

# A BRIEF HISTORY

With Statistics



of the  
COURT HOUSES OF MONTGOMERY COUNTY

1837 - 1938

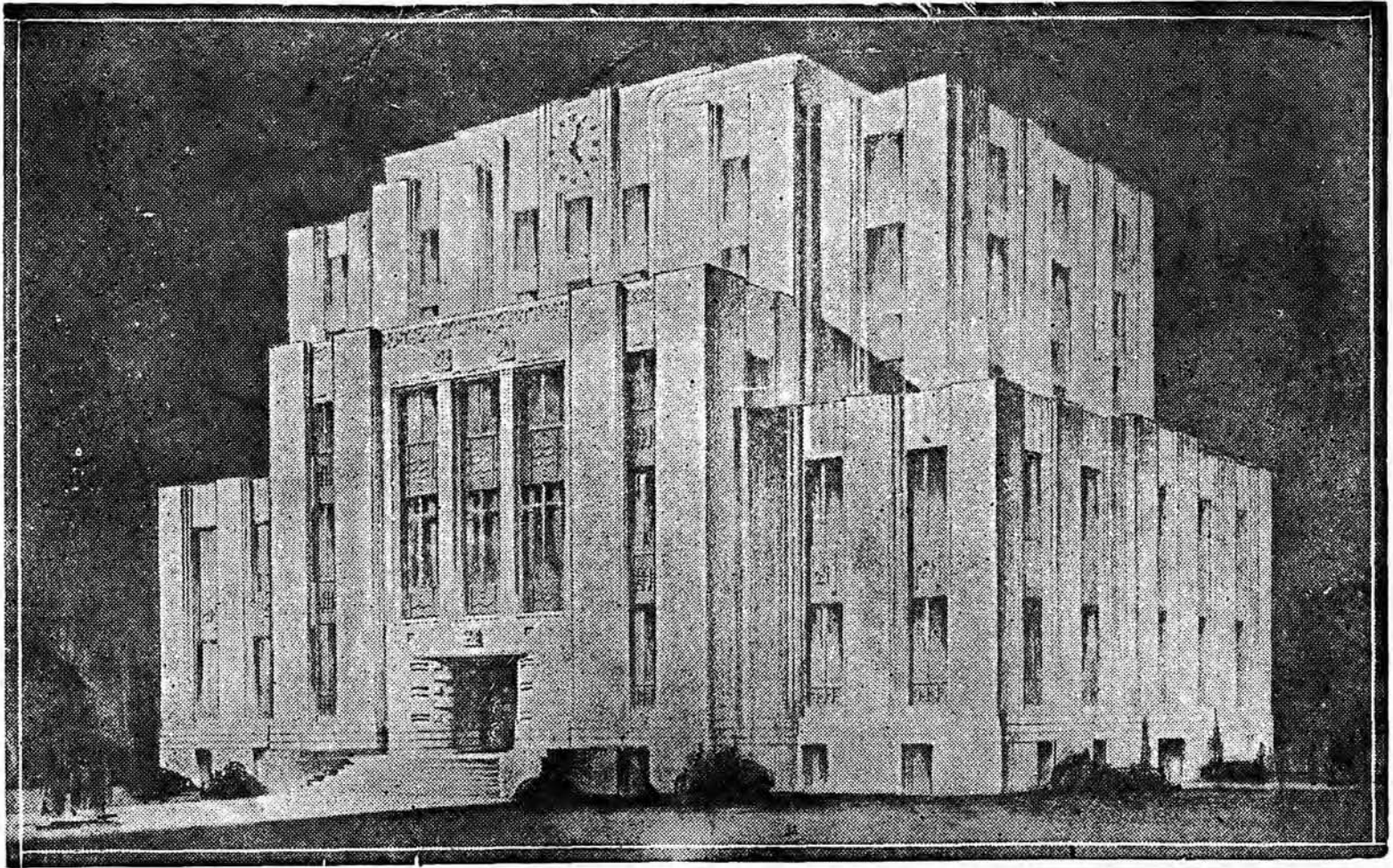
## *Introduction*

With the completion and occupancy of Montgomery County's fine, new Court House in 1936, the citizenship became "Court House conscious" and much interesting comparison was made in conversation among the citizens of this fine, new building and the old Court House that was torn down to make room for it.

In February, 1938, the final payment of all costs was made on the new Court House. Reminiscences of old Court Houses then reached back beyond the memory of this generation and into the history and statistics of all the Court Houses Montgomery County has had since its organization over a hundred years ago.

So much interesting data was found that it was decided by your County Auditor to publish this material in a book to be available to those who are interested, who do not find it convenient to engage in research.

This book is the culmination of a desire to put in concise record some history and statistics of the Court Houses of Montgomery County.



NEW COURT HOUSE OF MONTGOMERY COUNTY

Erected in 1936

# *Citizens' Advisory Committee*

*For the Building of New Court House*

W. N. HOOPER  
Chairman  
Conroe

A. R. WOODSON  
Financial Advisor  
Conroe

CHAS. HARRITT, JR.  
Conroe

R. D. SIMONTON  
Conroe

PERRY McCOMB  
Conroe

J. E. SCOTT  
Willis

ROY WATSON  
Willis

L. Q. GOFF  
Willis

J. D. BUCKALEW  
Magnolia

W. T. BRAUTIGAM  
Magnolia

T. H. YON  
Magnolia

T. L. WILCOX  
Montgomery

R. A. POWELL  
Montgomery

W. S. WEISINGER  
Montgomery

# County Officials

- 1936 -

*At time of completion of new Court House*

R. H. WEATHERLY, County Judge  
C. B. STEWART, County Clerk  
J. E. PACE, Tax Collector and Assessor  
OLLIE WOMACK, County Treasurer  
G. H. HOOPER, Sheriff  
A. K. STEWART, County School Supt.  
G. L. CLYBURN, County Agent  
LELA MAE FORTENBERRY, County Home  
Demonstration Agent  
PAUL G. GROGAN, County Attorney  
A. E. HICKERSON, County Auditor  
LESTER K. McGUIRE, District Clerk  
J. L. MANRY, Judge, Ninth District  
W. B. BROWDER, Judge, Special Ninth District

## Commissioners

LESLIE DOUGHTIE, Precinct No. 1  
Willis, Texas  
FRED EDGAR, Precinct No. 2  
Conroe, Texas  
E. J. DAMUTH, Precinct No. 3  
Magnolia, Texas  
H. L. MONTGOMERY, Precinct No. 4  
Montgomery, Texas

- 1938 -

*At time of compiling of this book*

JOE W. STRODE, County Judge  
MRS. ZULA STEWART, County Clerk  
J. E. PACE, Tax Collector and Assessor  
OLLIE WOMACK, County Treasurer  
G. C. MOSTYN, Sheriff  
A. K. STEWART, County School Supt.  
PAUL G. GROGAN, County Attorney  
A. E. HICKERSON, County Auditor  
H. C. SISCO, County Surveyor  
G. L. CLYBURN, County Agent  
MRS. GRACE M. MARTIN, County Home  
Demonstration Agent  
LESTER K. McGUIRE, District Clerk  
W. B. BROWDER, Judge, Ninth District  
E. T. MURPHY, Judge, Special Ninth District

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J. H. WILLIAMSON, Precinct No. 1  
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FRED EDGAR, Precinct No. 2  
Conroe, Texas  
E. J. DAMUTH, Precinct No. 3  
Magnolia, Texas  
W. S. WEISINGER, Precinct No. 4  
Montgomery, Texas

**COST OF CONSTRUCTION**  
**OF**  
**NEW COURT HOUSE**



**ERECTED**  
**1936**

SEPTEMBER 23, 1935, TO NOVEMBER 1, 1937

Started Demolishing Old Court House September 23, 1935

Started Construction on New Court House October 21, 1935

Accepted by Commissioners' Court November 4, 1936

**BUILDING AND EQUIPMENT**

Joseph Finger, Inc., Architect .....	\$ 16,658.25
General Contract .....	215,987.37
Plumbing, Heating and Air Conditioning .....	27,525.15
Sanitary Equipment .....	2,240.65
Prison Equipment .....	30,500.00
Electrical Wiring .....	11,379.15
Electrical Equipment .....	8,865.00
Cabinet Work .....	8,590.00
Elevator .....	4,508.00
Jail Kitchen Equipment .....	1,231.75
Jail Laundry Equipment .....	2,175.00
Furniture and Fixtures .....	19,022.36
Window Blinds .....	2,216.00
Extra Equipment (Cuspidors, Mats, etc.) .....	1,036.89
Window Adjusters and Ventilators .....	1,323.41
Directory and Bulletin Boards .....	418.90
<b>TOTAL .....</b>	<b>\$353,677.88</b>

**COST OF COURT HOUSE LAWN**

**LANDSCAPING, ETC.**

Sprinkler System .....	\$1,498.00
Landscaping, Shrubbery, etc. ....	529.62
	—————
<b>TOTAL .....</b>	<b>\$2,027.62</b>

**COST OF PRELIMINARY SURVEYS**

**ADVERTISING FOR BIDS, ETC.**

Surveys .....	\$ 56.30
Travel Expense .....	97.40
Advertising for Bids .....	45.41
Certified Copies of Contracts .....	9.50
	—————
<b>TOTAL .....</b>	<b>\$208.61</b>



**JAIL AND JURY ROOM BEDDING  
AND EQUIPMENT**

Jury Room Bedding, etc. ....	\$ 650.00
Jail Bedding, etc. ....	1,741.00
	<hr/>
<b>TOTAL</b> .....	<b>\$2,391.00</b>

**COST OF PAVING AROUND COURT HOUSE  
BLOCK AND HALF BLOCK OLD JAIL  
LOCATION**

Paving .....	<b>\$5,553.58</b>
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**COST OF MOVING FROM OLD COURT HOUSE INTO TEMPORARY  
OFFICES AND THENCE TO NEW COURT HOUSE, ETC.**

Moving and Repairs to Temporary Offices .....	\$ 1,748.59
Guards for Temporary Offices .....	4,398.52
Rent on Temporary Offices .....	3,066.67
Service Charges on Borrowed Money .....	5,350.54
Signs for New Offices .....	133.50
Flag .....	34.30
Moving Jail Fence .....	25.00
Moving Relief Offices .....	505.45
Demolishing Old Jail .....	680.00
Keys for New Court House .....	19.25
TOTAL .....	\$15,961.82

### RECAPITULATION

Building and Equipment .....	\$353,677.88
Court House Lawn and Landscaping .....	\$ 2,027.62
Preliminary Surveys, etc. ....	208.61
Jail and Jury Room Bedding, Equipment .....	2,391.00
Moving, Guards, Rentals, etc. ....	15,961.82
Paving .....	5,553.58
	<hr/>
<b>TOTAL</b> .....	<b>\$379,820.51</b>



**FIRST COURT HOUSE ERECTED IN CONROE—1890**

This picture was made late in 1909, after the building was given a coat of plaster. The trash on the lawn was left by workmen when the scaffolding was torn down. Notice the wooden pen on the south side. This was built by R. L. Talley, then County Treasurer, to protect a small pecan tree from cattle and horses. The pecan tree grew into a beautiful shade tree, which was cut down when the new court house was built in 1936.

# *History of the Court Houses of Montgomery County*



Montgomery County came into existence as a county in 1837, with the old town of Montgomery as county seat. In 1838 a small log cabin, 20 feet by 20 feet, located on the court house square in the town of Montgomery, served the people as a court house. W. W. Sheppard donated 60 acres of land for county purposes, and a historian says that the building was purchased from him and moved to the square.

In 1842 a new court house was built and the little log cabin was sold to Appleton Gay, who had it moved to his property, just north of the court house square, and added it to his home where it is served as a kitchen.

The new court house was a two story building, built with hand hewn lumber. Since adequate funds were not available at that time, Joseph Rhodes, the builder and contractor, agreed that if he were not paid for his work by the fall term of court, he would accept

“a reasonable rent”. On October 19, 1846, however, Rhodes deeded the court house to the county and was paid a balance of \$200 due him for construction.

The building was repaired and remodeled from time to time, the last contract being with Lem Clepper and dated February 18, 1850. After much delay and extension of time his work was completed on the “second Monday in September, 1850”.

On February 22, 1853, a new court house was ordered built on the public square, at a cost of \$3000, the county to be aided by private subscription and the indebtedness to be paid \$1000 per year. In March of the same year the old court house was judged unsafe, and court was held in the Baptist church. They agreed “to pay all damage to the building, and to clean and scour it when court was over”.

## History - Continued



Judge Green Gay bought the old building and moved it north of Montgomery on Town Creek, where he made it into a residence. He lived in it until he moved to Bee County, where he became the first county judge of that county.

Very definite specifications were drawn for the fine, new court house, even for two lightning rods, at a cost of 50 cents per foot! The building was completed in 1855 and on March 19 was accepted and the offices designated.

The court house was the center of all activity in those days, and Appleton Gay was made responsible for the court room on the second floor. He carried the key and had the authority to rent it for social gatherings or plays by the day, week or the year, when court was not in session. This was the last court house in Montgomery, the next one being built in Conroe.

In 1874 an agitation to move the county seat to Willis was started. On September 7 an election was held, the vote being 788 for Willis and 646 for Montgomery. A very heated argument between County Judge J. M. Lewis, who lived in Willis, and the other county officials, who lived in Montgomery, followed. After six years of litigation, during which time court was held only once in Willis, another election was held and the result was 1308 to 1243 to leave the county seat at Montgomery.

After nine years, in 1889, J. K. Ayres and 200 other citizens petitioned the court to hold an election for moving the county seat to Conroe. On May 6 the election was held, and in spite of the fact that most of the population was west of the San Jacinto River the combined vote of Conroe, Willis and the mill population at Leonidas, near Conroe, the election result was 1161 for Conroe and 1099 for Montgomery. Conroe profited by Willis' experience and lost no time

## History - Continued



in getting the county seat moved. Just seven days later a temporary building was designated to be used as a court house. A building owned by Isaac Conroe was rented and the county seat was officially moved to Conroe.

J. K. Ayres deeded the land to the county for \$1.00 for the court house and jail sites, but some controversy followed because the location was too far from town. The land was accepted, however, and on May 15 the county judge was authorized to advertise in the Willis Item, The Galveston News and The Houston Post for bids and specifications for a brick court house and jail not to exceed \$10,000. The contract was let to Moodie and Ellis, of Greenville, for \$25,295 for the buildings and \$3,485 for the iron and steel work in

the jail. Some of the citizens thought that was an enormous amount, and preferred a frame building at much less cost and made a formal protest to the commissioners' court, complaining of extravagance. The contract was allowed to stand, however, and the new building was completed in 1891.

Red brick, which were manufactured in Conroe, were used in this court house and jail, which most of the present generation remembers quite well. Many repairs and changes were made in the original building and in 1909 it was plastered on the outside, and thus it stood until it was torn down to make way for our beautiful, new court house, which is the pride of all the citizenship of Montgomery County today, and enthusiastically admired by all visitors to the city.

# *Historic Dates in the Lives of the Court Houses of Montgomery County*



## FIRST COURT HOUSE IN MONTGOMERY

- 1838—March 1—Commissioners' court met and accepted donation of W. W. Sheppard of 60 acres of pine land for county purposes. Committee appointed to contract for and superintend necessary public buildings; court house not to exceed \$1000; jail \$1000. This committee was composed of B. B. Goodrich, William Rankin and William C. Clark. Lemuel Smith appointed draftsman to draft plans for court house.
- 1838—April—Committee reports the purchase of a court house.
- 1838—October—Lemuel Smith presented account against county for removing court house, making bar, judges' seats, jury boxes, etc., \$200. Court ordered that in event purchase price of \$800 for the court house shall not be paid as per contract in one year from date, same shall revert to W. W. Sheppard and he shall be entitled to reasonable rent.
- 1840—April 1—W. W. Sheppard sold his part of town tract, including house used as court house, to James McCown.
- 1841—January 5—Court adopted the report of committee chosen to select site for court house. Proposal of James McCown to move court house to hill accepted. Court ordered that subscriptions made by citizens for building court house and jail be null and void.
- 1841—January 7—Court ordered \$75 to be paid to W. W. Sheppard and James McCown for rent on court house.
- 1842—July 5—On motion of B. B. Goodrich court voted on moving court house. Decided it should remain at Montgomery.



## *Historic Dates - Continued*



### SECOND COURT HOUSE IN MONTGOMERY

- 1846—September 8—Joseph Rhodes, builder and contractor of court house to be paid for his work or to receive a reasonable rent for fall term of court.
- 1846—October 19—Joseph Rhodes deeded court house to county. Received \$200, balance due him for construction.
- 1848—January 13—Lower room of court house remodeled—western room, county clerk; north half district clerk.
- 1848—April 1—R. B. Martin's account for repairs allowed. Time extended for repairs to be completed.
- 1850—February 18—Contract with Lem G. Clepper to run partitions through lower room of court house. Specifications very definite. Time limit 90 days. Offices designated.
- 1850—May 20—Time extended for completion. Slight change in specifications.
- 1850—August 20—Lem G. Clepper given further extension of time, until second Monday of September.
- 1851—February 7—Fisher allowed \$10 for fitting up sheriff's office.

## Historic Dates - Continued



### THIRD COURT HOUSE IN MONTGOMERY

- 1853—February 22—New court house ordered built on public square; two stories; to cost \$3000. County to be aided by private subscription. \$1000 to be paid each year.
- 1853—February 23—Committee on building, J. H. Price, H. R. Bell, Major Green Wood, John M. Lewis and William McRae. Any three may agree on specifications and plans.
- 1853—March 30—Court house judged unsafe for court, moved to Baptist church; agreed to pay all damages to building—to clean and scour it.
- 1854—November 20—Contract with J. S. Frazier for lightning rods on court house. Ordered two rods at 50 cents per foot.
- 1855—March 19—Report of building committee approved, building accepted and offices designated.
- 1856—May 19—Contract with Appleton Gay to replace broken window lights and place door at steps leading to district court room. Keep key in his possession except during court. Gay given power to rent out court room.
- 1859—February 24—A. W. Morris to contract with any person to repair court house top.
- 1870—May 9—Rooms designated in court house.
- 1874—September 7—Voted to move county seat to Willis; vote, 788 to 646.
- 1875—May 6—E. A. Linton, justice of the peace, filed protest against county court being held in Willis. Refused to recognize the signature of A. Richards as legal.
- 1877—March 3—J. M. Lewis, county judge, ordered county seat to be moved to Willis.
- 1877—March 12—County court declared decision of J. M. Lewis illegal.
- 1880—April 2—Voted to leave county seat at Montgomery; vote, 1308 to 1243.

## Historic Dates - Continued



### FIRST COURT HOUSE IN CONROE

- 1889—March 15—J. K. Ayres and 200 other citizens petition the court to hold election for moving court house to Conroe.
- 1889—May 6—Voted to move county seat to Conroe; vote 1161 for Conroe, 1099 for Montgomery.
- 1889—May 13—Temporary location for court house designated—building owned by Isaac Conroe.
- 1889—May 14—Commissioners' court ordered acceptance from J. K. Ayres of blocks 8 and 10, Ayres addition to City of Conroe, for sites of court house and jail.
- 1889—May 14—Citizens of Conroe protest location of court house.
- 1889—May 15—A. L. Austin given contract to erect temporary jail building and remove cages from Montgomery. County judge authorized to advertise for bids and specifications for new brick court house and jail at Conroe. Court house not to exceed \$20,000; jail not to exceed \$10,000.
- 1889—June 10—Paid W. H. Jones \$245 for moving court house records from Montgomery to Conroe. Paid W. H. Jones \$325 for building jail at Conroe. Size of building 20 feet by 20 feet. Jail room 10 feet by 20 feet.
- 1889—June 13—Court authorized county judge to re-advertise for sealed bids for construction of court house and jail at Conroe. E. T. Heiner. Architect.
- 1889—July 16—Bids opened and rejected. County judge ordered to re-advertise.
- 1889—August 6—Contract for new court house awarded to Moodle and Ellis, of Greenville, for \$25,295 for buildings. Iron and steel contract awarded to Diebold Lock and Steel Company for \$3480. Old court house and lot sold to J. H. Davis for \$200.
- 1890—January 1—\$31,000 bond issue ordered for erection of court house and jail.
- 1890—February 10—Bonds issued for \$31,000 to pay for court house and jail. Tax of 20 cents per \$100.00 valuation levied.
- 1890—February 14—J. K. Ayres paid \$30 for clearing court house square.

## Historic Dates - Continued



### First Court House in Conroe—Continued

- 1890—May term of commissioners' court—Woodie and Ellis paid \$3000. This is first payment on court house and jail contract.
- 1890—August 11—Court house to remain on property of Isaac Conroe until new building is completed. Rent, \$25 per month.
- 1890—August 12—C. T. Darby appointed Commissioner of Precinct No. 2.
- 1890—October 8—Woodie and Ellis paid \$4900 on contract for court house and jail. Protest by citizens that court house was located too far from city limits.
- 1891—May 13—County judge to insure court house for \$15,000.
- 1901—June 17—Court house insured for \$125,000.
- 1901—November 11—Contract for new roof let to Houston Cornice Works for \$250. Guarantee two years.
- 1903—May 12—J. T. Rucks, county judge, renews insurance on court house.
- 1907—February 21—Necessary repairs on court house authorized. S. A. McCall, county judge.
- 1908—February 7—Court house insured with J. Llewellyn.
- 1908—February 17—Court house repaired.
- 1908—February—Supply room provided.
- 1908—May 11—Contract for electric lights put in on meter system.
- 1908—June 8—Court house repairs, window lights, etc.
- 1908—June 22—Changes in court room.
- 1909—April 15—Contract to L. S. Green for plans and specifications for repairs. \$1250 to Henderson, Shearer and Miller for repairs.
- 1909—December 1—Contract for fence to H. D. Radley, \$1500.
- 1911—January 20—Reward of \$25 offered for evidence to convict anyone damaging court house property.

*Historic Dates - Continued*



**SECOND COURT HOUSE IN CONROE**

(See front of book for data on  
new court house.)

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