building, the work of a capable architect. Hutton was facile with the classically inspired styles that enjoyed currency at the end of the nineteenth century and into the first two decades of the twentieth century. In the case of the Newton County Courthouse, he proved himself able to design an enduring building that employed excellent local materials, even on an extremely modest budget. He understood the classical vocabulary that he worked with well and gave the citizens of Newton County an excellent example of the Italian Renaissance Revival style as the symbol of their county government.

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[23] Chicago Public Library, "1893: World's Columbian Exposition", www.chipublib.org
[24] Ralph W. Stark, "Boone County's Four Courthouses", quoted in Hutton, P. 5.
[25] Hutton, P. 6; http://hhaes.com

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Verbal Boundary Description:

The property includes the courthouse square. Beginning at the corner of East Dunlap and North 3rd Streets, follow the south side of East Dunlap Street east to the corner of North 4th Street. Turn south and follow the west side of North 4th Street to the intersection of East Graham Street. Turn west and continue along the north side of East Graham Street to the corner of North 3rd Street. Turn north and follow the east side of North 3rd Street to the place of beginning.

Boundary Justification:

The courthouse square has been associated with the Newton County Courthouse since it was constructed in 1906. Although trees have changed and new parking areas as well as additional landscaping has been added, the configuration has been retained. It is the logical boundary, owned by the County and serving the needs of the building.

11. Additional Documentation – Photographs
(Digital Photographs on a CD accompany this document)

NEWTON COUNTY COURTHOUSE

The following information is the same for all photographs unless otherwise indicated:
1. Newton County Courthouse, One Courthouse Square, Kentland IN 47951
2. Newton County, Indiana
3. Photographer Camille B. Fife, The Westerly Group, Inc.
4. July, 2007
5. Division of Historic Preservation & Archaeology, DNR, 402 W. Washington Street, Indianapolis, Indiana 46204 (photographic prints); The Westerly Group, Inc, 225 East Main Street, Madison, IN 47250 (original digital images).

PHOTO CAPTIONS

Site Plan

6. Looking East toward the west or front elevation of the courthouse.
7. Photo No. 1 of 25

6. Looking north, north east toward the south west corner of the building.
7. Photo No. 2 of 25

6. Looking north toward the south corner of the building.
7. Photo No. 3 of 25

6. Looking north, northwest toward the south east corner of the building from the parking lot.
7. Photo No. 4 of 25

6. Looking west toward the east or back entrance to the building showing the extensively landscaped square in the foreground.
7. Photo No. 5 of 25

6. An image looking south, south west toward the north side of the courthouse.
7. Photo No. 6 of 25

6. Looking south, south east toward the north west corner of the courthouse square, showing the court house and the landscaped square.
7. Photo No. 7 of 25

6. An image looking east toward the front of the building and the site.
7. Photo No. 8 of 25

6. A medium close up image of the front entrance to the courthouse, looking due east from the sidewalk.
7. Photo No. 9 of 25

First or Basement Floor

6. An image looking toward the front of the building from inside the commissioners' room. One of the vaults in the basement is shown at right.
7. Photo No. 10 of 25

6. A medium shot looking up the stair way leading from the basement to the second or main floor.
7. Photo No. 11 of 25

6. Looking north east toward the door to a second vault in the first or basement floor.
7. Photo No. 12 of 25

Second or Main Floor

6. Looking south west, this image shows the lobby on the second or main floor of the courthouse. The main entry doors are shown far right behind the glass security screen.
7. Photo No. 13 of 25

6. Looking north, this photograph shows the door and surround leading to the auditor's office.
7. Photo No. 14 of 25

6. A medium close up photograph showing the counter in the auditor's office. Much of the interior woodwork in the courthouse is original.
7. Photo No. 15 of 25

6. A view looking north west in the Auditor's Office showing the exterior windows on the north side of the building. All of the window openings are original.

7. Photo No. 16 of 25

6. A photograph showing the interior of the vault in the Auditor's Office. This is an original feature of the building.
7. Photo No. 17 of 25

6. This image, looking north east demonstrates the original counter wood work in the Treasurer's Office. The upper part of the counter has been cut down, but the lower part remains.
7. Photo No. 18 of 25

6. A medium close up image showing the decorative painting and wood surround on the vault door in the Recorder's Office.
7. Photo No. 19 of 25

6. A very close up photograph of the upper part of the vault door in the Clerk's Office.
7. Photo No. 20 of 25

Third or Court Room Floor

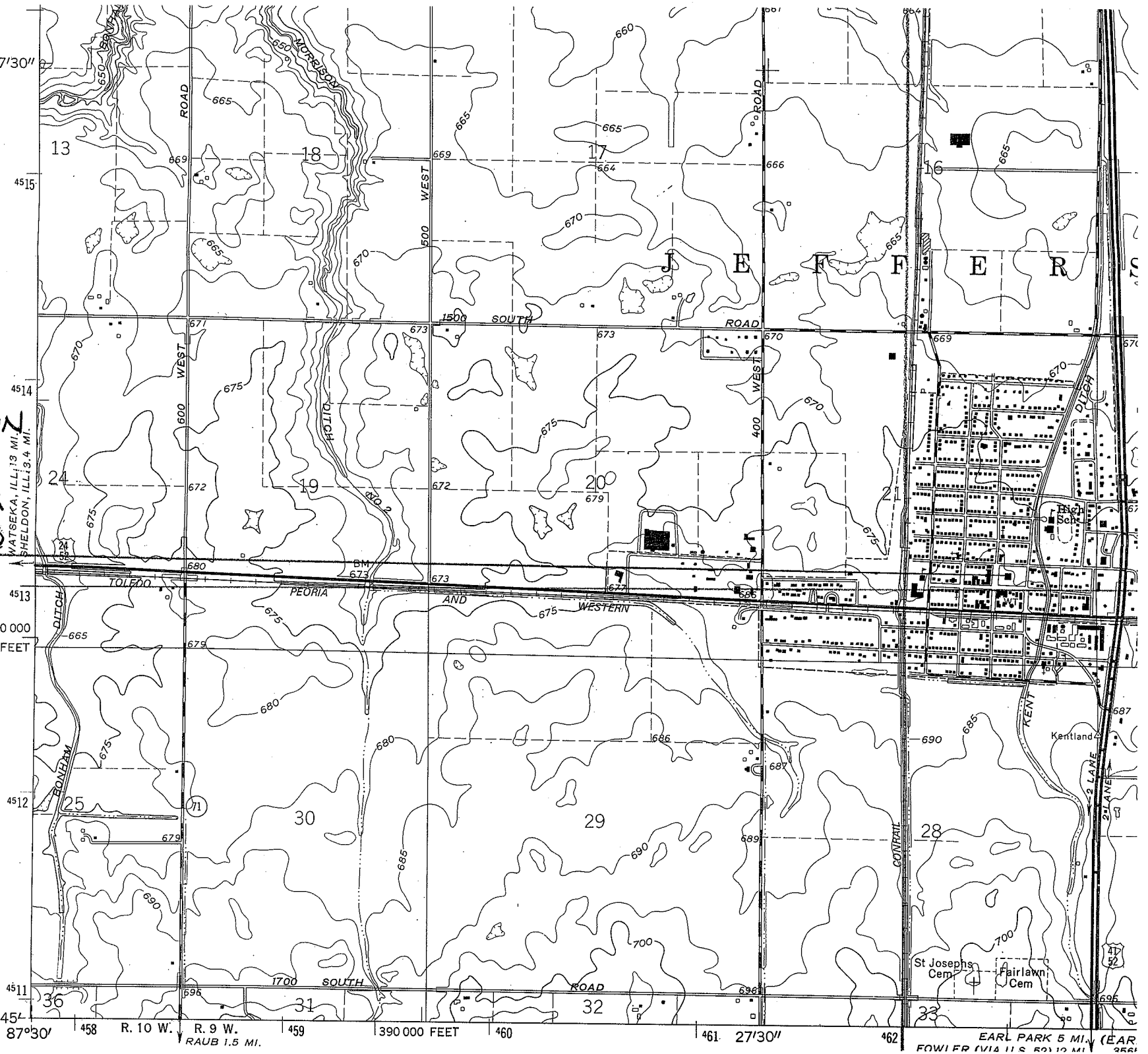
6. An image taken on the stair landing looking north showing the rail and newel.
7. Photo No. 21 of 25

6. Looking south east in the Circuit Court Room toward the west wall of the building.
7. Photo No. 22 of 25

6. An image looking south east toward the Circuit Court Jury Room with the clerk's room in the foreground.
7. Photo No. 23 of 25

6. Looking north across the lobby on the Third or Court Room floor toward the Superior Court Room and Jury Room. A security device is prominent in the foreground.
7. Photo No. 24 of 25

6. An image looking south west within the judge's chambers. The view shows the south and west windows at the corner of the building and an original desk.
7. Photo No. 25 of 25

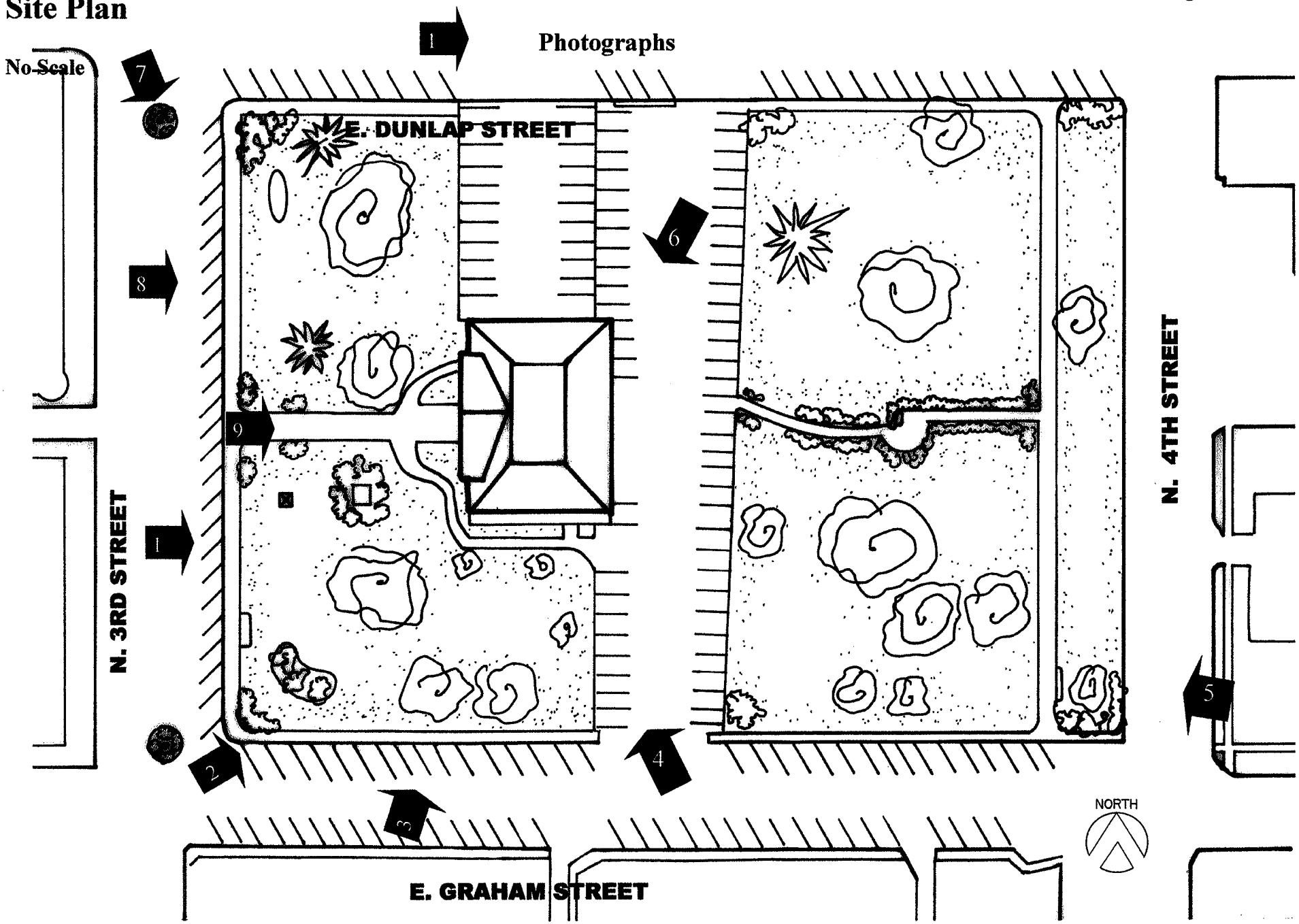


NEWTON COUNTY
COURT HOUSE
KENTLAND,
NEWTON CO., IN.

UTM REFERENCE:
16.462500.4513070

Newton County Court House
National Register Nomination
Site Plan

Prepared by The Westerly Group, Inc.
225 East Main Street, Madison, IN
August, 2007

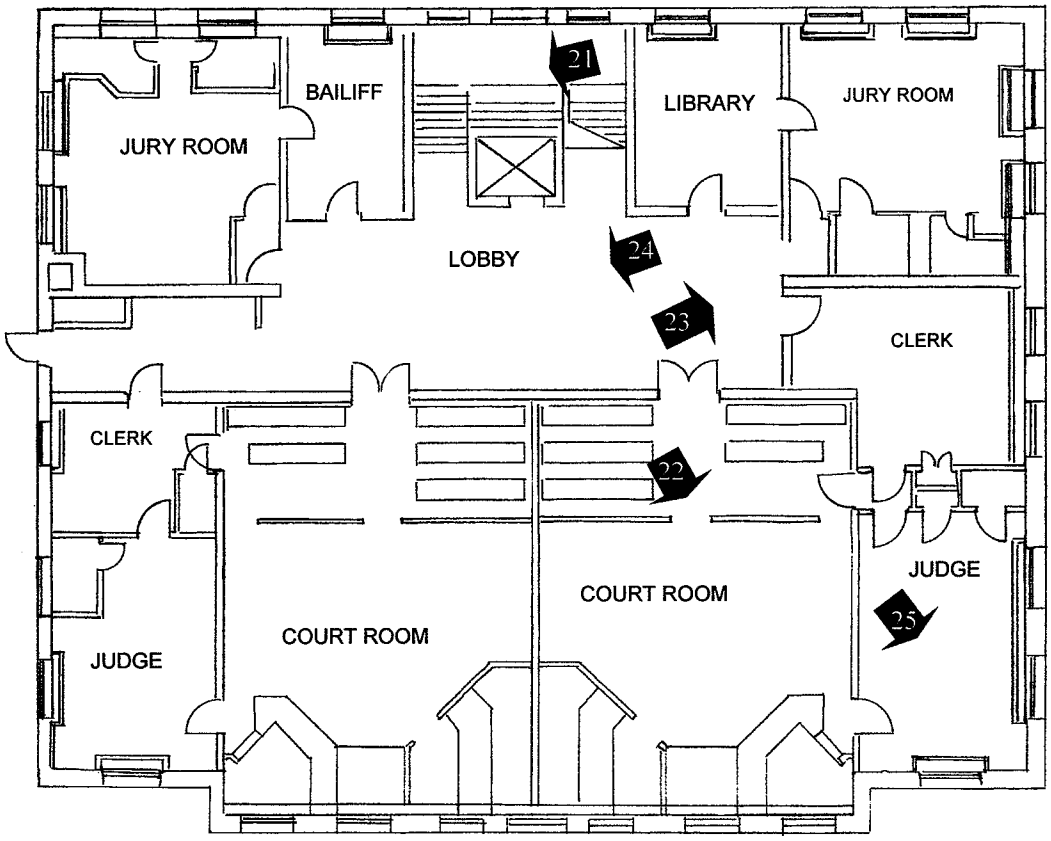


Newton County Court House
National Register Nomination
Third Floor Sketch Plan
No Scale

Prepared by The Westerly Group, Inc.
225 East Main Street, Madison, IN
August, 2007

NORTH

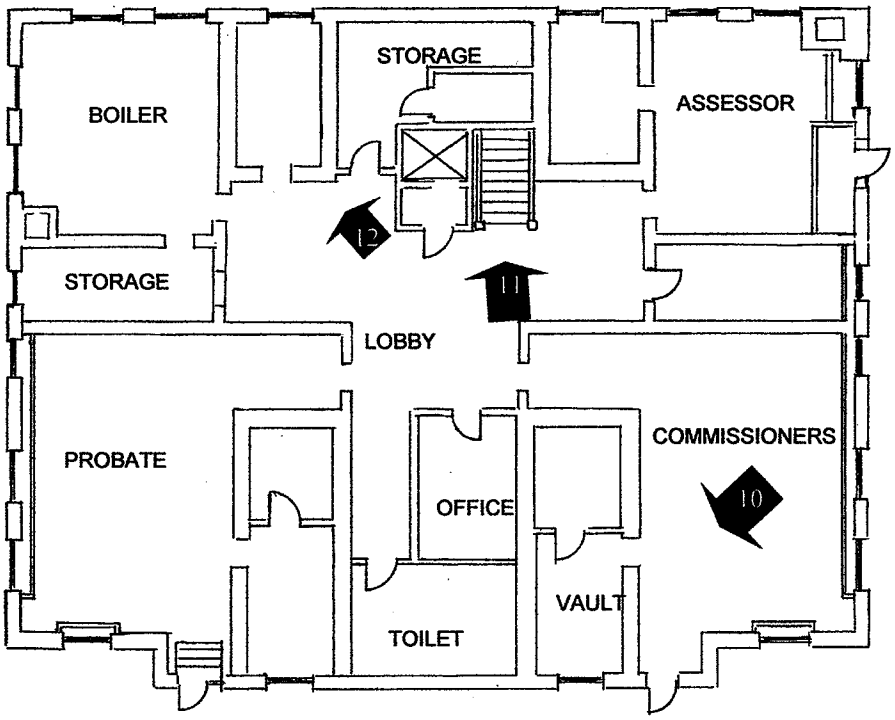
PHOTOGRAPHS 1



Third Floor

Newton County Court House
National Register Nomination
First and Second Floor Sketch Plans
No Scale

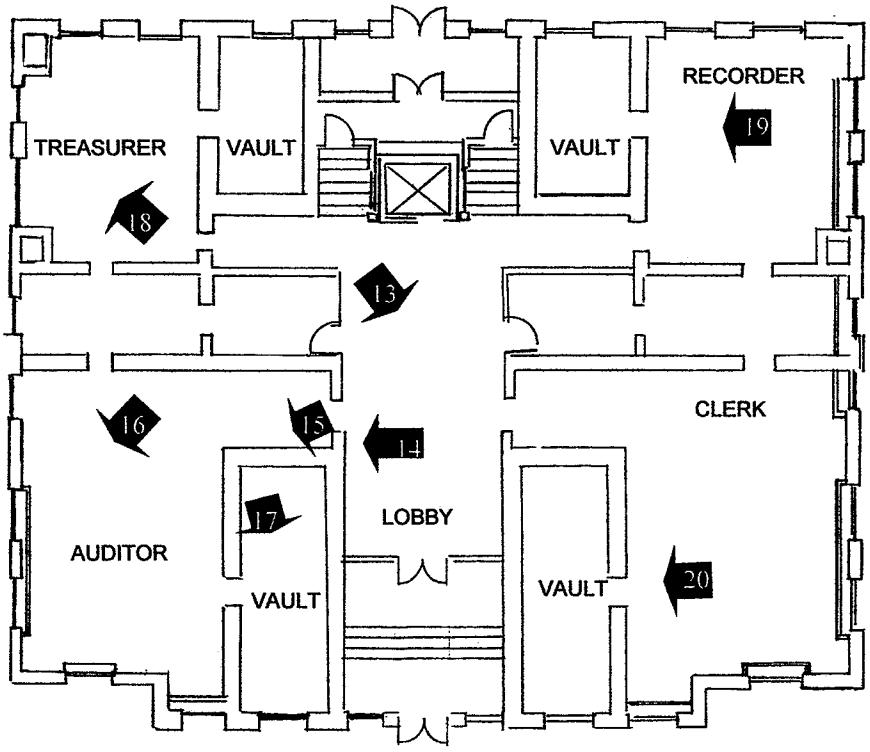
Prepared by The Westerly Group, Inc.
225 East Main Street, Madison, IN
August, 2007



NORTH

PHOTOGRAPHS 1

First Floor



Second Floor