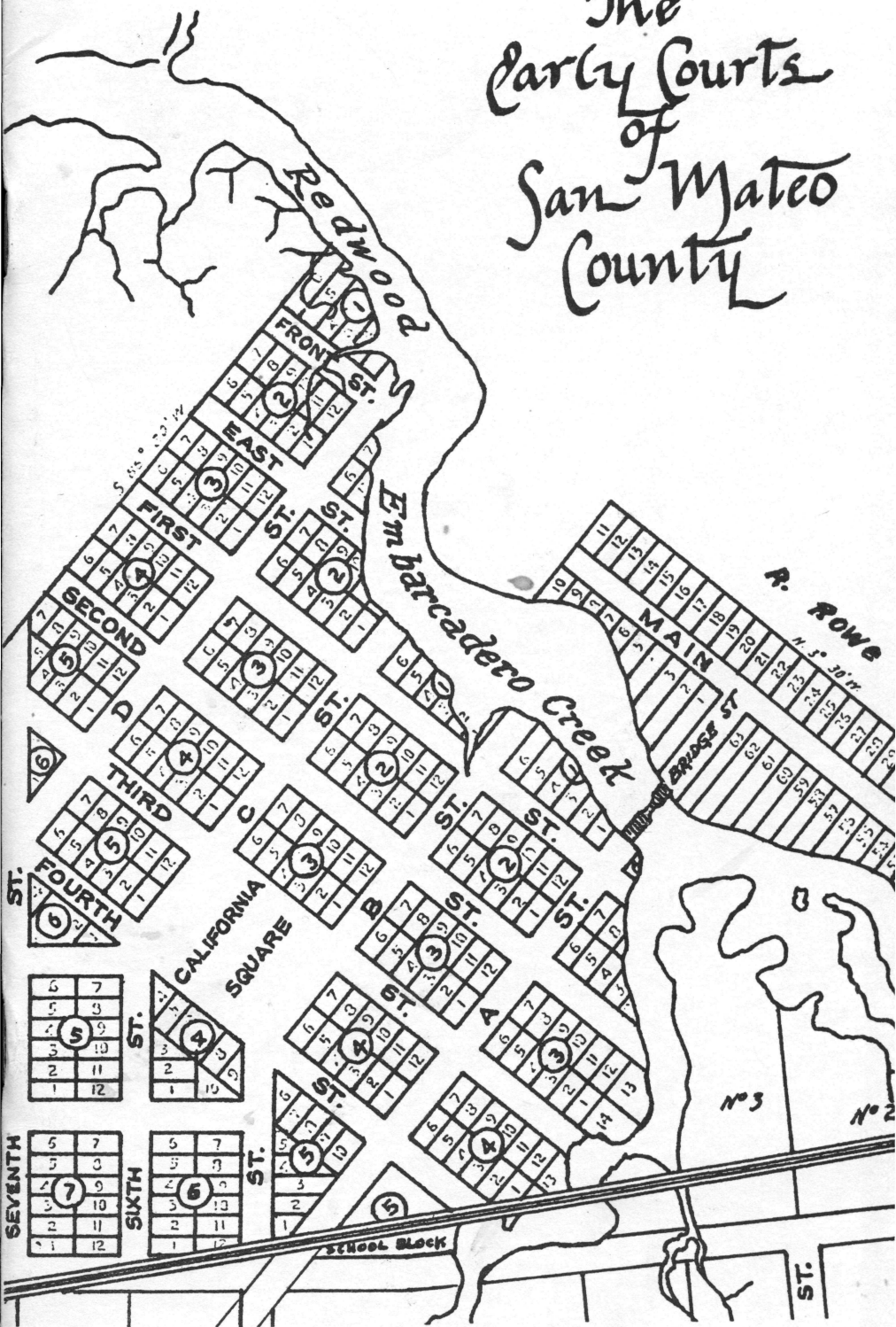


# The Early Courts of San Mateo County



The cover is a portion of a map of the Town of Mezesville (Redwood City) as it was laid out and surveyed in January, 1854.

Railroad tracks cut across the lower section. Fourth Street is now called Winslow Street; Third Street, Hamilton; Second Street, Middlefield; and First Street, Jefferson. C and B Streets are now Bradford and Marshall. A Street, with its bridge across the creek to Main, is now Broadway. California Square is now the site of the Hall of Justice Complex.



THE EARLY COURTS  
OF  
SAN MATEO COUNTY

Written and Researched  
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John G. Edmonds  
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1985 Board of Supervisors Anna Eshoo, John Ward,  
Chairwoman K. Jacqueline Speier, Bill Schumacher and Tom Nolan

#### INTRODUCTION

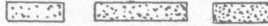
"It is in the best interest of the County of San Mateo to award the contract for Restoration of Stained Glass Dome, San Mateo County Courthouse, Redwood City, California, to the low bidder, Reflection Studios, Inc., for the sum of \$231,485, being the amount of the Contractor's base bid."

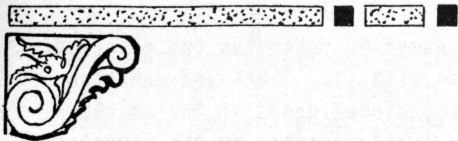
Section A of Resolution number 47558 of the  
San Mateo County Board of Supervisors,  
November 26, 1985

With this resolution the first steps were taken in the restoration of the fourth courthouse to stand on this property. Mother Nature has played an expensive role in the lives of

courthouses in Redwood City, but the dispensation of justice was never long interrupted.

This pamphlet is the story of the courthouses in Redwood City from the County's inception in 1856 to the additions to the old courthouse in 1939 and 1941.





San Mateo County became a county as a by-product of the legislation known as the Consolidation Act, written by Horace Hawes and approved by the legislature in 1856. The purpose of the act was the incorporation of the City and County of San Francisco, the borders of which were designated as they are today. San Mateo County came into existence through being excluded from Hawes' San Francisco borders, and was named and defined in the legislation.

Several of the best-known but less savory politicians of San Francisco were determined to defeat the legislation; they agreed, however, to a compromise that established the new county. Three of these politicians - Bernard and Billy Mulligan, and Chris Lilly - were able to apply sufficient pressure on the authors of the compromise that elections were required to be held very quickly; the bill, which was signed by Governor J. Neely Johnson on April 19, 1856, required that "there be held an election for county officers, and to determine the county seat, on the second Monday in May of the present year."

Lilly and the Mulligans schemed to get themselves and their henchmen elected to the highest offices, in order to gain control of the county government. They took over three of the thirteen voting places and planned "returns" from the three in such a way that their key men would be elected no matter what occurred in the other polls. The three targeted precincts were the Colma region, the Laguna area (comprising the valley which is now filled by Crystal Springs Lake), and Belmont, where the population consisted of scattered farms.

The would-be "bosses" took no chance on subtlety. The vote count in Laguna totalled 297 votes cast - somewhat more than the 25 eligible adult male residents of the area. Colma similarly registered 500 votes where only 50 or 60 should have been counted. In Belmont, witnesses were not even allowed in to monitor the count. At a time when only adult males were allowed to vote, more than 1800 ballots were counted out of a total county population of 2500.

An attempt was made by Charles Clark of Colma and John Johnston of Half Moon Bay to study the outcome. A third man,

Dr. R. O. Tripp of Woodside, was named to supervise the election, but refused to have anything to do with it. Clark and Johnston met with the best intentions behind closed doors at the American House, a hotel in Redwood City; a little gunplay by the racketeers brought them into line, and they agreed not to make a fuss about the election's results.

The slate of officers in their pocket, however, was not complete. One of the most important posts, that of county judge,



Judge Benjamin I. Fox,  
First San Mateo County  
Judge.

"Judge Fox was born in central New York in 1804. He was reared in and near Buffalo, living with an elder brother who was a lawyer of considerable prominence. In 1826 he removed to the then wilds of Michigan, where he married Betsy Crane in the following year. In 1848 he was elected a member of the legislature of Michigan, in

which body he soon became a prominent member. In 1850 he came overland to California and with others was caught by the snow in the Sierras, where they suffered from cold and starvation to such an extent that several of the party died, and those that survived were many months in recovering from the effects of their sufferings. In 1853, the judge returned east and brought his family to California, and settled in San Mateo County, where he continued to reside until his death. Upon the reorganization of San Mateo County in 1856, he was elected county judge, which position he occupied for four years."

- Obituary of Benjamin I. Fox, San Mateo County Gazette,  
February 6, 1869

was won by an honest and upstanding Redwood City resident, Benjamin Fox. Fox sat on the bench for four years, and was a powerful voice for law and order in the new county. It was under his guidance that the county court system was established, and one of his first actions was to launch an investigation into the fraudulent election. The losing candidates brought suit in his court as it was sitting at Angelo's Hotel in Belmont, the town named county seat in the election.

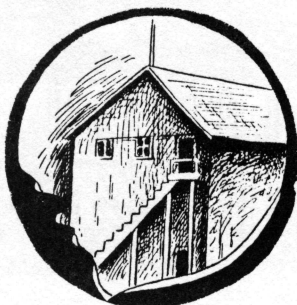
The infamous Committee of Vigilance was on the rise at this time in San Francisco, and a number of persons involved in the San Mateo County election found themselves in jeopardy for past indiscretions. Many of them left, virtually overnight, for parts unknown.

One who didn't move fast enough was James Casey, a graduate of Sing Sing Prison, who lost the race for county supervisor to Charles Clark. Casey went back to San Francisco where he was caught by the Committee and hanged for the murder of newspaper editor James King.

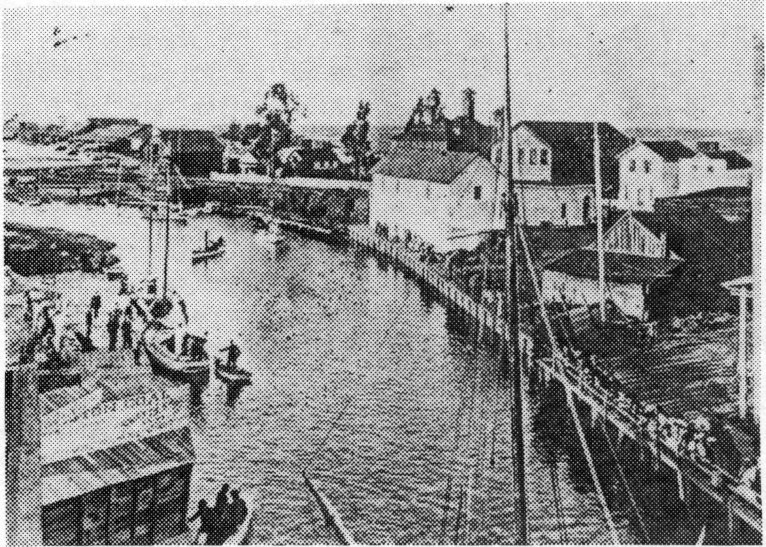
In October the California State Supreme Court ruled the entire election invalid. The court said that since the consolidation act did not contain a specific enabling clause allowing an election, and since the act did not take effect until July 1, any election held before that time was illegal. The elected officials had, nevertheless, been functioning as a government for some time; they continued to do so until a true and legal election was held in 1857.

"An act to reorganize and establish the County of San Mateo" was passed by the legislators on April 18, 1857. This act defined the county's boundaries and fixed Redwood City as the county seat.

When Redwood City was declared to be the legal seat of government, a storehouse belonging to J. V. Diller was rented to the new county for use as a courthouse. This building stood on the banks of Redwood Creek, just behind a store also belonging to Diller which is known now as the



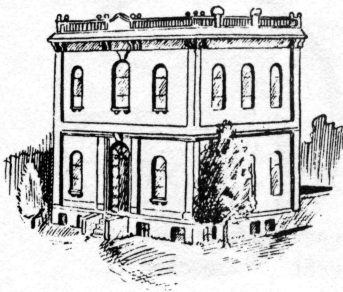




The Embarcadero of Redwood City circa 1892. The large two-story building in the center is the storehouse of J. V. Diller which was rented to the county for forty dollars a month. The building in front of it is Diller's store, which is now the Quong Lee Laundry on Main Street.

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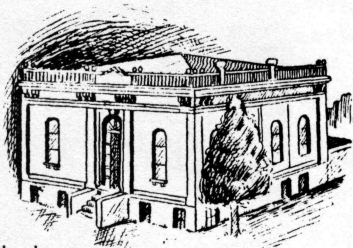
Quong Lee Laundry. The courthouse and jail combined to take up the upper story of the storehouse, and remained housed there until the first true courthouse was constructed on land donated to the county in February, 1858, by Mr. Simon Mezes.



The Board of Supervisors accepted the land (block 3, range B of the Mezesville Map) for use as a government center, and agreed upon and instituted construction of the first courthouse. The two-story structure stood on the land where today's courthouse stands; because of its proximity to the lumber docks and the always-present stacks of shingles, it was known as "The Old Gristmill Court." The

basement was fitted out as the county jail, and the first floor housed the government center and the court. The second floor served in a social capacity, and was used for meetings, dances, and - for a short time - Sunday services of the First Congregational Church.

The first courthouse did not long exist in its two-story form. A very strong earthquake occurred on October 21, 1868; the building's upper story was damaged so severely that it had to be removed. The remaining one-story structure served from



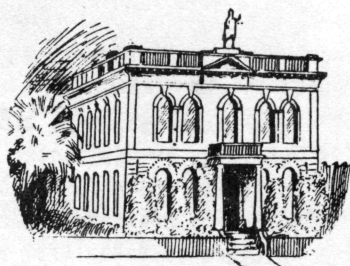
Courthouse #1, "The Old Gristmill Court," the two-story building in the center background of the picture. It occupied the property on which the present courthouse sits, property donated to San Mateo County by Simon Mezes. This picture is taken from about where the county parking lot is today.

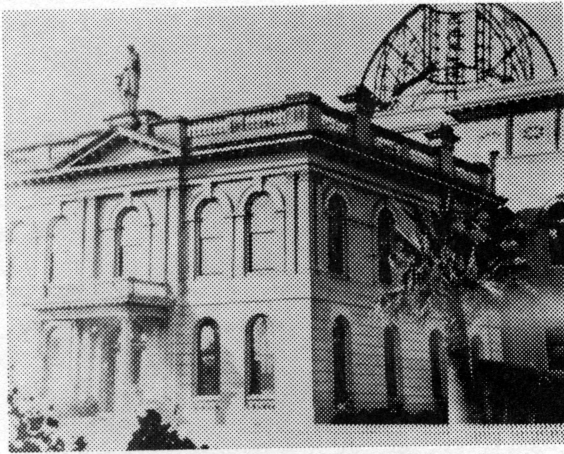


Courthouse #2, "The Justice Court," named after the statue which adorns the roof over the front door. The building behind the court is the first floor of the first courthouse; the second story of that building had to be removed in 1868 due to earthquake damage.

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January, 1869, until courthouse number two, "The Justice Court," was built in front of it in March, 1882. This new building had a large statue of Lady Justice on the roof above the front door, and was surrounded by a substantial fence to keep the neighboring cows from destroying the grass.





Courthouse #3, under construction. The new courthouse was built directly behind courthouse #2. It was complete and about to be occupied when the earthquake of April 1906 destroyed them both.



Earthquake damage, 1906, looking at the courthouse from the western corner.

Construction on courthouse number three was begun immediately behind the Justice Court. The new building, distinguished by its stained-glass dome, was scheduled to be occupied in 1906. The second courthouse was to have been removed on number three's completion, and yet another fence erected against the local cows.

However, neither building was to remain standing for long: the giant earthquake of April 18, 1906, destroyed them both.

The debris was cleared away and work began on reconstruction of the new building. Its 116-foot dome had survived the earthquake relatively unharmed. It was discovered, as the new courthouse was being rebuilt, that the dome was a secondary

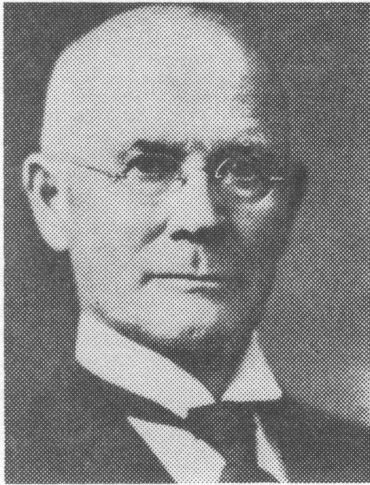
"Did it ever occur to you that a woman has as much right to a day off as a man has? Did it ever occur to you that a woman is not a horse, to be driven into a stable and tied up for the rest of her life?

"So she has been on the job all the time. Young man, just think of it. That poor woman there with those two children morning, evening and night every day in the year and you were out every night with the boys. Did you ever think of her as being your partner and entitled to half the rest? Did it ever occur to you that she had as much right to get up her wrath and curse and swear at you as you had to curse and swear at her? Of course you didn't, and that shows you were not brought up properly. Did you ever think it was your duty to take care of the children occasionally and give her a day off? Of course you didn't; you don't appreciate the fact that you are a married man. Such a man as you should never have gotten married. You had a good wife and didn't appreciate her. I will not grant a divorce at this time but will continue the case, hoping you two can get together and make up your differences. Go and apologize to your wife and see if she won't forgive the past and give you another chance."

- Judge Buck, from the bench, to the husband in a divorce case, 1913

cause of much of the damage to the rest of the building: the supporting steel frame had not been satisfactorily bolted to the foundation and its great weight acted as a pendulum on the surrounding structure.

Judge George H. Buck was the first to occupy the bench in what is now called Courtroom A when the fourth courthouse was finally completed in 1910. He had been elected county judge in 1890; he was firm in what he believed was right, and on April 14, 1908, he made it clear that he was not happy with the progress of the new courthouse. When he swore in the new grand jury for the year, he declared that "over two years ago now, the county, very liberally, voted courthouse bonds to the amount of \$150,000; very little progress has been made on the building. The grand jury should make an investigation and place the blame where it belongs." He spoke these words from the Odd Fellows Temple on Main Street. This building, which still stands, hosted the court during the years of reconstruction.



### Judge George H. Buck

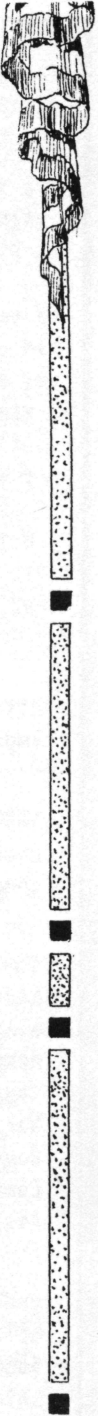
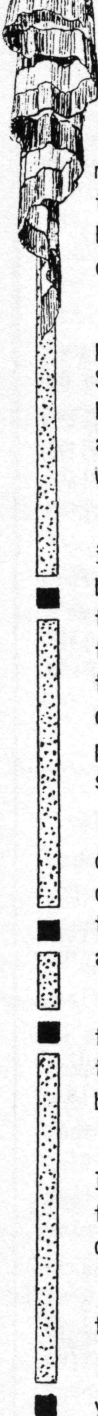
George Buck was born in Harrison, Maine. He began studying law with the Boston firm of Woodbury & Ingalls, and was admitted to the Maine Bar at the age of 24. He held the position of associate attorney for the Cincinatti & Lafayette Railroad. Failing health forced him to move to the milder climate of California; he arrived in Redwood City with 45 cents in his pocket and became a day laborer to earn his bed and board. In his

off-hours he managed to organize a law practice and garnered an impressive clientele.

Buck was elected district attorney of San Mateo County in 1882, and held that position for eight years. In 1890 he ran for county judge, was elected, and remained in that position as sole county judge for 42 years, hearing an estimated 20,000 cases.

George Buck was a powerful leader and politician in San Mateo County business, government, and social life whose influence was known to swing many votes; for this reason the newspapers occasionally referred to him as "Boss Buck", although members of the community knew him to be a generous man, noted for his gifts and donations to families, organizations and charities. During World War I, he worked with the San Mateo County Division of the State Council of Defense and naturalized 1,100 foreign-born soldiers at Camp Fremont. He was a founding member of the San Mateo Bar Association in 1916, and was elected its first president.

The well-known "Flood Estate Case" was the beginning of the end for Judge Buck's rule. The election of 1932 gave the people of San Mateo County an opportunity to voice their opinion of Judge Buck's decision: they voted him out and elected Maxwell McNutt into the office Buck had held for 42 years.



## THE STRANGEST CASE OF ALL

Judge Buck's career was long and distinguished. He made national news in July, 1931, when he presided over the civil inheritance trial of Constance May Gavin v. James Flood. The three-week trial brought more visitors to this old building than any other single incident or case.

When James Flood, the highly-respected financier and philanthropist, died in 1926, he left an estate of \$18,000,000 to his widow and their two children. Shortly, however, a young woman named Constance Gavin came forward and filed a Notice of Appearance, stating that she, too, was a daughter of Mr. Flood and his first wife, Rose Fritz.

The case was tried before Judge George Buck in what is now Courtroom A in the Old Courthouse. The trial began July 20, 1931, and was given national attention by the press. It ended August 7, 1931, after many witnesses testified on both sides. In spite of the summer heat, the courtroom was packed throughout the trial, and the double doors had to be left open for the benefit of the people crowding around the rotunda and spilling down the stairs leading up to the courtroom.

The trial brought Judge Buck to the end of his career. To everyone's astonishment, he ordered a directed verdict in favor of the Flood family before the attorneys were able to close their cases with final arguments.

Public opinion had already veered to Mrs. Gavin's favor, and fully ten of the twelve jurors announced that they would have voted in favor of the plaintiff, had they been allowed to do their duty.

The outcome incensed the public. An effort was launched to recall the judge, while Mrs. Gavin's attorneys filed for a new trial, disqualifying Judge Buck, the county's only judge at the time.

A new trial was eventually ordered but the Flood family settled with Mrs. Gavin for \$1,025,000.

Judge Buck was defeated in the elections the following year, and retired to his home on Jefferson Avenue.

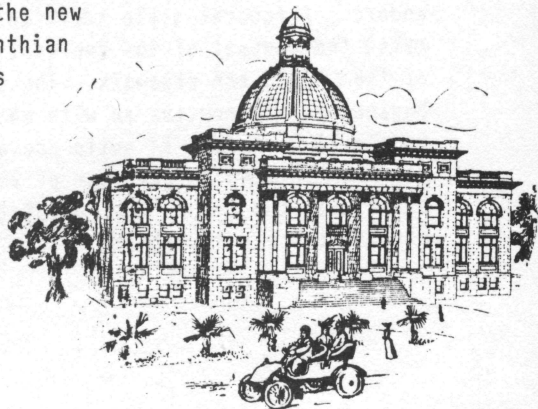


Courthouse #4, the building in use today, circa 1920

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The courthouse was designed by George A. Dodge in 1903, and is a grand example of Roman-Renaissance architectural style. The exterior of the building was faced with warm-toned Colusa sandstone. Eagles carved in stone perched on the tips of the parapets, their wings spread over the activities below.

The front entrance to the new courthouse had massive Corinthian columns and a sweep of steps to ground level. A park-like frontage of grass and exotic greenery completed the setting, and created a center both dignified and accessible. Its dedication on July 4, 1910, was a gala affair: people came from miles away





## Acknowledgments

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