

GEORGIA'S HISTORIC COUNTY COURTHOUSES:

ANCHORS IN A SEA OF CHANGE

by

BENJAMIN ANTHONY ROBERTS

(Under the Direction of John C. Waters)

ABSTRACT

This thesis explores the reasons that some counties in Georgia choose to preserve their courthouses and some do not. Of the 159 counties in Georgia, 102 counties still have their historic courthouses in use as a courthouse, 37 counties have built a new courthouse/government center, but retain their courthouse for non-judicial activities, and 20 counties lost their courthouses to fire or demolished them. The status of all 159 courthouses is reviewed, and an overview of their current state is provided. Review of preservation efforts provides an understanding of the challenges facing these buildings. Lessons learned from both Georgia and the national experience regarding preservation efforts and historic county courthouses are developed. The thesis provides a basis for current and future efforts for courthouse preservation in Georgia by summarizing the best practices learned from multiple examples of the good, the bad, and the ugly.

INDEX WORDS: Georgia, County Government, Courthouses, Historic Preservation

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DEDICATION

To the love of my life, my wife, Laura, who could not have provided better support, to my parents, Gary and Carlotta Roberts, who encouraged me every step of the way, to my late grandparents, Ben and Ruth Gudger Roberts, who are my inspiration, to my friend Sheba who provides unconditional love whenever I need it.

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CHAPTER 1

INTRODUCTION

Personal Interest in Topic

The inspiration for this thesis is in large part due to events that unfolded in Ellijay, Georgia during the Summer and Fall of 2006. As the county seat of Gilmer County, Ellijay was the location of the historic county courthouse on the main square of town. In 1934, the Hyatt Hotel was converted for use as the county courthouse. My personal relationship with Gilmer County comes from my Father's side of the family being fifth-generation residents of the county. I spent much of my youth staying with my grandmother, Ruth Gudger Roberts, and my many great-aunts and uncles and cousins living there. The Gudger family have deep roots in Gilmer County, having been some of its first settlers in the 1830s.

As a first-semester historic preservation student at the University of Georgia, I discovered that Gilmer County was considering demolishing the historic courthouse in downtown Ellijay. Several other students and I took up the cause of preventing this from happening. The county was to have a referendum in the local elections in November, 2006 as to whether the courthouse should be torn down or not. Working with the Gilmer County Historical Society, we distributed flyers with information regarding the benefits of preserving the courthouse to local businesses and citizens. During the annual Apple Festival, we set up a table downtown in the shadow of the courthouse and spoke with passers-by about why they should vote 'No' in the upcoming referendum.

In October, 2006, I wrote an article in the Op-Ed section of Ellijay's Times-Courier about the importance of saving the courthouse from demolition and the benefits to the local community

of doing so.¹ Interestingly enough, in the very same issue, my great-uncle Jim Gudger wrote an article on why the courthouse should be demolished!² This goes to show the complexities of courthouse preservation in Georgia, and the various factors that work for and against local landmarks everywhere.

Sadly all preservation efforts failed, and in 2008 the courthouse was demolished. Part of the motive for writing this thesis was to gain a better understanding of the reasons for the loss of the Gilmer County Courthouse and to identify lessons learned from that experience and others by examining a larger set of Georgia Courthouses. The intent of doing so was to help prevent what happened in Gilmer County from happening in any other county in the state.

Methodology

The methodology used in the development of this thesis included an assessment of the current status of courthouses in all counties in Georgia, a determination of which of those courthouses meet criteria to be called historic, and which Georgia courthouses are listed in the National Register of Historic Places (NRHP). Information was provided by Ross King of the Association of County Commissioners of Georgia (ACCG) and staff of the Georgia Department of Natural Resources' Historic Preservation Division (GA HPD) to gain a better understanding of the issues, preservation programs, and funding recourses regarding courthouse preservation in Georgia.

Other states' successful courthouse preservation initiatives were examined to better understand Georgia's progress and needs concerning its own county courthouses. Aspects of successful courthouse preservation endeavors, both in this state and other states, were collected

¹ Roberts, Benjamin, "Historic Gilmer County Courthouse," Times-Courier, Ellijay, GA; October, 19, 2006, p. 2A

² Gudger, Jim, "Replacing Gilmer Courthouse has been recommended many times," Times-Courier, Ellijay, GA; October, 19, 2006, p. 3A

and developed to illustrate the alternatives to demolition and neglect. Last, the myths of courthouse preservation were explored and ideas for dispelling the misinformation and ignorance surrounding the preservation of courthouses in Georgia were compiled to present practical recommendations and solutions dealing with the subject matter of this thesis.

An assessment of the current state of courthouses in each of Georgia's one hundred and fifty-nine counties was performed to determine which counties have preserved their historic courthouses and the current use of the courthouses. Ages of any courthouses currently existing in each county were determined through examination of county histories and an exhaustive review of the Carl Vinson Institute of Government's GeorgiaInfo project.³ Courthouses listed in the National Register of Historic Places (NRHP), either individually, or as contributing properties to historic districts, were determined through a review of records at the Georgia Historic Preservation Division offices in Atlanta and Georgia's Natural, Archaeological, and Historic Resources Geographic Information Systems (NAHRGIS) electronic database.⁴

Information was sought from the ACCG regarding the perceived tendency of county governments relocating to an out-of-town site for new courthouses. The tendency of counties in Georgia moving out of the historic courthouse in the historic center of town into all-encompassing "one-stop-shops", often called county justice centers, was further explored. Research was conducted to determine if observation of this tendency was shared by the ACCG and if so, how to combat this practice.

³ Jackson, Edwin L., "Georgia County Courthouses", GeorgiaInfo, Digital Library of Georgia, Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/contents.htm> , (Accessed December, 2009)

⁴ Georgia's Natural, Archaeological, and Historic Resources GIS (NAHRGIS); <https://www.itos.uga.edu/nahrgis/>

Research was conducted at GA HPD into the various programs available to county governments for preserving their courthouses. One of the main issues facing counties is the funding to rehabilitate and maintain courthouses, and GA HPD assists them in acquiring funding. Various GA HPD initiatives in preserving county courthouses in Georgia were examined during the course of this research. The original NRHP nomination forms for county courthouses were also reviewed to fill in the gaps of information regarding the state of county courthouses in Georgia.

A nationwide assessment of county courthouse preservation programs was conducted, and it was determined that a handful of states stand out as leaders in the field. The successes and failures of several county courthouse preservation initiatives in various states were examined to establish leaders in the field. The successful programs were further explored and the lessons learned from each were compiled for use in this thesis.

The final stage in research of this topic was a collection of the various alternatives to demolition and a general review of the myths surrounding courthouse preservation. A basic understanding of the variety of options counties have when it comes to preserving their courthouses was deemed important for inclusion in this thesis. Along with providing counties with healthy alternatives to destroying their courthouse, it was important to counter the widespread misperceptions of preservation. The various myths and the public's general lack of knowledge about preservation practices were examined and arguments countering each are presented in this thesis.

. . .

This thesis will explore a number of the reasons that some counties choose to preserve their courthouses and some do not. This thesis will present the lessons learned from both the

Georgia experience and the national experience regarding preservation efforts of historic county courthouses. The hope is that this thesis will provide a basis for current and future initiatives for courthouse preservation in Georgia, and elsewhere, by summarizing the best practices learned from multiple examples of the good, the bad, and the ugly in the field.

CHAPTER 2

OVERVIEW

Context

As the twentieth largest state, with one hundred fifty-nine counties, Georgia is second only to Texas with its two hundred fifty-four counties. According to the Georgia Department of Natural Resources' Historic Preservation Division (GA HPD), one hundred thirty-two of the one hundred fifty-nine counties in Georgia had a historic county courthouse listed on the National Register of Historic Places in 2005.⁵ Although Georgia has one of the nation's most impressive arrays of historic county courthouses, many of them are in danger of being lost, due to a multitude of issues.

Since 2005, at least one historic county courthouse listed on the National Register of Historic Places (NRHP) in Georgia has been demolished and several others are currently in danger of being neglected and/or destroyed. In 2008, Gilmer County demolished its NRHP listed historic courthouse and replaced it with a replica, a case study of which is provided in Chapter 3 of this document. Terrell County's historic courthouse was included on the Georgia Trust for Historic Preservation's annual Places in Peril list in 2006 due to demolition by neglect.

“Terrell County's courthouse is just one of many across Georgia faced with a threatened future existence. According to a 2002 survey, 139 historic Georgia courthouses comprising 3.16 million square feet risk endangerment, through lack of maintenance. An estimated rehabilitation cost of \$336 million is needed to stabilize the state's courthouses. Terrell County's is in a state of advanced deterioration and needs nearly \$5 million for repairs, making it one

⁵ Georgia Department of Natural Resources, “Preserving Georgia's Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, p.1

of the most threatened. Lack of funds for rehabilitation and maintenance, particularly in rural counties, is compounding the problem. Without additional sources of funding to preserve the historic integrity of these buildings and provide modern systems that meet 21st century needs, Georgia is in danger of losing some of our downtowns' most irreplaceable resources.”⁶

Terrell County government abandoned the historic courthouse and moved into a former Army National Guard Armory, leaving the historic courthouse without a caretaker and in danger of neglect.

These examples typify the variety of issues faced by historic county courthouses in Georgia. They also point to the importance of educating the public about the significance of these great public resources and establishing protection now for the remaining historic county courthouses in Georgia. This thesis seeks to establish which county courthouses in Georgia may be threatened, and provide direction about protecting them.

The story of the preservation of historic county courthouses in Georgia can only be understood by considering the local and national context of the preservation movement as a whole (table 2.1). In 1966, the National Historic Preservation Act (NHPA) was passed into law, establishing a national-level foundation for preservation efforts in the United States. Along with the NHPA, the National Register of Historic Places (NRHP) and State Historic Preservation Officers (SHPOs) were created. The National Park Service was charged with maintaining the NRHP and administering the NHPA with the assistance of the SHPOs mandated for each state.

⁶ “Terrell County Courthouse” The Georgia Trust For Historic Preservation’s 2006 Places in Peril List; World Wide Web: <http://www.georgiitrust.org/news/2006pip/terrell.php> , (Accessed December, 2009)

Table 2.1 - Progression of Historic Preservation Initiatives in Georgia

Event	Date
Passage of NHPA by U.S. Congress	1966
Georgia SHPO Appointed	1969
<u>A Courthouse Conservation Handbook</u> (National Trust)	1976
Listing of 90 Georgia Courthouses on NRHP (Hardy)	1980
Georgia Historic Preservation Enabling Act Passed	1980
<u>Maintaining a Sense of Place</u> (Waters)	1983
Certified Local Government Program Initiated (SHPO)	1983
<u>Courthouses in Georgia</u> Published (Jordan and Puster)	1984
<u>The Georgia Courthouse Manual</u> Published (Multiple)	1992
Joint Study Committee on Historic Preservation Formed	1997
<u>This Old Courthouse</u> Published (Rodrigue)	1999
<u>Preserving Georgia's Historic Courthouses</u> Published (HPD)	2005

Georgia appointed a state historic preservation liaison officer known as the SHPO in 1969. The Georgia SHPO was, and is, the state-level representative for the implementation of the NHPA and state equivalent legislation. The SHPO, now incorporated into the GA HPD, conducts all state level preservation initiatives and projects including nomination of historic properties and districts for listing on the NRHP. Reflecting the growing trend of renewed interest in historic resources due to the celebration of the United States' Bicentennial, the National Trust for Historic Preservation published A Courthouse Conservation Handbook, in 1976.⁷

In Georgia, preservation efforts were beginning to flourish when architectural historian Janice Hardy received a grant from the National Endowment for the Arts to review architectural styles of Georgia courthouses in the late 1970s. Hardy and her partner Anne Harman's research

⁷ Staff, National Trust for Historic Preservation in the United States, A Courthouse Conservation Handbook, Preservation Press, Washington, D.C.; 1976

was published in a book entitled, Georgia County Courthouses, and led to the listing of just over ninety historic county courthouses on the NRHP in 1980.⁸ That same year, the Georgia Legislature passed H.B. 237, “The Georgia Historic Preservation Enabling Act”, providing guidelines for localities to enact and administer ordinances to protect historic sites within their jurisdiction.

The growing preservation initiatives at the state level led to renewed interest in preservation by the public. Professor John Waters’ 1983 book, Maintaining a Sense of Place: A Citizen’s Guide To Community Preservation, paved the way for grass-roots preservation organizations and local governments to participate in the preservation of historic resources.⁹ The successful publication of Robert Jordan and Gregg Puster’s book, Courthouses in Georgia, in 1984 further revealed the growing affection for these historic resources in the state.¹⁰ Recognizing the need for a comprehensive study of historic courthouses in the state, The Georgia Department of Community Affairs teamed with the Association of County Commissioners to produce the joint publication, The Georgia Courthouse Manual, in 1992.¹¹

A major resource for this thesis was the Georgia Legislature’s Joint Study Committee on Historic Preservation established in 1997. In 1999, the Committee advised GA HPD to develop legislative and funding initiatives for the protection of Georgia’s county courthouses. In 2005, in conjunction with the Association of County Commissioners of Georgia (ACCG) and the Georgia

⁸ Hardy, Janice and Anne Harman Georgia County Courthouses; The Georgia Trust for Historic Preservation, Inc. and the Georgia Department of Natural Resources, 1979

⁹ Waters, John C., Maintaining a Sense of Place: A Citizen’s Guide to Community Preservation, Athens, GA, Institute of Community and Area Development, University of Georgia, 1983

¹⁰ Jordan, Robert H. and Gregg Puster, Courthouses in Georgia, Norcross, GA, The Harrison Company Publishers, 1984

¹¹ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992

Municipal Association (GMA), GA HPD created a publication entitled, Preserving Georgia's Historic Courthouses.¹² The sixteen-page document was developed as a guide for parties interested in or involved with historic courthouse preservation in Georgia. This publication, along with other GA HPD initiatives, provided priceless insight for the development of this thesis topic.

In 1999, University of Georgia Historic Preservation graduate student Dorothy Rodrigue completed her thesis entitled, This Old Courthouse, in which she explored various aspects of courthouse preservation in the state. The purpose of the thesis was, in her own words, "...to investigate current courthouse preservation procedures in Georgia, find out how these procedures are evaluated by those involved, and to produce a series of suggestions for aiding communities interested in courthouse preservation."¹³ Her methodology included interviews and survey of various people involved in courthouse preservation on various levels throughout the state.

Over the course of her examination, Rodrigue contacted several Regional Development Commission (RDC) Preservation Planners regarding county courthouse preservation within the various sections of Georgia. Through the use of a pre-developed survey, she solicited responses from the Preservation Planners that chose to participate in her research. These Preservation Planners answered numerous questions posed by Ms. Rodrigue in regards to the condition of county courthouses in their corresponding region. Based on the recommendations made to her by the RDC Preservation Planners, Ms. Rodrigue included five courthouses as case studies in her thesis.

¹² Georgia Department of Natural Resources, "Preserving Georgia's Historic Courthouses"; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005

¹³ Rodrigue, Dorothy Merritt, "This Old Courthouse: Georgia Courthouse Preservation at the End of the Twentieth Century", MHP Thesis, The University of Georgia, 1999, p.3

A follow-up examination on the status of Rodrigue's five case studies found that in the ten years that have elapsed since her 1999 thesis, at least one county she cited, built a new courthouse and no longer uses the historic courthouse to hold court. Walton County constructed a new judicial complex known as the Walton County Government Building in 2004, and now only uses their historic courthouse, originally constructed in 1884, for office space.

Rodrigue's thesis, although it contained case studies and recommendations for future preservation efforts, was not a comprehensive survey of the overall status of courthouse preservation in Georgia. This thesis was undertaken to provide a more thorough examination of the status of courthouse preservation throughout the entire state of Georgia. In addition, a follow up on the case studies and subsequent recommendations made by Rodrigue was performed to determine if her suggestions have been pursued. This thesis will pick up where Rodrigue's thesis left off, by reintroducing her recommendations that have not been executed, as well incorporating new recommendations based on analysis of successful courthouse preservation programs in this state and others.

Background

Counties, found in some form in every state, act as the most basic political subdivision of a state, providing services at a more local level. With 159 counties, Georgia accounts for roughly 5% of the total number of the over 3,000 counties in the United States. As the twentieth largest state, Georgia has a disproportionate number of counties compared to other states of similar size. In fact, Georgia has the second highest number of counties in the country, just behind Texas. This further emphasizes the fact that any study of the history of Georgia will undoubtedly include a history of county function in shaping the state as we know it today.

The county is as much a part of the fabric of the state as it is a geographical boundary. As Ed Jackson explains it, “In Georgia, [counties] are the largest general-purpose form of local government.”¹⁴ Counties derive their jurisdiction in the state by means of the state constitution much the same way the state derives its authority from the Federal Constitution. “This philosophy is seen in Georgia where the central authority is the state government and the counties comprise the local geographical units with autonomy similar to that guaranteed the states by the constitution,” according to Robert Jordan and Gregg Puster.¹⁵

To understand the origin of counties as geographic and political entities in the United States and Georgia, one must look to our European heritage. The Saxon word “shire” was used in England in the seventh century to demarcate a king’s share of land, or kingdom. A Sheriff, from the Saxon word “shire-reeve”, was the king’s representative, in charge of administration of the local area.

Around the same time in France, the Duke of Normandy granted his closest representatives plots of land to oversee. These representatives were given the title of “count” and the land they oversaw was called a “county”. When the Normans invaded England in 1066, the county system began to replace the shire system of political administration. By the beginning of the thirteenth century, England was completely divided into counties. When English colonists began to settle North America, they brought with them this form of administration, with Virginia being the first colony to establish a county in 1634.

¹⁴ Jackson, Edwin L., “A Brief History of Georgia Counties”, Senior Public Service Associate Emeritus, University of Georgia, 2002, p.1

¹⁵ Jordan, Robert H. and Gregg Puster, Courthouses in Georgia, Norcross, GA, The Harrison Company Publishers, 1984; p.11

When the colony of Georgia was founded by James Oglethorpe in 1733, there were no specific coordinating instructions from his Trustees for the foundation of counties. The matters of defending the colony from Native American and Spanish attack along with distributing land grants to settlers superseded discussions of the formation of counties in the Colony of Georgia's early days. It wasn't until 1741 that the Trustees chose to divide Georgia into two counties, Savannah in the north and Frederica in the south.

The existence of the two original counties in Georgia was short-lived due to encroachment and War with Spain and the transfer of the colonial charter to the king by the Georgia Trustees in 1752. With the transfer of the colonial charter to the king, Georgia became a Royal colony and by 1758, the British had divided the colony into eight parishes. These parishes were Christ Church, Saint Matthews, Saint Paul, Saint George, Saint Philip, Saint John, Saint Andrew, and Saint James. The parishes of Saint David, Saint Patrick, Saint Thomas, and Saint Mary were added in 1765, bringing the total to twelve.

The main difference between a county and a parish at the time was that a parish was an instrument in which the British created areas of control ruled by the Church of England. Parishes originated as a form of rule in England in which the Church held influence over matters of religion and managed clergy accordingly. In the British colonies, parishes doubled as governmental entities, where various functions of government were conducted, such as tax collection, record keeping, public works, and care for the poor, among other things.¹⁶

As Robert Jordan and Gregg Puster describe, "in Georgia, these parishes had become the political and social hubs of the community, and the church as much a civic center as a house of

¹⁶ Jackson, Edwin L., "A Brief History of Georgia Counties", Senior Public Service Associate Emeritus, University of Georgia, 2002, p.1

worship.”¹⁷ During the American War of Independence, Georgia’s revolutionary government enacted a state constitution. This document divided the existing twelve colonial parishes and the area ceded from the Creek Indians into eight counties, one named Liberty, and the rest named after English supporters of the American fight for independence. The Georgia state constitution of 1777 provided for the establishment of secular county rule and separation of church and state ten years prior to the ratification of the United States Constitution, thus securing the county’s role in state governance ever since.¹⁸

After the American Revolution, the state continued to grow, and the need for counties to provide services and govern was ever increasing. Often, the pressure the state put on its Creek and Cherokee neighbors persuaded them to cede land to Georgia, and each time, the state created counties from these lands. In 1800, there were twenty-four counties in existence in Georgia, and by 1827, the number had grown to seventy-seven, reflecting not only the substantial growth of the population, but the role that state and county governments had in the formation of early Georgia.¹⁹

In December, 1831, the General Assembly of the State of Georgia claimed all territory held by the Cherokee and the Creek in the state. The land west of the Chattahoochee River and north of Carroll County, largely occupied by the Cherokee Indians, was designated as Cherokee County (figure 2.1). At the time, Georgia did not have clear title to claim any Cherokee lands,

¹⁷ Jordan, Robert H. and Gregg Puster, Courthouses in Georgia, Norcross, GA, The Harrison Company Publishers, 1984; p.11

¹⁸ Jackson, Edwin L., “A Brief History of Georgia Counties”, Senior Public Service Associate Emeritus, University of Georgia, 2002, p.2

¹⁹ Ibid.

but with the intervention of the Federal Government in 1835, the lands were formally granted by treaty to the state.

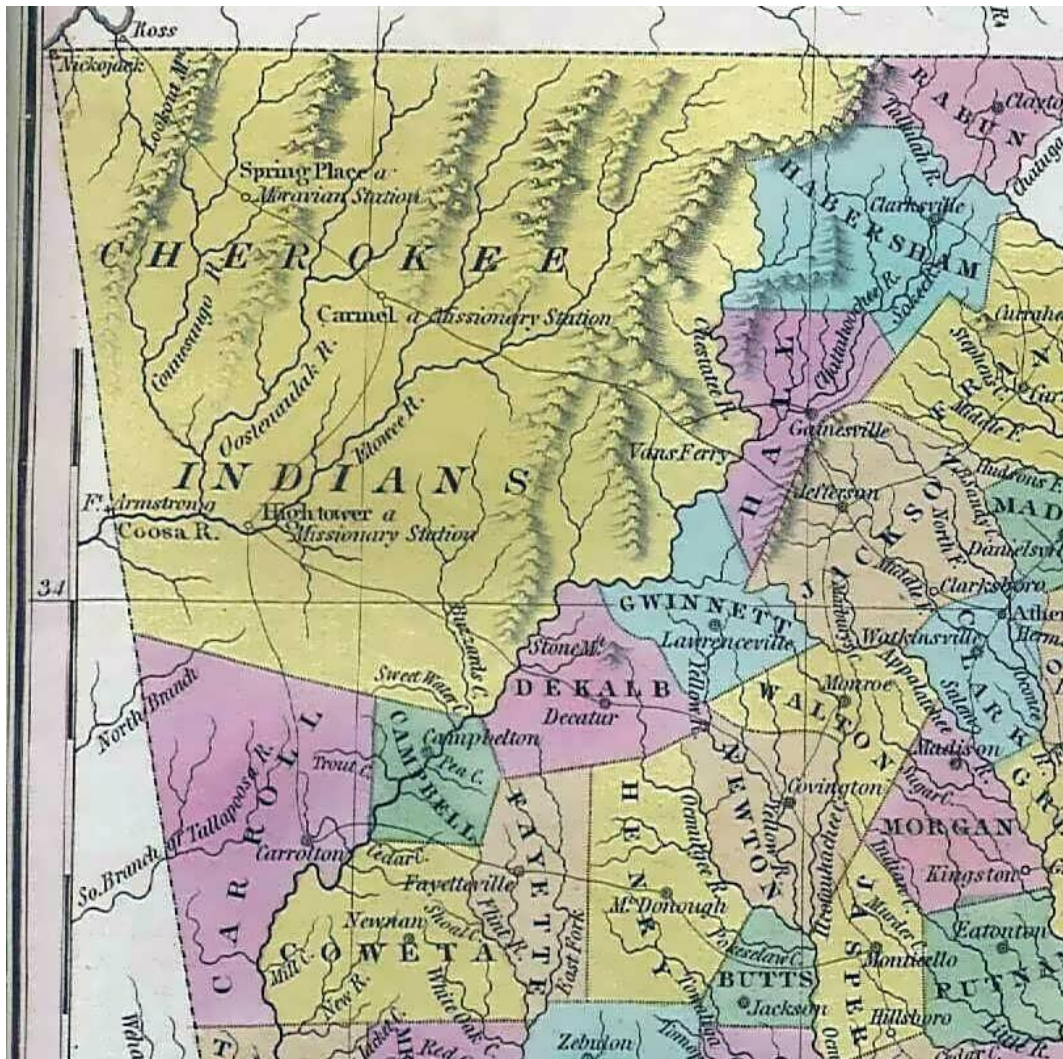


Figure 2.1 – Cherokee Lands in Georgia, 1830²⁰

²⁰ Digital Library of Georgia; “Cherokee Nation in Georgia”, [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/histcountymaps/cherokeenation1830map.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/histcountymaps/cherokeenation1830map.htm> , (Accessed December, 2009)

The subsequent land grab was one of the darker periods in the history of the state, and reflected the growing tension throughout the nation in regards to Anglo/Indian relations. By 1838, the U.S. Army had forcibly removed the remaining Native Americans from Georgia in what became known as the Trail of Tears. Cherokee County was eventually divided into ten smaller counties, becoming Cass (known now as Bartow), a much smaller Cherokee, Cobb, Floyd, Forsyth, Gilmer, Lumpkin, Murray, Paulding, and Union Counties (figure 2.2).

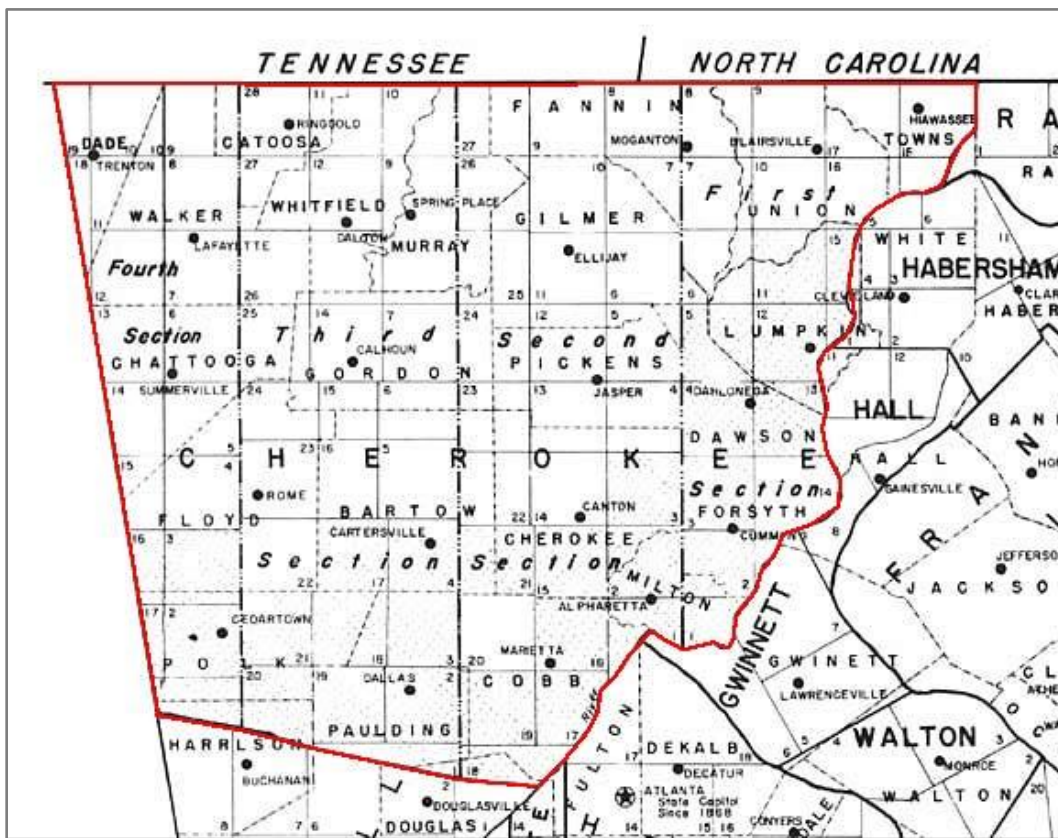


Figure 2.2 – Cherokee County after Redrawing²¹

²¹ Digital Library of Georgia; “Cherokee County”, From: “A Redrafting of Hall's 1895 Map of Georgia,” [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/histcountymaps/cherokee1831map.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/histcountymaps/cherokee1831map.htm>, (Accessed December, 2009)

After the seizure of Cherokee and Creek Indian territory in Georgia, there were no new lands within the boundaries of the state to form counties from. All new counties formed after 1832 were created from existing counties. An act passed by the General Assembly was the only requirement for the formation of a brand new county. From 1850 to 1860, thirty-nine new counties were formed from existing counties in Georgia. By 1875, there were one hundred thirty-seven counties in the state, prompting the new state constitution written in 1877 to bar the legislature from creating any new counties. The intent of this addition to the new constitution was to stop the surge of new counties that were springing up all over the state.

It wasn't until 1904 when a constitutional amendment was passed allowing the General Assembly to create eight new counties that any new counties were formed in the state. At that time, the amendment allowed for a total of one hundred forty-five counties in the state. However, pressure to prolong this initiative continued, and a separate amendment to the constitution was the only manner in which to create a new county after 1904.

By 1906, a new precedent in county creation had been adopted by the General Assembly. Instead of introducing an amendment to raise the total number of counties authorized by the constitution, legislators would propose an amendment to create each new county from existing counties. The wording of one particular amendment is as follows, "Provided, however, [t]hat in addition to the counties now provided for by this Constitution there shall be a new county laid out from the counties of Irwin and Wilcox, bounded as follows..."²² The first county created in this manner was Ben Hill County, becoming the one hundred forty-sixth county in Georgia when voters approved the amendment in 1906.

²² Jackson, Edwin L., "A Brief History of Georgia Counties", Senior Public Service Associate Emeritus, University of Georgia, 2002, p.2

This trend continued and by 1924, there were 161 counties in Georgia. It wasn't until the Great Depression that the number fell by two as Milton and Campbell counties merged with Fulton in 1932, mainly due to budgetary issues experienced by each. In 1945, a new constitution was ratified in the state. The 1945 constitution set the limit of counties at 159 (the current total), with a requirement that any new county could be formed only by consolidation of existing counties. This action required approval by the General Assembly as well as two-thirds vote by referendum in each of the counties to be affected.²³ Subsequent constitutions altered the wording regarding county creation, but ultimately the maximum limit of 159 counties has remained in effect. Several city and county governments merged forming consolidated governments in the latter half of the twentieth century.

Courthouse Construction and Role in the Communities They Serve

The authority to hold court and the power to collect taxes to build a courthouse has come from the sequence of constitutions Georgia has had since its birth as a state. The article widely seen as the first constitution in the state, known as the "Rules and Regulations of 1776", authorized counties to elect officials and tax citizens in order to run the county government. The county took on the role of territorial division of the state, and each had the right to elect representatives to the General Assembly of Georgia. The rights of the people and principles of government endowed to counties have roots as far back as the Magna Carta in England.

Understanding the important role counties had in the formation of the state and the establishment of governance in Georgia, it is no wonder that the symbol of these achievements is reflected in the courthouse found in each county. No other structure or location represents the symbolic identity of local government as well as the county courthouse. Robert Jordan and

²³ Jackson, Edwin L., "A Brief History of Georgia Counties", Senior Public Service Associate Emeritus, University of Georgia, 2002, p. 2-3

Gregg Puster explain, “Just as the United States Capitol is the symbol of the Legislative, the White House is that of the Executive, the Supreme Court Building that of the Judicial, so is the county courthouse the symbol of the fundamental sovereignty of the people.”²⁴

As counties were formed, a need for judicial rule was immediately recognized. County leadership would often choose to hold court in whatever location was readily available for use and could suit the needs of the judiciary. Many counties had temporary structures constructed as courthouses following formation of the county, until a more permanent building could be built. Other counties used existing structures such as prominent citizens’ homes, or other buildings as courthouses until the funds could be raised to construct a permanent county courthouse.

With the establishment of each new county the requirement that, “each [county] provide a courthouse and jail at the expense of the local residents,”²⁵ was reaffirmed. When a new county was formed, the county seat was chosen as the location where the new courthouse would be constructed. In communities where an existing town was chosen as county seat, the courthouse was constructed along streets and between the buildings already present. More often, when many counties in Georgia were formed, a new, more central location was often chosen to be county seat, and a new town was created, using one of the four common town plans discussed previously in this chapter. The use of a town plan allowed the courthouse to be constructed in a location of prominence within the newly founded community chosen as county seat.²⁶

²⁴ Jordan, Robert H. and Gregg Puster, Courthouses in Georgia, Norcross, GA, The Harrison Company Publishers, 1984; p.11

²⁵ Jordan, Robert H. and Gregg Puster, Courthouses in Georgia, Norcross, GA, The Harrison Company Publishers, 1984; p.11

²⁶ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, p. 12

Through the power granted to them to construct buildings for government functions, most counties began building permanent structures to serve as courthouses as soon as funds were acquired. Many of these early courthouses were wood-framed structures, lacking architectural detail. They were mostly functional structures built to serve the purpose of holding court and other governmental business, and would eventually be replaced by buildings with more architectural style as the county's population and economy grew.²⁷

As counties grew, and tax revenues increased, they replaced the mainly utilitarian buildings with more elaborate courthouses. These new courthouses were symbols of the county's growth, sources of pride of its citizens, and "...they called attention to the attainments of the community and evidenced its progressiveness."²⁸ The new courthouse, with its architectural style and detail, location of prominence within the community, and overall symbolism of the success of the county and its citizens, became the focal point for its residents' pride in their communities. More often than not, the courthouse was the only notable example of high style architecture in many counties.

The first major period of courthouse construction in Georgia began when the first permanent courthouse in the state was constructed in Savannah circa 1734, and ended around 1800 (table 2.2). Known as the Early period, and defined by its frontier-like atmosphere throughout the state, this era saw the formation of twenty-four counties and included the transition from Royal Colony of Georgia to the State of Georgia. As the narrator of D. Alan Pogue's film, "Temples of Justice: The Courthouses of Georgia", former U.S. Congressman Ben

²⁷ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, p. 12

²⁸ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, p. 12

Jones emphasizes the importance of courthouses in Georgia’s origins as a penal colony. “These dubious circumstances made it clear that courthouses would be needed from the very beginning.”²⁹

Table 2.2 - Periods of Courthouse Construction in Georgia

Period	Dates	Name	Notable Examples Still in Existence
1	1734-1800	<i>Early</i>	None
2	1800-1875	<i>Statehood</i>	Crawford County (1832); Columbia County (1856)
3	1875-1910	<i>New South</i>	Johnson County (1895); Taliaferro County (1902)
4	1910-1960	<i>20th Century</i>	Lincoln County (1915); Peach County (1936)
5	1960-2010	<i>Modern</i>	To be determined

The second, or Statehood period of courthouse construction began in the early nineteenth Century. By 1825, seventy courthouses had been erected in Georgia. Reflecting the increasing growth of the state’s population and subsequent creation of new counties, these new judicial buildings became the symbols of the new counties springing up throughout the state and were constructed using more academic architectural styles and materials. Unfortunately, very few of these statehood period courthouses remain, victims of the very same factors threatening their modern counterparts today. Dorothy Rodrigue explains, “Fire and population growth have traditionally been the two main enemies of Georgia courthouses.”³⁰ Despite the odds stacked

²⁹ Pogue, D. Alan, “Temples of Justice: The Courthouses of Georgia”, DVD, Starksville Pictures in Association with Georgia Public Broadcasting, Comcast, and The Association of County Commissioners of Georgia; 2004.

³⁰ Rodrigue, Dorothy Merritt, “This Old Courthouse: Georgia Courthouse Preservation at the End of the Twentieth Century”, MHP Thesis, The University of Georgia, 1999; p.13

against them, some notable examples from this period still exist, including Crawford County's Greek Revival influenced vernacular courthouse (built in 1832) and Lumpkin County's Early Classical Revival and Federal influenced vernacular courthouse (built in 1836).

The exact end of the Statehood period of courthouse construction and the beginning of the third period are a bit of a gray area for historians, with the War Between the States and Reconstruction both greatly impacting the state of Georgia. For this thesis, the year 1875 will be the transition date from the second period to the third period of courthouse construction in the state. Nine courthouses were constructed during this period of transition in Georgia from 1860 to 1875. Interestingly, two of these courthouses (Banks and Brooks Counties) were constructed using Confederate States of America currency during the war.

The third period of growth, beginning at the end of Reconstruction in the South, saw a veritable "Golden Age" of courthouse construction in Georgia, a term coined by Dorothy Rodrigue.³¹ Known as the New South, this period of construction lasted from 1875 through the opening decade of the twentieth century. The construction of eighty-one courthouses occurred during this period and the styles used in these buildings reflect the growing identification with the concept, or myth, of a New South ascribed to by many local and State leaders in Georgia.

The New South period saw a significant increase in the number of new courthouses constructed in the state, symbolic of the reemergence of the South after the War Between the States. As Wilber Caldwell explains, "The grand courthouse narrates the aspiring mind of the postbellum South..."³² The hardship and suffering experienced during Reconstruction had

³¹ Rodrigue, Dorothy Merritt, "This Old Courthouse: Georgia Courthouse Preservation at the End of the Twentieth Century", MHP Thesis, The University of Georgia, 1999; p. 15

³² Caldwell, Wilber W., The Courthouse and the Depot: The Architecture of Hope in an Age of Despair; Macon, GA, Mercer University Press, 2001, p.1

created the yearning for a long-gone era in the psyche of many Southerners. The romanticization of the antebellum, or Old South, led to this style of construction in the New South era.

“Upon the very foundations of the architecture of the Old South these men proposed to create the architecture of the New South. Out of ruin they proposed to design a new order. It was not to be an amalgam of the classical columns of agrarianism and the picturesque towers of industrialism. No such compromise was envisioned. The cold Romanesque stones of capitalism would be used only to build a bastion in which to protect the graceful verandahs of a bygone era. It was a paradoxical and inherently contradictory proposition, and although its blueprints were drawn with well-reasoned detail, few grand monuments would be built before 1910. Standing in puzzling exception to this rule are Georgia’s courthouses. These buildings stood for all the impossible hopes that turned on visions of prosperity....A comparison of the courthouses of the postbellum period with those built before the war clearly reveals that the...population of Georgia changed. This history begins with those who would keep their treasures in a safe. It ends with those that would keep their treasures in a jewel box.” - Wilber Caldwell ³³

The fourth period of courthouse construction began around 1910. During this era, known as the Twentieth Century period, Georgia dealt with many social and economic issues, including the boll weevil infestation (and subsequent decline in the cotton trade), the Great Depression, and two World Wars. Still, fifty-five courthouses were constructed during this period, with many of

³³ Caldwell, Wilber W., The Courthouse and the Depot: The Architecture of Hope in an Age of Despair; Macon, GA, Mercer University Press, 2001, p. 19-20

them still standing today. The Twentieth Century period of construction ends in 1959, making courthouses built during this period potentially eligible for NRHP listing due to their age.

The fifth period of courthouse construction in Georgia began in 1960 and is ongoing. Courthouses constructed during this time, known as the Modern period, have not yet become eligible for listing on the National Register of Historic Places due to the minimum age requirement. However, a reassessment and survey of courthouses constructed during this period should be conducted every five years to determine NRHP listing eligibility. Many of the courthouses constructed during the Modern period were built at the expense of the historic county courthouse, which was often neglected, or even demolished, to make way for the new building. Preservationists should not overlook this fact and they should attempt to prevent history from repeating itself in this fashion, as these courthouses become historic themselves.

In addition to various vernacular courthouses constructed with little to no stylistic influence, there were generally twelve prominent styles of courthouse architecture used in Georgia throughout the five periods of construction (table 2.3). Other styles were less commonly used, including the Federal style, and many courthouses were constructed with a combination of elements from more than one style, reflecting the tastes of the county at the time. Lumpkin County's Historic Courthouse is one example of such a blend of two styles.

Table 2.3 –Examples of Courthouse(s) for Each Style of Construction

Architectural Style	Notable Example(s) Still in Existence
Greek Revival	Greene County (1849)
Italianate	Old Clayton County (1869)
Second Empire	Hancock County (1883); Newton County (1884)
Romanesque Revival	Henry County (1897); Madison County (1901)
High Victorian Eclectic	Monroe County (1896); Terrell County (1892)
Queen Anne	Paulding County (1892); Randolph County (1886)
Beaux Arts Classicism	Fulton County (1914); Walker County (1918)
Neoclassical Revival	Appling County (1908); Worth County (1905)
Italian Renaissance Revival	Carroll County (1928); Clarke County (1914)
Stripped Classical	Coffee County (1940); Polk County (1951)
Art Deco	Mitchell County (1936)
Colonial Revival	Brantley County (1930); Wilkinson County (1924)

Three styles stand out as being the most common styles of courthouse construction in Georgia. Romanesque Revival, Neoclassical Revival, and Stripped Classical stand out as the predominant styles in Georgia county courthouse design. Each of these three styles has a period of prominence corresponding to their popularity and use in courthouse construction in Georgia.



*Figure 2.3 – The Romanesque Revival Style Oglethorpe County Courthouse*³⁴

Romanesque Revival style courthouses were popular toward the end of the New South period of courthouse construction in Georgia. This style was used in courthouse construction primarily from 1890-1910. The last decade of the nineteenth century and the first decade of the twentieth century saw fifteen Romanesque Revival style courthouses constructed in Georgia. One exceptional example of this style in Georgia is Oglethorpe County’s historic courthouse constructed in 1887 (figure 2.3)

³⁴ “Oglethorpe County Courthouse, Town Square, Lexington, Oglethorpe County, GA”; Historic American Building Survey (Library of Congress); Call Number: HABS GA,111-LEX,7-1



Figure 2.4 – The Neoclassical Style Barrow County Courthouse ³⁵

A Neoclassical Revival style courthouse in Georgia was built in Pulaski County as early as 1874, but the majority of courthouses erected in this style were constructed in the first two decades of the twentieth century. Approximately fifty-six Neoclassical Revival style courthouses were built between 1874 and 1937, spanning the New South and Twentieth Century periods of courthouse construction in Georgia. This style was the predominant style of courthouse construction in the first half of the twentieth century in the state. One extraordinary example of a courthouse built in the Neoclassical Revival style is the historic Barrow County courthouse constructed in 1920 (figure 2.4).

³⁵ “Barrow County Court House, Winder, Ga.”; Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “brw 137”



Figure 2.5 – Construction of the Stripped Classical Style Troup County Courthouse ³⁶

The Stripped Classical style was almost entirely exclusive to the Twentieth Century period of courthouse construction in Georgia. Many of the courthouses constructed in this style reflect depression-era Federal funding for public works initiatives. Roughly ten courthouses were constructed in this style, making it the third most common style used in Georgia. One remarkable example of this style is the historic Troup County courthouse, finished in 1939 (figure 2.5).

Reasons for Preserving Georgia’s Historic County Courthouses

Courthouses in Georgia quickly became symbols of the counties they represented, almost before their construction was completed. Not only were they a visible source of local pride for citizens and visitors alike, they also held a larger importance in the everyday lives of county

³⁶ “Construction of a new Troup County Courthouse, LaGrange, Troup County, Georgia, 1938 or 1939”; Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “trp 305”

citizens. Courthouses became the repository where important county records were kept, including birth, marriage, and death certificates. Since the vital information of the lives of its residents were recorded in the county courthouse, they became an icon for a sense of place that citizens felt about the communities in which they lived. As Wilber Caldwell describes it, “[T]he courthouse ...symbolized the aspirations and the collective self-image of the people of these towns.”³⁷

Due to their central location within a county seat, historic courthouses, and the public space surrounding them, have provided citizens with more than just a place to hold court through the years. Usually located within or beside the town square, courthouse grounds are the site of special events in the county like festivals, fairs, holiday and patriotic celebrations, and speeches, much as they have been for generations. Historically, court-week was one of the largest public events in a county seat, when citizens would gather for various government and social functions. County citizens would come in from rural parts of the county and spend time and money in and around the county seat. Many of the county’s memorial plaques, monuments, and statues important to generations of county citizens are located on or near the courthouse grounds.

One of the most exciting times in a counties’ development, as symbolic of progress and growth, was the laying of the courthouse cornerstone. As Janice Hardy describes, “It was an occasion in which the whole county participated and was a time of immense pride and celebration.”³⁸ Cornerstones provided the means to honor those involved in the construction of the courthouse. Cornerstones often contain not only the dates of construction, but also the names

³⁷ Caldwell, Wilber W., The Courthouse and the Depot: The Architecture of Hope in an Age of Despair; Macon, GA, Mercer University Press, 2001, Foreword

³⁸ Hardy, Janice and Anne Harman Georgia County Courthouses; The Georgia Trust for Historic Preservation, Inc. and the Georgia Department of Natural Resources, 1979; p.9

of county commissioners, building committee members, architects and contractors, and Freemason leadership involved in the construction of the courthouse. Frequently items representative of the times in which the courthouse was constructed are sealed within the cornerstone.

Courthouses have been, and will always be, the most recognizable public structure in most Georgia counties. They draw upon the sense of community that each citizen shares with one another. Courthouses are more than just buildings made from brick or stone; they are composed of the fabric of the communities they represent. These treasures are irreplaceable, as are the public records inside them. Courthouses are landmarks in the towns they inhabit and often become the symbols of the counties they serve, adorning county seals and other governmental properties. “The old county courthouse is one building in the community that is not likely to be confused with others,” according to the Georgia Courthouse Manual.³⁹

Courthouses represent the sense of place that county residents share. “The courthouses’ dignity and distinctive features engender a local pride and affection that modern econo-box structures can never match,” says the manual. In counties where the historic courthouse has been demolished and replaced with a modern building, there is a loss of not only a precious cultural resource, but also the entire intangible cultural heritage related to it. All the memories and stories that are tied to the courthouse lose their context when the physical building itself is destroyed.

The courthouse plaza, or town-square, serves as the public display of what counties represent. The courthouse is the focal point of most town squares and therefore one of the first

³⁹ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, p. 7

public buildings seen by visitors. In communities that have demolished their historic courthouse and opted to build a less than aesthetically pleasing structure in its place, it is evident to visitors – almost immediately – that there is a lack of pride in county heritage. Counties that have destroyed their most important symbol of local pride, must ask themselves collectively, “Is this how we want to present ourselves to the world?”

Further emphasizing the weight of preserving historic county courthouses as the symbols of a communities’ sense of place and county life, Janice Hardy says, “As respect grows for the built environment, the preservation of these early structures with their careful workmanship, scale, and sensitive design becomes increasingly important.”⁴⁰

Growth and the County Courthouse

As counties grew, space became limited not only at the courthouse, but at all county offices. Officials were faced with the dilemma of providing space for employees to conduct county business while making services accessible to constituents. Often, space was created by constructing additions and alterations on the inside of many courthouses, with the intent of providing temporary space. These temporary solutions often lasted longer than originally intended and have in many ways postponed the inevitable. Choosing a quick fix instead of facing the problem and making the decisions necessary to initiate a longer-term solution has hindered the ability of many counties to both preserve historic resources and provide adequate spaces for conduction of government business.

Many times, the solution to the space problem for many counties is the construction of a larger, all-encompassing county services building outside of town. A pattern recognized during the research phase of this thesis was the increase in construction of county services buildings,

⁴⁰ Hardy, Janice and Anne Harman, Georgia County Courthouses; The Georgia Trust for Historic Preservation, Inc. and the Georgia Department of Natural Resources, 1979; p.7

nicknamed “one-stop shops”. These one-stop shops usually include a new courthouse and multiple offices for county government functions together in one building. Unfortunately, these one-stop shops are more often than not constructed outside the historic center of town, leaving the historic center of town all but abandoned.

Keeping the center of county government in the center of town has a direct impact on the many restaurants and small businesses located in the walking downtown. When services that county residents need are clustered in the town center, customers can take care of many day-to-day tasks all in one convenient downtown corridor. Restaurants in the town center can cater to the in-town business crowd and the various citizens using the county government offices nearby. Banks and other businesses can remain conveniently located nearby, maintaining a thriving central business district downtown.

One extreme example of a “one-stop-shop” is in Dawson County, where a new courthouse was constructed in 1978. The county seat, Dawsonville, has on its city seal the original historic county courthouse constructed in 1858, even though it is no longer used by the county (figure 2.10). Although not a courthouse, the Dawsonville City Hall epitomizes the “one-stop-shop” mentality, as it incorporates the Georgia Racing Hall of Fame into the city government building constructed almost a mile outside of the town center (figure 2.11). It is hard to escape the irony in the official motto of Dawsonville, "Protecting our History and Providing for the Future", when the county is obviously confused on how to present its own self-image.⁴¹

The example of the Dawsonville City Hall is an extreme example of the reality that city and county governments face in terms of space needs. Often, the easiest solution is the one that

⁴¹ Dawsonville, Georgia Government, “Welcome to the City of Dawsonville”; World Wide Web: <http://www.dawsonville-ga.gov/index.htm> (Accessed January, 2010)

involves abandoning historic properties in the center of town and building one-stop-shops outside of town.



Figure 2.6 – City Seal of Dawsonville, Georgia



Figure 2.7 – City Hall, Dawsonville, Georgia

Moving the center of government outside of town disregards the original town plan and ignores the many economic benefits of drawing visitors to the town center. Counties construct these one-stop shops, often miles from the original location of the courthouse, using the excuse of “needing more space.” This need for space is a reality for most counties as populations grow and demand for services increases. It is the way in which governments handle this need that determines how the historic resources in each are maintained. Space needs can often be alleviated by using the existing properties efficiently. Buildings in the town center, often underutilized due to economic decline, can be converted into government offices and provide additional space for county functions. Instead, counties choose the frequently more expensive option of building a completely new one-stop-shop that is often obsolete by the time construction is finished outside of the town center.

Historic courthouses in the center of town are often abandoned or under-used due to the inability of county governments to deal with growth, both in terms of population and demand for county services, in an effective manner using the resources already at hand. This becomes a burden on the county in the long term as the central business district is neglected and deteriorates due to lack of traffic at the core of town. The historic courthouse often becomes a victim of demolition by neglect in these circumstances.

In county seats where the historic courthouse has been maintained and renovated and county services remain downtown, local businesses located nearby have more incentive to improve their buildings, therefore sustaining a thriving town center. Continuous use of the historic courthouse allows a landmark public building to remain as an anchor in the center of town. Towns and cities with thriving downtowns are not only more economically sustainable, they also promote a sense of place that county citizens can be part of and take pride in. When a

county moves its courthouse and other government function to the outskirts of town or further, the many businesses that depend on a thriving town center are negatively impacted. As pedestrian and vehicular traffic flow decreases in the downtown corridor, so does the economic health of the community.

Counties often choose, with the best intentions, not to demolish their historic courthouse in the center of town when they opt for moving county services away from the town center. However, they often abandon or donate their historic courthouses to local non-profits who struggle to maintain the buildings. Demolition by neglect often occurs when, due to lack of maintenance, the building becomes a safety hazard, therefore leaving the county with the inevitable decision of demolishing the building.

The above illustration brings to light the implications of counties deciding to construct a new courthouse from scratch after abandoning the historic one. Although a newer, larger courthouse would ease space issues, it would do so only temporarily. Even after a new courthouse is constructed, counties realize that it is already inadequate due to the need for additional space and further growth. This leaves the county in the same predicament as before, only minus an irreplaceable historic resource. Plus, according to GA HPD, “a new structure might never equal the character and stature of ... the historic building.”⁴² The costs associated with the construction of a new courthouse of similar construction methods and materials as the historic building would be phenomenal, especially taking into account labor costs, quality of materials, and workmanship.

Ross King of the ACCG, who has been active in preservation initiatives throughout the state, indicated that there is no recognized pattern of county governments moving to one-stop-

⁴² Georgia Department of Natural Resources, “Preserving Georgia’s Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005; p.9

shops outside of town or cause for alarm, only isolated cases. However, King did substantiate the findings that movement of county government offices to the outside of town had a negative impact on historic town cores. King admitted that in the isolated cases when a county government has chosen to relocate, the negative impacts described above have been applicable.

One alternative to moving government services to the outskirts of town is for counties to incorporate nearby, often historic, buildings into county functions. Counties can solve several issues, through the purchase of buildings adjacent to the courthouse. First, this can alleviate the immediate space needs of the county government. Second, these historic resources can be stabilized and rehabilitated, leading to the third advantage, revitalization of the central business district of the town. Often, these nearby historic properties are in good shape structurally and can easily be adaptively reused for county government needs.

As described above, the center of town in many county seats consists of multiple historic properties. The easiest option for solving the space problem would be for counties, when possible, to acquire properties near the courthouse to alleviate space demands inside the courthouse. In terms of budgetary considerations, this option has lower upfront costs to counties compared to the construction costs of brand new buildings. Adaptive reuse of nearby properties is one major way in which counties can quickly solve their most pressing space needs.

Ross King mentioned that in some locations in Georgia, counties have used nearby houses for additional government offices. However, the many factors counties must address when exploring this option such as energy efficiency, ADA compatibility, and building maintenance are legitimate concerns and will be discussed further in this thesis. According to King, there is a “tug and pull” that county governments experience between providing efficient services while staying preservation minded. However, these two issues are not mutually

exclusive and successful implementation of both can be achieved effectively through careful consideration of the facts.

The excuse that many counties use when demolishing their historic courthouse and abandoning the town center moving county government to the outskirts of town is that the amount of growth in recent years has led to a lack of space. Several prominent Georgia counties have rejected this decision, including one county that has arguably seen the most growth in the past several decades. Fulton County has the distinction of not only having preserved its own historic county courthouse, but also of preserving another courthouse of a county that no longer exists. The historic Campbell County courthouse, constructed in 1871, still exists in what is now Fulton County.

As home to metropolitan Atlanta, Fulton County has undoubtedly experienced growth in both population and government responsibilities since its historic courthouse was completed in 1914. However, despite acquiring two additional counties worth of responsibilities during the Great Depression and experiencing the growth of the City of Atlanta as well as the other parts of the county, Fulton County still occupies and uses its historic courthouse in the city center. Despite the pressures placed upon it, the Fulton County courthouse still maintains a prominent position as a government building surrounded by a sea of change.

In an article published by the Dekalb County Historical Society, local resident Ray Mitchell summarizes the issues surrounding courthouse preservation as he discusses the negative aspects of courthouse demolition and/or neglect:

“The worst mistake a county can make is to tear down or abandon its courthouse. Save the courthouse. Even if it must be used just as a courtroom or a clerk’s office, it will be worth the money spent to save it. The next worst mistake is to build a courthouse that

doesn't look like a courthouse. There are many of these courthouses and they all look like the health department annex rather than a courthouse...The third mistake is to put some awful addition onto a perfectly good courthouse...Great courthouses need to look like they are at the summit and center of their counties.” – Ray Mitchell ⁴³

Countering Common Misperceptions Concerning Courthouse Preservation

Historic county courthouse preservation in Georgia is not without the usual controversy and misconceptions that plague other preservation initiatives. Much of the work that goes into preservation involves setting the record straight and making sure the public understands the big picture. When it comes to courthouses, many misperceptions include the belief that something of significant age could not be adequate for modern uses. In addition to the issues of space requirements discussed previously in this chapter, questions of energy efficiency and modern code compliance are some of the more common subjects that invariably arise.

Historic courthouses, like other historic properties, continually face challenges of remaining sustainable and energy efficient. Like any building of similar age, historic courthouses struggle with staying energy efficient while maintaining the integrity of the historic materials that make them so valuable to begin with. However, retaining a building's historic value and achieving maximum energy-efficiency are not mutually exclusive as commonly perceived.

⁴³ Mitchell, Ray, “Is There a Perfect Courthouse?”, Times of Dekalb; Dekalb Historical Society, Dekalb County, Georgia; May, 1995.

As is often the case, the historic materials used to construct older courthouses were of a quality superior to modern materials and therefore, more energy efficient. Heavy timbers and locally produced masonry are just a few of the materials no longer available that were used to build many county courthouses. When these materials are properly maintained, they will invariably last longer and retain their integrity both structurally and sustainably.

Another factor often overlooked when counties consider constructing a new courthouse at a location outside of town is that the existing, often historic courthouse already has all the utilities and other facilities necessary installed and ready to use. When considering the costs and the energy conserved in not having to install all new utilities such as pipes, electric/phone lines, water/sewer lines, streetlights, and pavement for sidewalks, streets and parking, it is substantially cheaper and more resource efficient to continue to use the historic courthouse. If done properly, it is inherently more resource friendly and sustainable to preserve and conserve than to build new. The “greenest” building is one that already exists.

The common misperception that older buildings are not as energy efficient is discounted in the fact that many of them were designed to maximize natural heat sources, lighting, ventilation, and cooling due to the lack of, until recently, centralized HVAC systems. Before electricity, buildings had to be built to retain heat in the winter and stay cool in the summer. The materials used to construct them as well as many of the features that were installed in them made them capable of doing both. When it comes to outright energy consumption, use, and efficiency, courthouses built prior to 1940s have a much better track record than those built more recently (1940-1975).⁴⁴

⁴⁴ Smith, Baird, AIA; “Conserving Energy in Historic Buildings,” Preservation Brief #3; U.S. National Park Service Technical Preservation Services; World Wide Web: <http://www.nps.gov/history/hps/tps/briefs/brief03.htm> (Accessed January, 2010)

One of the major features of historic courthouses that most often bears the brunt of energy-efficiency upgrades is its historic windows. Often a defining feature of many courthouses, historic windows suffer the most from attempts at making a building more energy efficient. The truth is, however, that keeping the historic windows may actually be more energy efficient. In historic buildings, where the ratio of glass to wall is usually less than 20%, energy is conserved at a higher rate. Additionally, historic windows often are used in conjunction with exterior shutters, blinds and drapes, or awnings on the outside, furthering their energy efficiency.⁴⁵

Proponents of replacing historic windows often cite the costs of the replacement windows. What they do not mention is that many of these replacement windows, including windows made from vinyl, have a lifetime warranty of only about 10 to 20 years. Historic windows were constructed of old-growth lumber, and with the proper care, will easily outlast replacement windows. Even wooden replacement windows are inferior to historic wooden framed windows, often being made from softer, newer growth lumber.

Issues seen involving historic windows are usually the result of deferred maintenance and neglect. When properly maintained, historic windows will last longer. Although the up-front costs involved in restoring worn historic windows is more than installing replacement windows, the long-term savings are higher with older windows. “Numerous studies have revealed that when properly restored, [a] weather-stripped wood window coupled with a quality storm window will be just as energy efficient as a double-glazed replacement window.”⁴⁶

⁴⁵ Ibid.

⁴⁶ Trudeau, Paul; “Why Should I Repair or Restore my Old Wood Windows?”; The National Alliance of Preservation Commissions; World Wide Web: <http://www.uga.edu/napc/1/page/window/handout.pdf> (Accessed January, 2010)

Special provisions for building code compliance are made for historic buildings in Georgia. Fire and life-safety codes are flexible when applied to historic buildings, allowing for historic courthouses to ease the burden of code compliance. Chapter 34 of the International Building Code 2000, the governing code in the state, allows for non-compliance in cases where they are, “judged by the building official not to constitute a distinct life safety hazard.” Compliance alternatives are also found in various other Georgia laws, including sections 8-2 and 25-2 of The Official Code of Georgia.⁴⁷

Another challenge that many historic courthouses face is compliance with the Americans with Disabilities Act (ADA), requiring them to be what is known as program accessible. Program accessible means that the building is readily accessible to all patrons, including those with disabilities, now an inherent civil right. Implementation of the ADA is used by many as an excuse to destroy features of a historic building or altogether demolish the building to build a new, more compliant structure. However, ADA guidelines recognize these complexities and allow some flexibility when making historic buildings compliant with the act.

With careful consideration, the challenges of ADA compliance can be easily achieved, often with simple solutions. Although the majority of historic buildings were not built with accessibility in mind, many can be easily modified to provide increased mobility while maintaining the majority of the historic features that make them special (figure 2.12). Historic courthouses have the unique circumstance of being both public spaces that are required by law to be accessible to all county citizens while at the same time representing the identity of the county they serve.

⁴⁷ Georgia Department of Natural Resources, “Preserving Georgia’s Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, p.8



Figure 2.8 – ADA Compatible Entryway Using Historically Sensitive Materials ⁴⁸

Any alteration to the historic texture of the courthouse should be done after careful consideration, and should be part of an overall comprehensive plan for the building. Many times modifications can be done with minimal impact on the historic fabric of the courthouse. Designated handicapped parking and wheelchair ramps can be introduced without negatively affecting the historic fabric of the building. Access to prominent public entrances and spaces should be the priority. Further accommodations, including elevators and restrooms can be added by incorporating them into non-significant spaces like service areas and utilitarian spaces. ⁴⁹

⁴⁸ Jester, Thomas J. and Sharon C. Park, AIA; Photo entitled: "A retractable lift for this historic building foyer was created using "like" materials," Preservation Brief #32; U.S. National Park Service Technical Preservation Services; World Wide Web: <http://www.nps.gov/history/hps/tps/briefs/brief32.htm> (Accessed January, 2010)

⁴⁹ Jester, Thomas J. and Sharon C. Park, AIA; "Making Historic Properties Accessible," Preservation Brief #32; U.S. National Park Service Technical Preservation Services; World Wide Web: <http://www.nps.gov/history/hps/tps/briefs/brief32.htm> (Accessed January, 2010)

Historic buildings face similar challenges that modern buildings face in terms of energy efficiency, maintenance costs, and code compliance. It is important to remember that, although they may have more wear on the materials and components they are constructed from, with the proper care and maintenance, historic buildings often age better than their contemporary counterparts. As long as proactive management practices are implemented and deferred maintenance and neglect are minimized, these precious resources will continue to last into the future. It is no surprise that they have survived as long as they have and will continue to serve their communities for many more years to come. As Paul Trudeau of the National Alliance of Preservation Commissions (NAPC) puts it, “It’s not good [only] because it’s old; it’s old because it’s good!”⁵⁰

⁵⁰ Trudeau, Paul; “Taking it to the Streets: Winning the War for Windows”; News from the National Alliance of Preservation Commissions; July-August, 2009; p. 16; World Wide Web: <http://www.uga.edu/napc/TAR/Windows/Article.pdf> (Accessed January, 2010)

CHAPTER 3

AN ANALYSIS OF THE STATUS OF COURTHOUSES IN GEORGIA

Georgia Counties Without a Historic Courthouse

The criteria used to define a courthouse as historic in this thesis are as follows: the structure in question must (1) be fifty years of age or older, and (2) have been used as a county courthouse for a period of at least six consecutive months, or for those county courthouses less than fifty years old, but approaching this age mark, listed in the National Register of Historic Places (NRHP). Any courthouse satisfying the first two criteria or the third criteria would be considered as historic for this thesis.

Using the criteria set out above, there are twenty counties in Georgia that no longer have any historic county courthouse. While these twenty counties account for roughly 13% of all counties in Georgia, the impact on local identity and historic context through the loss of these landmarks is significant. Counties that no longer have a historic courthouse find that they often lack a sense of community. Citizens in these counties feel like they've been left without an anchor, or symbol that is representative of their community.

Some courthouses in Georgia were lost to fire or natural disasters, while others were consciously destroyed by the counties charged with maintaining them. The reasons counties chose to preserve or destroy their historic courthouses varied, but most regretted the decision to tear down such a valuable historic structure. The 1950s, 1960s, and 1970s were the decades that most counties chose to desert their historic courthouses in lieu of a modern building. These new courthouses lacked the style and symbolism of their predecessors, and "...were constructed in an

era on which functionality and efficiency in public buildings were valued much more ... than tradition and dignity.”⁵¹

Table 3.1 – Counties with No Historic Courthouse in Georgia

County	Construction Date	Loss Date	Reason
Cobb	1873	1969	Demolition
Dougherty	1904	1966	Fire
Emanuel	1940	2000	Demolition
Forsyth	1905	1973	Fire/Arson
Gilmer	1898 (1934)	2008	Demolition
Gordon	1889	1961	Demolition
Grady	1908	1980	Fire
Habersham	1898	1963	Demolition
Hart	1902	1967	Fire
Heard	1894	1964	Demolition
Lanier	1921	Circa 1970	Demolition
Laurens	1895	1962	Demolition
Miller	1906	1974	Fire
Milton*	1857	1955	Demolition
Muscogee	1896	1973	Demolition
Screven	1897	1963	Demolition
Spalding	1911	1981	Fire
Sumter	1888	1959	Demolition
Toombs	1919	Early 1960s	Fire
Towns	1905	1963	Demolition
Whitfield	1890	1961	Demolition
	*County Absorbed by Fulton		

Although the number of counties in Georgia that have purposely razed their historic courthouse is relatively low, the threat to the remaining historic structures in the state is not.

⁵¹ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, p. 14

Many counties either underuse or no longer use their historic courthouse, and have built annexes or county justice centers to meet the needs of the county. This often puts the historic courthouse in danger of becoming a victim of neglect or even deferred maintenance. Sometimes, in extreme instances, when county leadership has decided it already wants a new courthouse, maintenance on the existing courthouse is curtailed, often subjecting the public to various safety hazards.

Despite increased attention to the value and need of courthouses, the following is an example of what can happen when such a decision is made regarding the historic county courthouse. Gilmer County's historic courthouse became the target of the wrecking ball after an unfortunate accident in which District Attorney Roger Queen fell down the stairway and broke his neck. The incident left Mr. Queen paralyzed. After years of postponed maintenance, when the county performed little or no work on the historic structure, the building fell into such disrepair that weeds were growing from the soffits and the stairways had become a danger to the public. The courthouse was only demolished after a public referendum, as per Georgia Law, sealed its fate.

Due to lack of maintenance and neglect by the county government, the courthouse was seen by the public as a major safety hazard and was condemned in 2003, not long after Mr. Queen's accident. This case illustrates how, after county officials decide that a new courthouse is needed, money and resources are no longer put into the existing courthouse. The resulting hazards to public safety are then a direct result of the county's lack of motivation to spend the necessary money to stabilize the building.

A steering committee was formed to decide on whether to renovate the existing courthouse and add an annex, or demolish it, and build an entirely new building. A Building Authority was established to work with the contractor(s) chosen to do the work. The public

never really heard the whole story, mainly because the county hired the same contractor, Winter Construction, which had already been hired to build a nearby government annex, to conduct the feasibility study on the renovation work. Even after protests by the county historical society to the county commission that the county hire a third, disinterested party to conduct the review, the Building Authority retained Winter Construction.

Winter Construction’s findings, presented by the Building Authority on the county government website, were available to the public just prior to the referendum. Their findings indicated that a new courthouse would be the better, cheaper option, and offered no balanced review of the facts. No mention was ever made that Winter Construction already had an established financial interest in the project. Their findings state that the “existing courthouse is falling apart”, with no mention as to whose responsibility it was for upkeep. Although impressive, the Gilmer County Building Authority’s presentation did not present a truly accurate picture of the options available to the taxpayers of Gilmer County (figures 3.1 - 3.3).

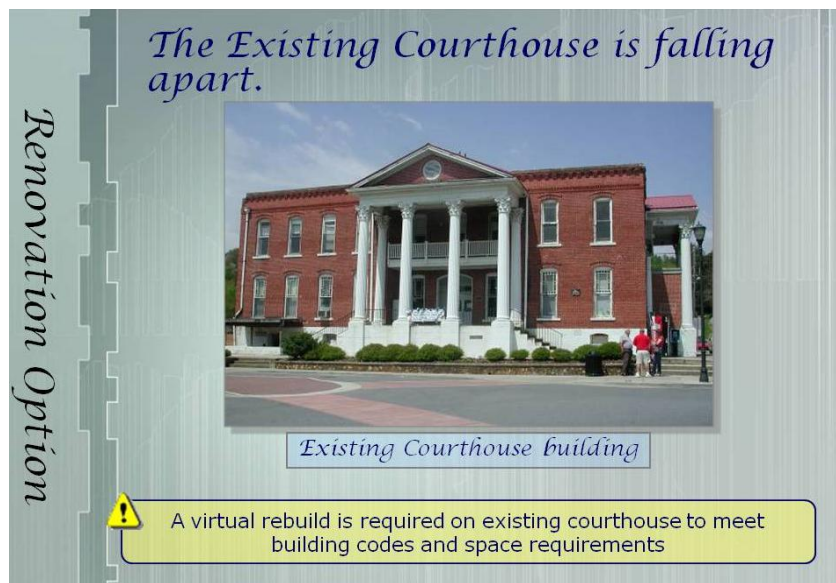


Figure 3.1 – Building Authority Findings for Gilmer County Courthouse



Figure 3.2 – “Same appearance as the existing building”

Option Comparison

Category	Renovation Option	Replace Option
Life Span	Shorter	Longer
Function	Restricted	Unlimited
Short Term Appearance	Equal	Equal
Long Term Appearance	Accelerated deterioration	Slower deterioration
Maintenance	Higher maintenance cost	Lower maintenance cost
Schedule to complete	14 months	12 months
Initial Costs	More	Less
Life Cycle Costs	More	Less
Site Costs	Same	Same
Building Cost	\$8.1+ million	\$6.7 million

Figure 3.3 – Building Authority Cost Comparison

It seems that a wholly one-sided part of the story was presented to the public, despite attempts to explain the preservation side of the argument. Both the Gilmer County Historic Society and students from the University of Georgia Historic Preservation Program distributed flyers to the public and local businesses listing the benefits of preserving the courthouse. Nevertheless, the referendum was included during the November, 2006 Gilmer County General Election, as per Georgia law, and Gilmer citizens voted to demolish the historic courthouse (figure 3.4). The loss of the Gilmer County Courthouse is also the loss of a building, which was originally constructed as the Hyatt Hotel in 1898 and converted into a courthouse in 1934. It was Georgia's only example of a building built as something else and later converted into a county courthouse (figure 3.5).

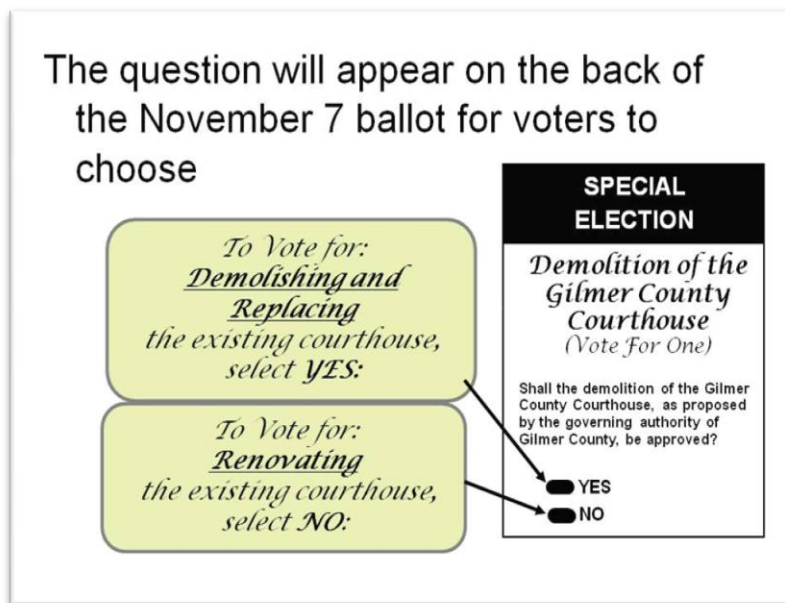


Figure 3.4 – Ballot as it appeared on the Referendum, November 7, 2006



*Figure 3.5 – The Hyatt Hotel in Ellijay, GA (Date Unknown)*⁵²

The Gilmer County Historic Society compiled data and other background information and included it in their presentation entitled, “An Informational Program of the Gilmer County Historical Society”. With the help of notable architects and experts in the field, including Dr. Ray Luce, Division Director and State Preservation Officer, GA Dept of Natural Resources; Mr. Jack Pyburn, Principle Architect, OJP/Architect, Inc. Historic Architect and Planning expert; and Mr. Greg Paxton, President and CEO, The Georgia Trust for Historic Preservation. Their findings, presented to the County Commission prior to the referendum are as follows:

“The request submitted to the Board of Commissioners was for a Historical Architectural study to determine the feasibility of the restoration and or renovation of the current courthouse. The information provided for voter consideration does ***not*** meet that criteria. At best, information provided only represents an alternative method of

⁵² Photo courtesy of the Gilmer County Historical Society

destruction. Can a Historic Courthouse provide a reasonable return on the community's investment? Historic materials are superior in longevity to modern materials. Adapted historic building offers modern accommodations with benefit of quality of historic materials. All buildings require maintenance. Consider the ability of a new building to withstand the lack of maintenance the Gilmer Courthouse has experienced. Does an Active, Functional, Rehabilitated Historic Courthouse Contribute Something More to the Community than a new building in its place? That is the question for the community to decide in the upcoming referendum. Within the Building Authority presentation we have seen cost estimates for the replacement of the current courthouse, and estimates for their defined renovation ... Accepting these estimates at face value does not meet our obligation as taxpayers and responsible citizens. The Building Authority contends that the current courthouse *must* be used as a courthouse. According to the Authority there is no other choice. They will not consider obtaining grant money to assist in *restoring* the courthouse and utilizing it for the Chamber of Commerce, Welcome Center, and Museum and adding a restored focal point to the downtown area. The Better Hometown Program is beginning action plans to revitalize downtown Ellijay and, in spite of this effort, the Building Authority would demolish the most significant icon in the county.”

The Gilmer County courthouse debate highlights the broader topic of protecting historic properties listed in the NRHP. Historic county courthouses in Georgia have been listed under National Register Criterion A for history and/or Criterion C for architecture. Those not listed individually are often listed as contributing properties to National Register Historic Districts. Listing on the NRHP does not protect a historic property outright, but simply raises awareness of its value. In part, the intent of the NRHP is to encourage states to enact their own preservation legislation further protecting their historic recourses. Using the NRHP as a starting point, states will often pass legislation with more actual legal protection for historic properties. Georgia took

a step in this direction in 1990, with the passage of legislation sponsored by Kenneth Birdsong of Wilkinson County.

The legislation, now official Georgia Code 36-9-2.1, provides partial protection for historic county courthouses constructed prior to 1905 listed in the NRHP in Georgia.⁵³ Many courthouses constructed prior to 1905 and listed in the NRHP in Georgia have been afforded another layer of protection from demolition through this legislation, effectively keeping county governments from demolishing these courthouses without prior citizen approval. However, the Gilmer County case shows that even partial legal protection isn't enough to protect from misinformation or lack of public understanding, which ultimately leads to the loss of these irreplaceable resources.

Fortunately, most counties in Georgia have decided to preserve their most precious historic resource. This does not mean that these courthouses are free from risks to their existence. According to The Georgia Courthouse Manual, the dangers that many Georgia courthouses face, "... [A]re poorly designed, inappropriate alterations, and insufficient maintenance."⁵⁴ As these historic resources grow older, the importance of conscious efforts to preserve them grows stronger. The majority of Georgia counties have preserved their courthouses, but without proper care and maintenance, they may also fall victim to the same circumstances as their counterparts discussed above.

⁵³ Official Code of Georgia, "Demolition of certain county courthouses"; O.C.G.A 36-9-2.1; Georgia Laws 1990, p.133

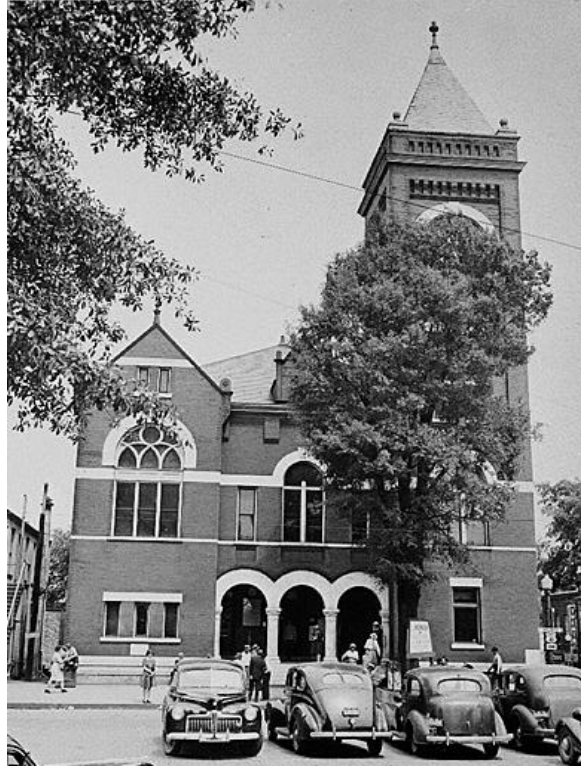
⁵⁴ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, p. 15

As mentioned in Chapter One, GA HPD reported in 2005 that there were 132 Georgia courthouses listed in the NRHP.⁵⁵ Since then, the Gilmer County courthouse is one Georgia property that was listed in the NRHP and was demolished. Since 1980, four historic courthouses listed in the NRHP were lost forever. Two were victims of fire, and the other two were purposely torn down. The Grady County courthouse and the Spalding County courthouse, both originally listed in the NRHP in 1980, were lost to fire in 1980 and 1981, respectively. In addition to the loss of the Gilmer County courthouse, the Emanuel County courthouse, originally listed in the NRHP in 1995, was destroyed in 2000 when the county moved to a new location and eventually built a new courthouse outside of the center of town.

Lost Historic Resources

The following ten figures are of select county courthouses that no longer exist (figures 3.6 to 3.15). In order to fully grasp the loss of these great treasures, it was determined that as the old saying goes, “A picture is worth a thousand words.” The figures below illustrate courthouses that will never be seen again, and serve as cautionary notes to counties that are letting their historic courthouses either fall into disrepair or become marginalized due to encroaching development. The following examples serve as reminders to counties of “what not to do.”

⁵⁵ Georgia Department of Natural Resources, “Preserving Georgia’s Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, p.14

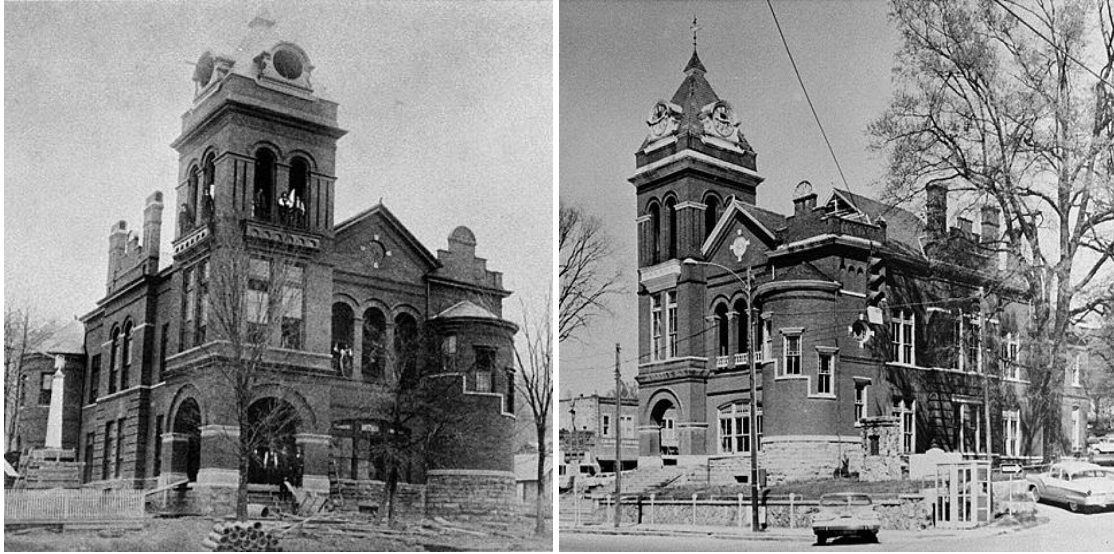


*Figure 3.6 – Cobb County Courthouse, Circa 1943*⁵⁶



Figure 3.7 – The Gilmer County Courthouse, Circa 2000

⁵⁶ “Photograph of Cobb County Courthouse, Marietta, Cobb County, Georgia, ca. 1943,” Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “cob 205”



*Figures 3.8 & 3.9 – Gordon County Courthouse, Under Construction, Circa 1889⁵⁷
And Just Prior to Demolition, Circa 1961⁵⁸*



Figure 3.10 – Grady County Courthouse, Circa 1916⁵⁹

⁵⁷ “Photograph of Gordon County courthouse, Calhoun, Gordon County, Georgia, 1889”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “gor 053”

⁵⁸ “Photograph of courthouse, Calhoun, Gordon County, Georgia, 1961,” Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “gor 018”



*Figure 3.11 – Habersham County Courthouse, Circa 1953*⁶⁰



*Figure 3.12 – Hart County Courthouse, Circa 1955*⁶¹

⁵⁹ “Photograph of the exterior of Grady County Courthouse, Cairo, Grady County, Georgia, ca. 1909 – 1916”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “gra 060”

⁶⁰ “Photograph of Habersham County Courthouse, Clarkesville, Habersham County, Georgia, between 1950 and 1955”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “hab 022”



Figure 3.13 – Laurens County Courthouse, Circa 1918 ⁶²



Figure 3.14 – Muscogee County Courthouse, Circa 1900 ⁶³

⁶¹ “OLD HART COUNTY COURTHOUSE”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “hrt 060”

⁶² “LAURENS COUNTY COURT HOUSE—DUBLIN”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “lau 015”



*Figure 3.15 – Sumter County Courthouse, Circa 1944*⁶⁴

Georgia Counties with Historic Courthouses

The majority of Georgia counties have retained their historic county courthouse in some form or another. Counties that kept their historic courthouse did so for a variety of reasons. The majority were kept due to a growing appreciation of these great resources in the 1970s. With America's Bicentennial celebrations during the middle of the decade, the country felt a renewed sense of history. The National Trust for Historic Preservation held a conference and published a courthouse conservation handbook in 1976. New community organizations and groups were formed with the purpose of preserving history. Many Georgia residents felt a renewed sense of pride in their historic county resources, especially the courthouse which represented where they lived.

⁶³ "COLUMBUS, GA. The Court House", Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: "mus 106"

⁶⁴ "Photograph of Sumter County Courthouse, Americus, Sumter County, Georgia, ca. 1943-1945", Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: "sum 113"

State level recognition of these priceless resources came in the form of the publication of a five-volume judicial facilities survey by The Judicial Council of Georgia in 1976. This document provided detailed information on existing county courthouses, including dimensions and floor plans. That same year, local architectural historian Janice Hardy received a grant from the National Endowment for the Arts to review architectural styles of Georgia courthouses. Her research resulted in a multiple property “thematic” listing of just over 90 historic county courthouses on the NRHP in 1980. These high profile recognitions of county courthouses led to renewed interest in their preservation by the public.

139 Georgia counties, comprising roughly 87% of the state, still have a historic courthouse, although some do not use it as it was originally constructed. Many of these are still around today because of the hard work and dedication by local citizens groups and supportive county authorities. Some county courthouses are in pristine shape architecturally and have been well maintained. Others have been significantly altered from their original design. Still, more are in various states of disrepair and neglect and are in danger of being permanently lost.

Counties that have kept their historic county courthouse fall into two general categories. The first category consists of counties that still have a historic county courthouse, but have constructed a new county courthouse complex, or justice center. These counties either use their historic courthouses for a differing variety of county government functions, or have sold or donated them to non-governmental parties. At the time of the publication of this thesis, there were 37 counties in the first category, representing 23% of the state.

The second, and by the far the largest category, is comprised of counties that still use their historic courthouse for court and other county government functions. Counties that fall into this category range from metropolitan areas to largely rural regions of the state. At the time of

the publication of this thesis, there were 102 counties in the second category, representing 64% of the state.

Georgia Counties in both categories find their historic courthouses in various states of repair. According to a 2002 study by the Architectural Offices of Jack Pyburn, “Over 50% fall under a condition rating of poor or fair and are in jeopardy of further deterioration or demolition if near-term action to stabilize and improve them is not taken.”⁶⁵ In counties that see negative or no growth in population and a decreasing tax base, funding for basic upkeep of the courthouse is a constant issue.

As will be discussed further in later chapters, there are several options for counties to choose from when deciding what courses of action to take to continue to preserve their historic courthouse. Various funding sources and grant programs exist in the state to help counties preserve their most precious historic resource. As mentioned previously in this thesis, counties that choose to keep their historic county courthouses will continue to reap the many benefits of having such a recognizable historic landmark representing them. There are also options and initiatives at the state level that will provide further protection for county courthouses in Georgia. Other states’ courthouse preservation programs can be drawn upon in addition to the individual counties initiatives to preserve Georgia’s richest collection of historic landmarks.

Flagship Examples of Historic County Courthouses in Georgia

Through extensive review of the existing county courthouses in Georgia, counties with courthouses that stood out as notable examples, or flagships, of successful preservation initiatives were identified. The successes and lessons learned from these initiatives were compiled and given the designation “flagship” to identify examples to be presented in this thesis.

⁶⁵ Office of Jack Pyburn Architect, Inc.; “Estimate of Cost to Rehabilitate the Historic County Courthouses and City Halls of Georgia; Historic Preservation Architecture; Atlanta, GA, 2002

Courthouses were selected as flagships and used as an example in this thesis if they: (1) are exceptional examples of an architectural style, (2) or are of significant age and have been preserved well, and (3) are listed in the NRHP. Only courthouses meeting either of the first two criteria plus the third criteria were chosen as flagship examples in this thesis. Flagship courthouses were chosen from each region of the state for an equal representation across Georgia. The facts behind, and the lessons learned from each flagship vary. Each flagship was examined and discussed briefly, with an in-depth case study of the Decatur County Courthouse provided below.

Historic county courthouses were chosen from eight different geographic regions in Georgia. The eight regions were chosen in order to have an equal sampling of flagships from throughout the state. The regions flagships were selected from are, in no particular order, Northern Georgia, Metro-Atlanta, Eastern Piedmont Georgia, Southeastern Georgia, Western Georgia, South-Middle Georgia, Eastern Georgia, and Southwestern Georgia (figure 3.16). Although these regions may have multiple historic county courthouses worthy of praise, only one was chosen from each in order to provide equal representation throughout the state.

Although no longer used by the county government, this courthouse is a great illustration of a grass roots effort in preserving a historic property. Residents of the county convinced the county commission not to demolish the building after it was condemned as unsafe in 1971, and in 1976 rehabilitation started on the courthouse. In 2000, the clock tower that had originally been removed in 1959 was reinstalled. Today, this courthouses stands as a testament to the efforts by local citizens to preserve it.



Figures 3.17 & 3.18 – The Historic Union County Courthouse, Circa 1930⁶⁶ and Today⁶⁷

The flagship example selected from the **Metro-Atlanta** region is the Historic Clayton County Courthouse in Jonesboro (figure 3.19). Although it was constructed in 1898, it is not the

⁶⁶ Digital Library of Georgia; “Old Union County Courthouse -Circa 1930”, GeorgiaInfo, Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/unionoldCH2.htm> (Accessed February, 2010)

⁶⁷ Digital Library of Georgia; “Old Union County Courthouse”, GeorgiaInfo, Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/unionoldCH.htm> (Accessed February, 2010)

only historic courthouse still standing in the county. Another courthouse, constructed in 1869 still stands and is used as a Masonic Lodge. The Historic Clayton County Courthouse is an excellent example of a Romanesque Revival style building designed by J.W. Golucke and was restored to its original design after additions added in 1962 were removed in 2001.

The Historic Clayton County Courthouse was listed in the NRHP in 1972 as a contributing property in the Jonesboro National Register Historic District. The county constructed the Harold R. Banke Justice Center in 2000 due to space needs. Although still officially known as the Clayton County Courthouse, court is held in the Banke Justice Center, and the historic courthouse is used for various other county services.



*Figure 3.19 - The Historic Clayton County Courthouse Today*⁶⁸

⁶⁸ Askew, John, "Clayton County Court House," Scenes In and Around Jonesboro Georgia; World Wide Web: <http://www.pbase.com/johnaskew2/image/48900096> (Accessed: February, 2010)

The flagship example selected from the **Southwestern** region is the Historic Decatur County Courthouse in Bainbridge (figures 3.20 & 3.21). Preserving Georgia's Historic Courthouses (2005) provides an excellent case study about the successful renovation of the courthouse during the late 1990s. A Neoclassical Revival building designed by Georgia architect Alexander Blair in 1902, the courthouse sits on the Bainbridge city square in a block-sized park. The narrative presented by the Historic Preservation Division of the Georgia Department of Natural Resources is an example of an effectively planned preservation process. Goals were established, plans were developed and action taken to accomplish the goals.

According to the case study, the county government “recognized a need for additional space and updated systems, but was committed to remaining in the historic courthouse.” The community valued the downtown/central business district and this value was shared among many supporters.

A comprehensive plan was developed that included rehabilitation of the courthouse, conversion of the jail additions into offices, courtrooms and storage space.

“Courthouse rehabilitation consisted largely of the removal of non-historic materials and the repair of historic features. The courtroom had been greatly altered in previous renovations with the addition of modern materials, such as a dropped ceiling to hide HVAC ductwork, and a balcony enclosure. All non-historic features were removed revealing an intact balcony area and pressed metal ceiling, which only required minimal repairs. Original windows, shutters, and curly-pine paneling were also intact. New mechanical systems were installed in the courtroom in a manner that caused minimal visual or physical impacts. These include hidden HVAC

ductwork and a state-of-the-art computer system that allows the jury to view projected images.”⁶⁹

This excerpt makes clear that the space needs of the county were understood and integrated into the planning process. In addition, the courthouse had not been neglected, was in use, and no hazards existed that precluded renovation.

Funding for the rehabilitation of the courthouse came from \$5.6 million in SPLOST money. A prisoner work program was used on the project and additional rehabilitation of nearby fire and police stations by the city and rehabilitation in the commercial district, including the historic Bon Air Hotel, by private investment was done as part of the project. The process was characterized by a creative combination of tax money and non-tax contributions in-kind.

Interviews with some of the key players in the Decatur Courthouse renovation project reveal an even more complex story than that contained in the preceding case study. In actuality, the process was an 11-year project that combined elements of a public education campaign, a coordinated media effort, local preservation champions, support from the UGA MHP program including a student-led charette focusing on the preservation of the jailhouse and courthouse, care not to stimulate the political immune system, networking, and appropriate political pressure. Many of those involved still wish to remain anonymous.

“They were fortunate in knowing whom they were dealing with and the various personalities involved. They learned that ‘If you are devious -- in the right way -- things get done, but if you let the ‘cat out of the bag, your goose is cooked!’ (Waters)⁷⁰

⁶⁹ Georgia Department of Natural Resources, “Preserving Georgia’s Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, p.8

⁷⁰ John Waters, Professor and Director of Graduate Studies in Historic Preservation, College of Environment and Design, University of Georgia, May, 2010

The Decatur Courthouse renovation project involved a lengthy chain of events that involved a great deal of networking and subtle suggestion of ideas (with the goal of getting people to think it was their own idea). Networking was an important key, and the involvement of others across the state for suggestions and advice such as the Georgia Trust, SHPO, and UGA's MHP program were important contributors to the final success of the project. Together these demonstrate the strong community/grassroots effort that is necessary for a successful renovation project in today's climate. The local newspaper consistently reminded the community of the history of the buildings and encouraged civic pride in that history. The UGA Division of Historic Preservation, under the director, John Waters, assisted the Decatur Courthouse Restoration Committee on the selection of an architect who would be sensitive to the restoration needs of the project.

Confrontation was avoided at every stage, and significant efforts were made to build consensus among the stakeholders in the community. Conflict was managed quietly and privately, behind the scenes whenever possible, and even when there were winners and losers on key issues, little was made of this in any public forum. Even today in 2010, more than ten years after the completion of the project, participants remain unwilling to be quoted on certain details.

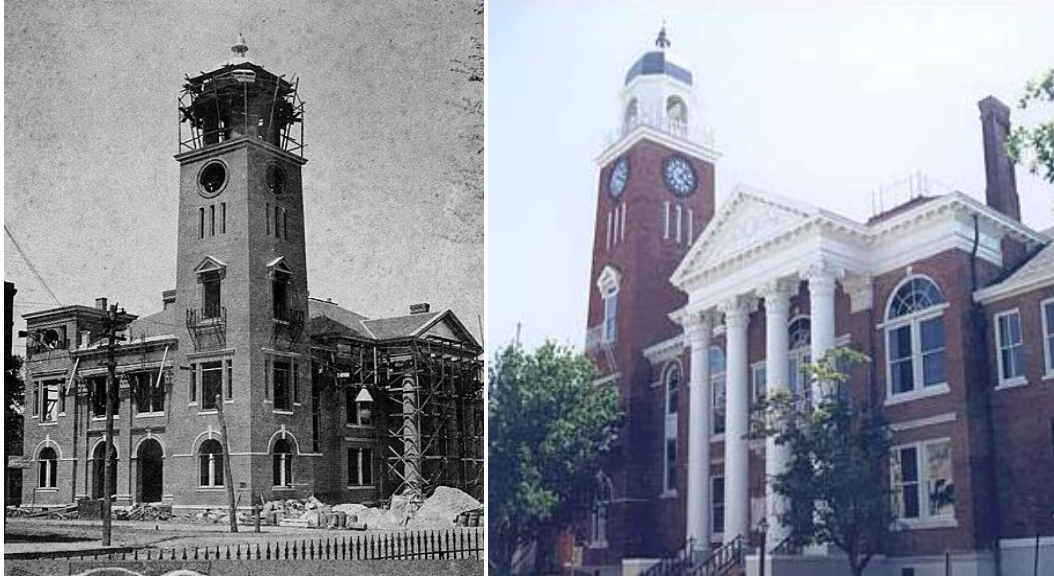
“Nobody involved in this will talk about it, but networking, being in the right place at the right time, the assistance of the news media, and a small cadre of dedicated individuals brought all of this about without taking any of the credit, because they convinced others that what was accomplished was their idea. Lack of experience in the political arena would have spelled failure, and no one would participate in a case study effort because what they did would not work if people realized how they had been manipulated into doing the right thing: using subtle suggestion,

public education through the news media to develop support for the projects and the SPLOST funds with which to operate.” (Waters)⁷¹

The successful renovation of the Decatur County Courthouse was a lengthy, recursive, discontinuous process involving many difficult steps and a host of dynamic factors over a considerable period of time before the project was complete. Logical Incrementalism describes this process very well. Early commitments are kept broadly formative, tentative, and subject to review at a later period. In many cases neither the organization nor external customers could understand the full implications of alternative actions. All parties often seek to test assumptions and have an opportunity to learn from and adapt to each other’s responses. A “comfort factor” is usually built in for risk taking.⁷² The successful coalition quickly developed a positive reputation within the community, was quick with solutions, and never pushed too hard except at critical moments in the process. The Historic Decatur County Courthouse serves as a celebrated example of a preservation program and appropriate rehabilitation project for any county considering a similar initiative.

⁷¹ Ibid.

⁷² Quinn, J.B., 1978. “Strategic change: Logical Incrementalism”. Sloan Management Review 20 (1), 7–21.



*Figures 3.20 & 3.21 –
The Historic Decatur County Courthouse Under Construction in 1901⁷³ and Today⁷⁴*

The flagship example selected from the **Eastern Piedmont** region is the Historic Hancock County Courthouse in Sparta (Figures 3.22 & 3.23). Designed by noted Atlanta architects William H. Parkins and Alexander C. Bruce, it was completed in 1883. The Historic Hancock County Courthouse serves as one of only three courthouses constructed in the Second Empire style in the state. A.C. Bruce had previously designed courthouses in Tennessee and the Hancock County Courthouse was a direct copy of a courthouse there.⁷⁵ Still used as a

⁷³ “Photograph of Decatur County Courthouse, Bainbridge, Decatur County, Georgia, 1901”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “dec 022”

⁷⁴ Digital Library of Georgia; “Decatur County Courthouse”, by: Keith Hair; GeorgiaInfo, Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/decaturCH.htm> (Accessed February, 2010)

⁷⁵ Hardy, Janice and Anne Harman, Georgia County Courthouses; The Georgia Trust for Historic Preservation, Inc. and the Georgia Department of Natural Resources, 1979; p.12

courthouse today, the majestic Historic Hancock County Courthouse was listed in the NRHP in 1974 as a contributing property in the Sparta National Register Historic District.



*Figures 3.22 & 3.23 –
The Historic Hancock County Courthouse, Circa 1972 ⁷⁶ and Today ⁷⁷*

The flagship example selected from the **Southeastern** region is the Historic Glynn County Courthouse in Brunswick (see figures 3.24 & 3.25). Designed by architects C.A. Gifford and E.S. Betts and completed in 1907, the Historic Glynn County Courthouse is an excellent example of a well-preserved courthouse built in the Neoclassical Revival style, by far the most

⁷⁶ “Hancock County Courthouse, Town Square, Sparta, Hancock County, GA”; Historic American Building Survey; Library of Congress; Call Number: HABS GA,71-SPART,4

⁷⁷ Digital Library of Georgia; “Hancock County Courthouse”, GeorgiaInfo, Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/hancockCH.htm>, (Accessed February, 2010)

popular style of courthouse construction in the state. The Historic Glynn County Courthouse was listed in the NRHP in 1974 as a contributing property to the Brunswick Old Town National Register Historic District.

The Historic Glynn County Courthouse was used until a new county courthouse was constructed across the street in 1991. Funding for the new courthouse came from a \$9 million SPLOST fund and another \$1.5 million has been proposed for converting the historic courthouse into a meeting hall and offices for the county commission. This and another initiative to connect the two courthouses with a plaza have yet to be undertaken.⁷⁸



*Figures 3.24 & 3.25 –
The Historic Glynn County Courthouse (Date Unknown)⁷⁹ and Today⁸⁰*

⁷⁸ “The Georgia Courthouse Manual”, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, Appendix C, p. 72

⁷⁹ “Photograph of courthouse, Brunswick, Glynn County, Georgia”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “gly 067”

The flagship example selected from the **Western** region is the Historic Upson County Courthouse in Thomaston (figures 3.26 & 3.27). Designed by noted architect Frank P. Milburn and completed in 1908, it is an exceptional example of a Neoclassical Revival style courthouse in the western part of the state. Listed in the NRHP in 1980, the Historic Upson County Courthouse is in danger of neglect. Although a SPLOST fund was approved by voters to make the courthouse ADA compliant, the majority of the funds went to moving the county government into the former Lee High School building. As one of the only examples in this part of the state of the most popular courthouse construction style in state, it deserves to be protected.



*Figures 3.26 & 3.27 –
The Historic Upson County Courthouse, Circa 1908⁸¹ and Today⁸²*

⁸⁰ Digital Library of Georgia; “Glynn County Courthouse (1907-1991)”, [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/glynnoldCH.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/glynnoldCH.htm>, (Accessed February, 2010)

⁸¹ “Postcard Upson County Courthouse - Early 1900s” Courtesy of Gary Doster; [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/upsonCHpostcard.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/upsonCHpostcard.htm>, (Accessed: February, 2010)

The flagship example selected from the **South-Middle** region is the Historic Brooks County Courthouse in Quitman (figures 3.28 & 3.29). Originally designed by architect John Wind, this courthouse has a storied history. Work began on Wind's design in 1859, but was postponed due to the War Between the States and the death of the contractor in 1862. The courthouse was finally finished in 1864, partially funded by almost \$15,000 in Confederate States of America (CSA) currency. A second architecture firm, A.C. Bruce and his second partner Thomas Henry Morgan, designed the extensive remodeling of the courthouse done in 1892.⁸³

The Historic Brooks County Courthouse is an example of the blending of two architectural styles. It has elements of both the Renaissance Revival and Romanesque Revival architectural styles and was listed in the NRHP in 1980. Rehabilitation of the Historic Brooks County Courthouse began in 2002, funded by both \$140,000 in SPLOST and general funds and a \$20,000 Georgia Heritage Grant from the GA HPD. The rehabilitation work included removing non-historic features and repairing and restoring historic mantelpieces and moldings. Further work included an ADA compliant wheelchair ramp, retrofitted doors, accessible restroom, and elevator. As of 2005, the Board of Commissioner was considering further use of SPLOST funds for exterior rehabilitation and courtroom restoration work.⁸⁴

⁸² Blackwell, Ken, "Upson County Courthouse, GA", [Flickr](http://www.flickr.com/photos/kenb/285714987), World Wide Web: <http://www.flickr.com/photos/kenb/285714987> (Accessed: February, 2010)

⁸³ The Georgia Courthouse Manual, The Georgia Department of Community Affairs with the Association of County Commissioners of Georgia; 1992, Appendix D, p. 70

⁸⁴ Georgia Department of Natural Resources, "Preserving Georgia's Historic Courthouses"; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, p.11



*Figures 3.28 & 3.29 –
The Historic Brooks County Courthouse, Circa 1906⁸⁵ and Today⁸⁶*

The flagship example selected from the **Eastern** region is the Historic Johnson County Courthouse completed in Wrightsville in 1895 (figures 3.30 & 3.31). Another one of the 19 Georgia courthouses designed by notable Atlanta architect J.W. Golucke, the Historic Johnson County Courthouse is an example of the blending of the Romanesque Revival and Colonial Revival styles of architecture. The Historic Johnson County Courthouse was listed in the NRHP in 1980.

The story behind this courthouse is another great model of a grass-roots effort in preservation. In the 1990s, the Johnson County government had plans to abandon the historic

⁸⁵ Digital Library of Georgia; “Brooks County Courthouse -- Early 1900s”, Courtesy of Gary Doster; [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/brooksCHpostcard2.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/brooksCHpostcard2.htm>, (Accessed February, 2010)

⁸⁶ Digital Library of Georgia; “Brooks County Courthouse”, [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/brooksCH.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/brooksCH.htm>, (Accessed February, 2010)

courthouse and construct a new one off-site. Citizens opposed the plan and a SPLOST was passed to fund rehabilitation of the historic courthouse. Completed in 1996, the rehabilitation was funded by \$1 million from the SPLOST and a \$19,000 Georgia Heritage Grant from HPD.

The rehabilitation work on the Historic Johnson County Courthouse included renovations of a nearby storefront to provide additional space for county government and retained historic character defining features of the interior of the courthouse. This project serves as another example of how maintaining the historic courthouse in the center of town revitalizes the town center while promoting an appreciation of historic resource and a sense of place that county citizens can all share.⁸⁷



Figures 3.30 & 3.31 – The Historic Johnson County Courthouse, Early 1900s⁸⁸ and Today⁸⁹

⁸⁷ Georgia Department of Natural Resources, “Preserving Georgia’s Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, p.5

⁸⁸ Digital Library of Georgia; “Johnson County Courthouse -- Early 1900s”, Courtesy of Gary Doster; [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/johnsonCHpostcard.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/johnsonCHpostcard.htm> (Accessed February, 2010)

The eight flagship courthouses discussed above are by no means the only significant historic courthouses in Georgia (Table 3.2). They were selected to provide an equal representation of noteworthy examples from across the state. These eight courthouses are presented to provide readers with a better understanding of “what right looks like.” They should serve as inspiration to counties with historically significant courthouses to preserve them and keep them in good order so they may one day be considered a flagship by future investigations of courthouse preservation programs in the state. Further analysis of each flagship example provides potential avenues for future research opportunities.

Table 3.2 – Georgia’s Flagship Courthouses

Region	County	Completion Date
Northern Georgia	Union	1899
Metro-Atlanta	Clayton	1898
Southwestern Georgia	Decatur	1902
Eastern Georgia	Hancock	1883
Southeastern Georgia	Glynn	1907
Western Georgia	Upson	1908
South-Middle Georgia	Brooks	1864
Eastern Piedmont Georgia	Johnson	1895

Remarkable Facts About Various Historic County Courthouses in Georgia

With a rich history and wide variety of counties, Georgia is home to a number of interesting courthouses and the facts that surround them. With Georgia’s diverse geography and

⁸⁹Wayne, Jimmy “Upson County Courthouse, GA”, [Flickr](http://www.flickr.com/photos/auvet/91214196/), World Wide Web: <http://www.flickr.com/photos/auvet/91214196/> (Accessed February, 2010)

above average number of counties, it is no wonder that some unique stories have developed about many historic courthouses in the state. These anecdotes serve to enlighten citizens and visitors alike as to the importance and background behind many of Georgia’s most recognizable landmarks.

Gordon County’s current courthouse isn’t the only courthouse in the county. The historic courthouse at what was once the Cherokee Nation’s capital at New Echota was reconstructed in the 1960s. This courthouse serves as a reminder of the Native American influence and history in Georgia. There is even a historic county courthouse in Georgia that still stands even though the county it served ceased to exist almost eighty years ago. The Campbell County courthouse, constructed in 1871, is in Fairburn. Fairburn was the county seat of Campbell County until Fulton County absorbed the county in 1932. Although Campbell County no longer exists, its historic courthouse stands in proud majesty of what once was (figure 3.32).



*Figure 3.32 - The Former Campbell County Courthouse*⁹⁰

⁹⁰ “Campbell County Courthouse at Fairburn, 45 East Broad Street, Fairburn, Fulton County, GA”; Historic American Building Survey; Library of Congress; Call Number: HABS GA, 61-FAIRB,1-1

There are two historic county courthouses constructed of wood that are still standing in Georgia. Although neither is still used as a courthouse or even still in the county seat, both are great examples of history preserved. The former Chattahoochee County courthouse was moved to Westville in Newton County in 1974 (figure 3.33). Constructed just after the establishment of Cusseta as county seat in 1854, this fine example of a wooden courthouse now resides at Westville, a reconstructed 1850s-era Georgia town now open to tourists. The other extant wooden courthouse in Georgia is found in the town of Tazewell in Marion County (figure 3.34). Constructed in 1848, this courthouse only served for two years because the county seat was moved from Tazewell to Buena Vista where another courthouse was constructed in 1850.



*Figure 3.33 – The Former Chattahoochee County Courthouse at Westville*⁹¹

⁹¹ Digital Library of Georgia; “Old Chattahoochee Courthouse”, [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/chattahoocheeoldCH.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/chattahoocheeoldCH.htm>, (Accessed February, 2010)



*Figure 3.34 – The Former Marion County Courthouse in Tazewell*⁹²

Two courthouses in the state were constructed during the War Between the States. As discussed previously, the Brooks County Courthouse was completed during the war, partially funded with Confederate currency. Construction of the Banks County Courthouse was also funded in part by CSA money, and finished in 1863 (figure 3.35). This courthouse was almost demolished in the late 1980s, but a grass-roots effort by the local community fought to save the courthouse. A local high-school student even printed out flyers and distributed them house-to-house securing the vote to save the courthouse and winning by two-to-one in favor of preservation efforts.

⁹² Digital Library of Georgia; “Old Marion County Courthouse”, [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/marionoldCH.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/marionoldCH.htm> , (Accessed February, 2010)



*Figure 3.35 – The Historic Banks County Courthouse, Circa 1970s*⁹³

The four oldest surviving courthouses in Georgia each have an interesting story to tell. The oldest remaining courthouse in Georgia is the Historic Richmond County Courthouse in Augusta. Constructed in 1801, it was the county courthouse until another structure was built in the 1820s. Named for the families that lived there, it was known as the Hale-Murphy House after the new courthouse was built until the City of Augusta purchased it, and it is now known by its original name, The Old Government House (figure 3.36).

⁹³ “Photograph of Banks County Courthouse, Homer, Banks County, Georgia, 1976 ”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “ban 008”



*Figure 3.36 – The Old Government House*⁹⁴

The second oldest county courthouse in Georgia is the Historic Fayette County Courthouse, constructed in Fayetteville in 1825. Although it no longer serves as county courthouse, it was almost completely destroyed in 1983 when defendants in a criminal case firebombed the top floor, prompting the county to construct a new county courthouse in 1985. The historic courthouse is still used by the local chamber of commerce after having been restored in the mid-1980s (figure 3.37).

⁹⁴ “old courthouse (old "Government House")”, Flickr, World Wide Web: <http://www.flickr.com/photos/7818927@N06/2450592371/> (Accessed February, 2010)



*Figure 3.37 – The Historic Fayette County Courthouse Today*⁹⁵

The third oldest county courthouse in Georgia is the Historic Crawford County Courthouse constructed in Knoxville in 1832 (figure 3.38). The “Lone Star Flag” that was to become the Texas State Flag was designed by Joanna Troutman in a hotel across the street from the Historic Crawford County Courthouse in 1835. Troutman sent the flag to Texas with local citizens that were travelling to fight for its independence.

⁹⁵ Digital Library of Georgia; “Old Fayette County Courthouse”, by: Keith Hair; [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/fayetteoldCH.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/fayetteoldCH.htm> (Accessed February, 2010)



*Figure 3.38 – The Historic Crawford County Courthouse*⁹⁶

The fourth oldest courthouse in Georgia is the Historic Lumpkin County Courthouse constructed in Dahlonega in 1836 (figure 3.39). Although no longer used as a courthouse, the local community has converted it into a Gold Museum. The Historic Lumpkin County Courthouse is a prime example of the successful adaptive reuse of a historic structure. The museum attracts tourists to the community by celebrating the county’s historical gold rush period, and also preserves one of the county’s most precious historic buildings in the center of town. The Historic Lumpkin County Courthouse is a reminder to other counties of the various possibilities that exist for preserving their historic resources.

⁹⁶ Digital Library of Georgia; “Old Crawford County Courthouse”, by: Keith Hair; [GeorgiaInfo](http://georgiainfo.galileo.usg.edu/courthouses/oldcrawfordCH.htm), Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/oldcrawfordCH.htm> (Accessed February, 2010)



*Figure 3.39 – The Historic Lumpkin County Courthouse, Circa 1880*⁹⁷

Georgia not only has the second highest number of counties, it is also rich in the many historic county courthouses it retains. These important historic treasures are important not only for the history they represent, but for the sense of place they give the local community. They serve as anchors in an ever-changing environment and are priceless local landmarks. Their potential for downtown revitalization and community development is unparalleled with any modern structure that may take their place. Communities that choose not to retain their historic county courthouse will always regret losing such an irreplaceable symbol of the county.

For the general public, these interesting facts about courthouses are everyday stories that people can relate to, further emphasizing the importance of these landmarks. They help to personalize the story behind these historic resources and make it more appealing to preserve

⁹⁷ “Photograph of old Lumpkin County Courthouse, Dahlonega, Lumpkin County, Georgia, 1880” [Vanishing Georgia](#), Georgia Division of Archives and History, Office of Secretary of State; Image: “lum 020”

these great structures. Sometimes it is the small things that make a resource worth saving to someone. Preservationists should be aware that is not always the high style architecture or the major event that took place at a location. Many times it is the down to earth anecdote or the obscure fact about a historic resource that makes it all the more worthwhile to save these precious resources.

Table 3.3 – Remarkable Historic County Courthouses in Georgia

County	Completion Date	Significance
Gordon	N/A	Cherokee Capital at New Echota
Campbell (Fulton)	1871	Outlived County it Served
Chattahoochee	1854	2nd Oldest Wooden-Now at Westville
Marion	1848	Oldest Surviving Wooden Courthouse
Banks	1863	Constructed with C.S.A. Currency
Richmond	1801	Oldest Courthouse- "Old Government House"
Fayette	1825	2nd Oldest Courthouse
Crawford	1832	3rd Oldest Courthouse-Lone Star Flag
Lumpkin	1836	4th Oldest Courthouse-Gold Museum

CHAPTER 4

COURTHOUSE PRESERVATION PROGRAMS IN OTHER STATES

Background

A nationwide examination of county courthouse preservation initiatives was conducted to determine what has happened in other states. Programs in three states were identified as being of interest. These states have programs that illustrate approaches to preservation and/or preservation activities that may be applicable to Georgia. Lessons learned are identified in each case. The three states with programs in the field of historic county courthouse preservation are Texas, West Virginia, and Nebraska. Each of these states has established systematic approaches to preservation that incorporate aspects of public law, public funding, creative use of non-tax money, and creative promotional activities.

Texas

The Texas Historic Courthouse Preservation Program (THCPP) stands out for its comprehensive scope and numerous successes. The breadth of Texas' dedication to preserving its historic courthouses is impressive and serves as a model for other states attempting to create similar programs. The impetus for the THCPP can be traced to two events. A defining moment for preservationists in the state was the burning to the ground of the Hill County Courthouse in 1993 due to an electrical fire. The loss of this grand courthouse, originally constructed in 1890, was an event that preservationists rallied around. All across the state, preservationists came together, eventually raising enough money to conduct a total restoration of the courthouse in 1998. That same year, the second event leading to the formation of the THCPP was the listing of

several Texas courthouses on the National Trust for Historic Preservation's list of America's 11 Most Endangered Historic Places.⁹⁸

The THCPP was created as part of the Texas Historical Commission (THC) in 1999. When Governor George W. Bush signed it into law and appropriated \$50 million to fund it, it was the largest preservation grant program ever created by a state government. Since then, the program was allocated roughly the same amount every two years. The stagnant economy resulted in Texas lowering its allocation to \$20 million for the program for the 2009-2010 biennial, which still represents a commitment by the state to fund this successful program.⁹⁹

As of August 2009, Texas had allocated \$207 million in matching grants for the restoration of 68 historic county courthouses through the THCPP. Thirty-six courthouses have been fully restored and another twenty-two planning and construction projects are ongoing. These projects have generated local tax revenues reaching almost \$17 million and created roughly 7,750 jobs in the process of preserving multiple historic county courthouses.¹⁰⁰

A follow up by the THC in regards to the impact of the THCPP on four counties was conducted in 1998-1999. Bee, Harrison, Presidio, and Wharton Counties reported, "[T]hat their courthouse restoration played a crucial role in the resurrection of their downtowns ...". The courthouse restorations led to an economic recharge and the central business districts bordering

⁹⁸ Willis, Libby, "Save the Courthouses", Forum News, National Trust for Historic Preservation, July/August 1998; Volume 4, Number 6

⁹⁹ "Round VI Application Procedures: Program Background"; Texas Historic Courthouse Preservation Program; Texas Historical Commission, 2009-2010; World Wide Web: http://www.thc.state.tx.us/courthouses/courthousepdfs/cch_rndVI_prcdrs.pdf; (Accessed: February, 2010)

¹⁰⁰ Gammage, Susan, "Texas Historic Courthouse Preservation Program Sparks Downtown Revitalization: IT WORKS! Success Stories in Preservation," Forum News, National Trust for Historic Preservation, July/August 2009; Volume 15, Number 6

the courthouse square saw increased investment and activity, according to the communities surveyed.¹⁰¹

An interesting observation is that although Texas has far more counties than Georgia, both states have a similar percentage of extant historic county courthouses compared to the total number of counties. In Texas, there are roughly 220 historic county courthouses, accounting for 87% of the total of 254 counties. In Georgia, there are approximately 139 historic county courthouses, accounting for 87% of the total of 159 counties.

The impact of the THCPP is far-reaching. With the highest amount of historic county courthouses in any state, the lessons learned from the THCPP can be applied in any state wishing to preserve its historic county courthouses. In Georgia, second only to Texas in the number of historic county courthouses, a similar program would appear to be equally cost effective. Texas currently has the most comprehensive approach to courthouse preservation in the United States. The THCPP is an effective combination of public law and continued public funding that has an established track record and long-term viability. States that seek to establish comprehensive courthouse preservation programs should examine the THCPP and fashion their programs based on best practices for their particular state.

West Virginia

In July 2001, the West Virginia State Legislature created the West Virginia Courthouse Facilities Improvement Authority (CFIA) to determine funding needs and costs for improvement on all of the state's 55 courthouses. The CFIA was tasked with determining financing methods and priorities for implementation of various projects including rehabilitations, renovations,

¹⁰¹ Gammage, Susan, "Texas Historic Courthouse Preservation Program Sparks Downtown Revitalization: IT WORKS! Success Stories in Preservation," Forum News, National Trust for Historic Preservation, July/August 2009; Volume 15, Number 6

security controls enhancement, and document storage upgrades. The CFIA developed a questionnaire that was delivered to each county and conducted site visits to develop their findings.

By January 2002, the CFIA submitted their report, citing the major issues courthouses face as lack of space, security concerns, and ADA compliance. Estimates of the cost of conducting these upgrades were around \$300 million over a twenty year period. Since the publication of the CFIA's findings, the West Virginia Division of Culture and History (WV DCH) has been working with the CFIA to develop the state's courthouse improvement program.

The WV DCH staff meet with county official to discuss the advantages of preserving historic county courthouses and the proper way to go about doing so. State development grants have been made available for county courthouses that are listed in the NRHP. The WV DCH staff work with counties to add remaining courthouses to the NRHP not already listed through the nomination process. As of 2003, only 34 of the state's 55 historic county courthouses were listed in the NRHP, accounting for only 62% of the total.

WV DCH created a historic county courthouse calendar in 2003 as a way to educate the public about the state's precious historic resources. The calendar served as a way to raise awareness about the plight of the historic courthouses not already on the NRHP and a way to raise funds to get them through the survey and nomination process. The WV DCH is working diligently to list the remaining historic county courthouses on the NRHP so they will gain recognition as historic properties and also qualify for state development grants.¹⁰²

West Virginia's approach to historic county courthouse preservation is a combination of Public Law and creative promotional activity. The West Virginia Courthouse Facilities

¹⁰² "Courthouses: Introduction," West Virginia Division of Culture and History, World Wide Web: <http://www.wvculture.org/shpo/ch/intro.html> (Accessed February, 2010)

Improvement Authority (CFIA) was created by legislative action and has been instrumental in pre-preservation research in the state. The historic county courthouse calendar is an example of creative promotional activity.

Nebraska

In 1986, the Energy Office of Nebraska solicited grant proposals for projects “[w]hich would demonstrate and promote innovative approaches to energy conservation and efficiency.” These programs were funded through a payment to Nebraska from the Exxon Oil Company known as the “Exxon Oil Overcharge” settlement. Nebraska was one of several states where consumers were overcharged for oil and received payment from Exxon in the 1980s. Nebraska put the money it received from the settlement to use on public works like the energy conservation program. The winner of the grant money, selected out of a pool of roughly 400 applicants, was Courthouse Trail, a courthouse preservation program in the state.¹⁰³

Prior to winning the award money, from 1983-1986, Courthouse Trail had collected energy consumption data from 25 historic courthouses as potential recipients of future grant money. The impetus for the original study was the rising costs of maintaining these historic county courthouses, which was quickly becoming cost prohibitive for many of the county governments in the state. Ultimately, five historic county courthouses were selected as finalists, and a final analysis was conducted to establish energy consumption priorities. Finalists with varying needs were selected from throughout the state in order to get a geographically diverse study group.

¹⁰³ Berggren, Jerry, AIA, Program Director; “Courthouse Trail,” An Energy Conservation Demonstration Project; Conducted by: Berggren and Woll, Architects with Fred Thomson and Associates, Engineers; For: The Nebraska Energy Office, 1986

Courthouses that were selected to take part in the Nebraska Courthouse Trail program had to meet the following criteria: (1) be currently used as a courthouse and listed in the NRHP, (2) agree to provide a 1/3 cash match of the total funds provided by the program, (3) provide authorization for access to utility records, and (4) complete low-cost or no-cost energy conservation improvements.

As a result of the project, an energy conservation strategy was developed that could be implemented in historic courthouses to: “(1) Carefully analyze the existing conditions and develop a master plan to improve and monitor energy consumption; (2) Design and implement controls for the existing or planned heating and air conditioning systems; (3) Design and implement improvements in the heating and air conditioning sources; (4) Design and improve the thermal resistance in the roof; and (5) Design and improve the thermal efficiency of the structure’s walls, doors and windows.”¹⁰⁴

Another key point the Nebraska study found was that the development of a master plan is essential to effective use of finances and appropriate implementation of improvements. Mechanical systems and locations of energy loss should also be studied in relation to all other systems in the historic courthouse, because no single system is independent from the entire building’s energy use and consumption. After nearly \$800,000 in oil company settlement money and local-county matching funds was spent, an annual savings of almost \$5,400 in gross annual energy costs was obtained in the first year alone. Consensus in the state is that the project was a resounding success resulting in making several of Nebraska’s historic county courthouses more

¹⁰⁴ Berggren, Jerry, AIA, Program Director; “Courthouse Trail,” An Energy Conservation Demonstration Project; Conducted by: Berggren and Woll, Architects with Fred Thomson and Associates, Engineers; For: The Nebraska Energy Office, 1986

energy efficient, and setting the standard for energy efficiency retrofitting for numerous county government structures throughout the nation.¹⁰⁵

Of the three states described in this section, Nebraska is perhaps the weakest example of an effective, systematic program. Relying solely upon creative use of an apparently one-time only availability of non-tax, non-public funds from Exxon, the state was able to creatively apply the money in the form of challenge grants towards courthouse preservation. However, this is an important reminder that preservation efforts often need to be prepared to take advantage of “targets of opportunity,” money that is available from third party, private sector sources. Without the research and planning work done by the Courthouse Trail organization (1983-86) prior to the availability of the money in 1986, the money probably would not have been applied to preservation work in the state.

Best Practices

The examination of county courthouse preservation initiatives across the United States identified programs in three states that are of interest. Texas, West Virginia and Nebraska have or had programs that illustrate best practices and/or activities that may be applicable to Georgia courthouse preservation. Each of these states has established approaches to preservation that incorporates aspects of public law, public funding, creative use of non-tax money, and creative promotional activities.

Texas’ comprehensive approach to courthouse preservation is the only state that could be described as close to a model program. The THCPP is an effective combination of public law and continued public funding that has an established track record and long-term viability. West

¹⁰⁵ Berggren, Jerry, AIA, Program Director; “Courthouse Trail,” An Energy Conservation Demonstration Project; Conducted by: Berggren and Woll, Architects with Fred Thomson and Associates, Engineers; For: The Nebraska Energy Office, 1986

Virginia's approach represents a combination of Public Law and creative promotional activity. The public authority created by law has been instrumental in pre-preservation research in the state. The historic county courthouse calendar is an example of creative promotional activity. Finally, Nebraska's creative use of non-tax funds from Exxon is an excellent example of how planning ahead of time can result in access to "surprise" money from non-public sources.

The lessons learned from these three states are very specific. (1) Public law and public funding appears to be essential to a long-term, systematic program of historic courthouse preservation (Texas). (2) A combination of public law and creative promotional activities without public funding (West Virginia) is not nearly as effective. (3) Creative use of non-public funds is a viable strategy, but only when pre-planning for the funds is already available (Nebraska). Best practices are clear: public law combined with public funding is the key to a successful state historic courthouse preservation program. Creative promotion is useful, but unless backed up by public funding will not result in a sustainable program.

Finally, preservationists need to be prepared with good, acceptable plans for courthouse preservation in order to take advantage of any non-public funds that may suddenly become available. Given the current economic climate in the State of Georgia (a recession and state budget cuts) it is clear that those interested in courthouse preservation need to develop their planning skills and be on the watch for non public sector money to apply to county courthouse preservation in the state.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

Summary of Findings

This thesis has explored a number of the reasons why some counties choose to preserve their courthouses and some do not. Case studies from Gilmer and Decatur Counties were examined to provide background on both a major loss, and successful preservation, of a historic county courthouse in the state. Lessons learned from both the Georgia experience and the national experience regarding preservation efforts and historic county courthouses were presented. It is the hope that this thesis will provide a basis for current and future efforts of courthouse preservation in Georgia.

This examination revealed that of the 159 counties in Georgia, 102 counties were found to still have their historic courthouses in use as a courthouse. Thirty-seven counties were found to have built a new courthouse/government center, but retain their courthouse for non-judicial activities. Twenty counties surveyed either lost their courthouses to fire or demolished them. The status of all 159 county courthouses was reviewed in this thesis.

In Chapter Three, an assessment of the current status of courthouses in each of Georgia's one hundred and fifty-nine counties was performed to determine which counties have preserved their historic courthouses and the current use of the courthouses. Ages of any courthouses currently existing in each county were determined through examination of county histories and an exhaustive review of the Carl Vinson School of Government's GeorgiaInfo project. Courthouses listed in the National Register of Historic Places (NRHP), either individually, or as contributing properties to historic districts, were determined through a review of records at the Georgia Historic Preservation Division offices in Atlanta.

During the review of county histories and the GeorgiaInfo project, county courthouses were defined as historic, for the purpose of this investigation, through the use of a set of criteria described in Chapter Three. Georgia counties with courthouses that stood out as notable examples of successful preservation initiatives were identified. The successes and lessons learned from these initiatives were compiled and given the designation “flagship” to identify examples to be presented in this thesis. Courthouses were selected as flagships to be used as an example in this thesis using a set of criteria described in Chapter Three. Flagship courthouses were chosen from each region of the state for an equal representation across Georgia.

Additionally, a nationwide assessment of county courthouse preservation programs was conducted to determine those states that stand out as examples in the field. The successes and failures of several county courthouse preservation initiatives in various states were examined to identify lessons learned about preservation. The successful programs were further explored and best practices from each were described in Chapter Four.

Finally, the various alternatives to demolition and a general review of the myths surrounding courthouse preservation were presented. A basic understanding of the variety of options counties have when it comes to preserving their courthouses was deemed important for inclusion in this thesis. Along with providing counties with healthy alternatives to destroying their courthouse, it was important to counter the widespread misperceptions of preservation. The various misperceptions about preservation practices were examined and arguments countering each were presented in Chapters Two and Three.

Preservation Advocacy

Ross King of the ACCG emphasizes some key points for preservationists to bear in mind when working on courthouse preservation solutions (table 5.1). King, who has long been an advocate for various preservation initiatives throughout the state, explains that the “our way or the highway” attitude hurts preservationists. Many times, preservationists are seen as not willing to compromise when it comes to preservation programs. King says that the lack of thought towards the need for cost sensitivity and affordability dynamics is often a major obstacle to preservationists.

Instead, King asserts, preservationists should work hard for sensitivity toward economic needs. Many preservation projects fail to get off the ground due to budgetary constraints. Another important aspect of protection programs that preservationists can provide is a list of contractors with historic preservation experience as well as existing case studies for clients to review. Instead of just prohibiting a certain practice or preventing progress, solutions should be provided; and lastly don’t push too hard, it gives the public a negative impression of the preservation movement.

Table 5.1 – Ross King’s Advice to Preservationists

Suggestion	Reason
Lose the "my way, or the highway" attitude	It gives preservationists a bad name
Remember to keep budgetary considerations in mind	These can keep a project from happening
Provide list of contractors with preservation experience	This is helpful in accomplishing goals
Provide successful case studies for clients	This is helpful in accomplishing goals
Provide solutions to problems	Don’t just be a 'nay' sayer
Don't push too hard	Gives public negative impression

In her 1999 thesis, Dorothy Rodrigue discussed the need for reintroduction of the failed 1996 State Senate Bill S.R. 618. The Bill, introduced by Senator Hooks of Americus, “Authoriz[ed] a study of Georgia's historic county courthouses that identifies rehabilitation needs and established state-wide priority funding recommendations.” Unfortunately, the Bill failed to pass and has not been reintroduced since. One of the major reasons Georgia does not have a comprehensive plan like that in Texas is because S.R. 618 failed to pass.

Rodrigue also discusses how Senate Bill 446, “State Stewardship of Historic Properties”, only applies to state-owned buildings. Although this bill requires the use of existing buildings prior to construction of new facilities, it is not applicable to county government. It does, however, encourage counties to follow suit. She recommends further ventures by preservationists to emphasize to county government why they should model their efforts after the state initiative.

Successful Courthouse Preservation Efforts

As a testament to the 139 Georgia counties that retain their historic courthouse, they must be doing something right. Preservation efforts have out-played the efforts of factors such as neglect, encroachment, and space concerns.

The case presentation of the Decatur County Courthouse renovation clearly indicates that Ross King’s advice to preservationists is supported by the anecdotal history of the project. Preservation efforts involved coalition building and cooperative planning. Budgetary considerations were honored at every step of the process, and the media effort to develop a positive public impression by emphasizing a sense of history/public pride was a major factor in the success of the renovation. Other factors included creative use of public and private monies; comprehensive planning by qualified professionals; and a physical facility that had not

deteriorated beyond recovery. To summarize, courthouses tend to be preserved when the following conditions exist (Table 5.2)

Table 5.2 – Conditions for Successful Courthouse Preservation

1. Strong community/grassroots efforts – county has a sense of place.
2. A sense of history/civic pride exists in the community.
3. Funding is available – including creative combinations of tax and non-tax monies.
4. Space needs are understood and accommodated by planning.
5. The downtown/central business district is valued as a resource.
6. The courthouse has not deteriorated to the point that it becomes an embarrassment/safety hazard.

Communities that have experienced the loss of their historic courthouse exhibit various factors that contributed to the loss. There are “warning signs” that preservation-minded individuals and groups can watch for. The case presentation of the Gilmer County Courthouse destruction aptly illustrates that certain factors can be associated with the loss of historic courthouses. The case summarizes a situation where there was “too little, too late” in regard to preservation efforts. No historic preservation “champions” emerged until shortly before the referendum, and over the years a lack of appreciation for the downtown area and courthouse had developed. Additionally the intentional neglect of the courthouse had allowed the physical facility to deteriorate to the point that it was viewed as embarrassing, and after a serious accident, as dangerous. The tripling in size of the county during the preceding 15 year period, half from gentrification (middle class movement to mountain properties) and half from Hispanic immigration (to work in the mills and chicken processing plants) created disparate voting power—the new middle class voted and the Hispanic immigrants were not eligible to vote. This

combined to create a strong community value that “new is better!” Communities experiencing any of the following are in danger of losing their county courthouse (table 5.3)

Table 5.3 – Warning Signs

1. Lack of appreciation of the resource dominates local thinking.
2. The community becomes “tired” of the downtown area and courthouse.
3. The courthouse has deteriorated to the point that it becomes dangerous and/or embarrassing (demolition by neglect).
4. The population of the county has either declined (reduced tax base) or has significantly grown from external immigration (gentrification or working class). Both groups bring a strong lack of appreciation of the history of the county and an attitude that “new is better.”
5. There are no historic preservation “champions” to educate the community.
6. Funding is absent – failure of the community to agree about priorities.
7. Efforts for preservation begin too late to be effective (too little, too late).

Preservation Plans

For any courthouse preservation effort to be successful, a plan must be developed. First, the needs of the courthouse should be addressed. Second, the threats to the resources should be identified. Third, a plan of action should be developed, with well-defined goals. Fourth, Funding options should be explored. The last step should be an ongoing periodic evaluation of how the plan is accomplishing the goals set forth and reassessments of needs. The GA HPD’s publication, Preserving Georgia’s Historic Courthouses provides an outline of a basic courthouse preservation program (table 5.4).

Table 5.4 - A Courthouse Preservation Plan Should Include:¹⁰⁶

1. An executive summary that includes a brief property history, current use, any use restrictions, and requirements for any adaptive reuse.
2. A conditions assessment that identifies character-defining features, materials, and spatial arrangements and the condition of the building systems and envelope components.
3. A historic <i>Context</i> that provides a historic architectural, landscape, setting context overview and documentation of changes to the building over time.
4. Special considerations, such as life-safety code and Americans with Disabilities Act (ADA) compliance, new use building code requirements, existing structural capacity and/or other necessary modifications.
5. Analysis of and recommendations for adaptive reuse options or proposed new uses, including physical impact to the historic property.
6. Recommended treatment for building components, systems, and historic elements.
7. A maintenance schedule.
8. Other recommendations such as additional building investigations, material analysis, and space programming that is outside the scope of preservation planning.
9. A cost estimate tied to a scope of improvements and phasing as appropriate to guide funding decisions and project implementation.
10. Supplementary information, such as building and site plans, historic photographs, and technical reports.

Funding

One of the grant programs that has been successful in funding many of the historic county courthouse rehabilitation projects in the state has been the Georgia Heritage Grants fund, organized by GA HPD. The Heritage Grant program provides funding for a variety of preservation projects in two major ways. The first is funding for pre-development activities, including the development of preservation plans. The second is through funding for the rehabilitation project itself. These are some of the many counties that have used Georgia Heritage Grants: Brooks, Catoosa, Crawford, Haralson, Johnson, Lee, Madison, Spalding,

¹⁰⁶ Georgia Department of Natural Resources, “Preserving Georgia’s Historic Courthouses”; Prepared by Historic Preservation Division, Principal Editor: Cherie Bennett; 2005, page 5

Stewart, Taliaferro, and Wilcox.¹⁰⁷ There are several other funding options for counties wishing to preserve their historic county courthouse besides heritage grants (table 5.5).

Table 5.5 – Funding Sources for Courthouse Preservation

Funding Source	What it Can Be Used For
USDA Community Facilities Grant	Development of essential community facilities in rural areas
Preserve America Grant for Community Landmarks	Promoting Heritage Tourism
Inmate Labor Programs	Maintenance of County Facilities
SPLOST	Capital improvement to local courthouse
Transportation Enhancement Funds	Landscaping, sidewalks, & roadway improvements around courthouse and square
Georgia Heritage Grant	For planning and execution of rehabilitation projects

Promotion of Heritage Tourism

There are several facets of historic county courthouse preservation programs that interested parties can participate in developing. Various advocacy initiatives are ongoing and are currently in need of reinvigoration. Heritage tourism that involves historic county courthouses is a growing tool for preservationists to use in both raising awareness and money.

Heritage tourism, although always enjoying a relative degree of attention, has been increasingly popular, especially as the economy declines. Families choose to stay closer to home as they take vacations and often visit regionally convenient travel destinations. Often, these localized vacations, nicknamed “stay-cations”, include visits to historic sites. Invariably, visits

¹⁰⁷ World Wide Web: <http://www.gashpo.org/content/displaycontent.asp?txtDocument=38&txtPage=2> (accessed February, 2010)

to historic county courthouses would be included as families and other visitors decide where to spend their time and money.

Aside from being more economically feasible, stay-cations often include local attractions like parks, recreation activities, and heritage tours. Heritage tours range from history-themed attractions to local cultural attractions. Many times, a county's historic courthouse qualifies in both categories, as it represents the local cultural heritage and stands in testament to a community's history. Encouraging heritage tourism that includes the local historic courthouse can be a great source of income and revitalization of the community. More information on promoting heritage tourism in a particular community can be found in the National Trust for Historic Preservation's Winter, 2010 "Partners in Tourism" newsletter.¹⁰⁸

Recommendations

Emphasizing the need for state-level initiatives to maintain historic county courthouses, The American Bar Association wrote in 1973, "Legislators who create the laws which must be interpreted and enforced by the courts must now realize their responsibility to provide funds for manpower, facilities, and supporting functions."¹⁰⁹ This is especially true in historic courthouse preservation. Often the biggest obstacles a courthouse faces is funding to keep it functioning properly. It is the government's responsibility to maintain these public buildings and to use every asset available to them to get the job done. This is why it so appropriate for preservationists and other interested parties to recommend the reintroduction of S.R. 618,

¹⁰⁸ World Wide Web: <http://www.culturalheritagetourism.org/documents/FINALWinter2010.pdf> (Accessed February, 2010)

¹⁰⁹ University of Michigan Law School. The American courthouse; planning and design for the judicial process; The American Bar Association and the American Institute of Architects Joint Committee on the Design of Courtrooms and Court Facilities; A. Benjamin Handler, Project director; 1973; p. vii

encourage counties to model Senate Bill 446, and to amend Georgia Code § 36-9-2.1 to include all courthouses in Georgia listed in the NRHP (table 5.6).

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The preservation of historic county courthouses in Georgia was explored in order to ascertain the reasons some counties choose to preserve theirs while other counties do not. The discussion about why counties choose to preserve or destroy these historic resources leads to a better understanding of the challenges historic county courthouses in Georgia face and how to save them from demolition and neglect. This thesis gives students of preservation an overview of the status of county courthouse preservation in Georgia and a better understanding of the importance of preserving these resources. An understanding of the successes and failures in the state along with the overview of preservation efforts in other states gives readers a broad view of the potentials for historic county courthouse preservation.

Table 5.6 – Recommendations for Preservationists

Recommendation	Reason
Reintroduce S.R. 618	Provide funds for survey of state's historic courthouses
Encourage counties to model Senate Bill 446	Provide legal protection for historic county courthouses
Ammend Georgia Code § 36-9-2.1	Provide protection for all courthouses listed on the NRHP

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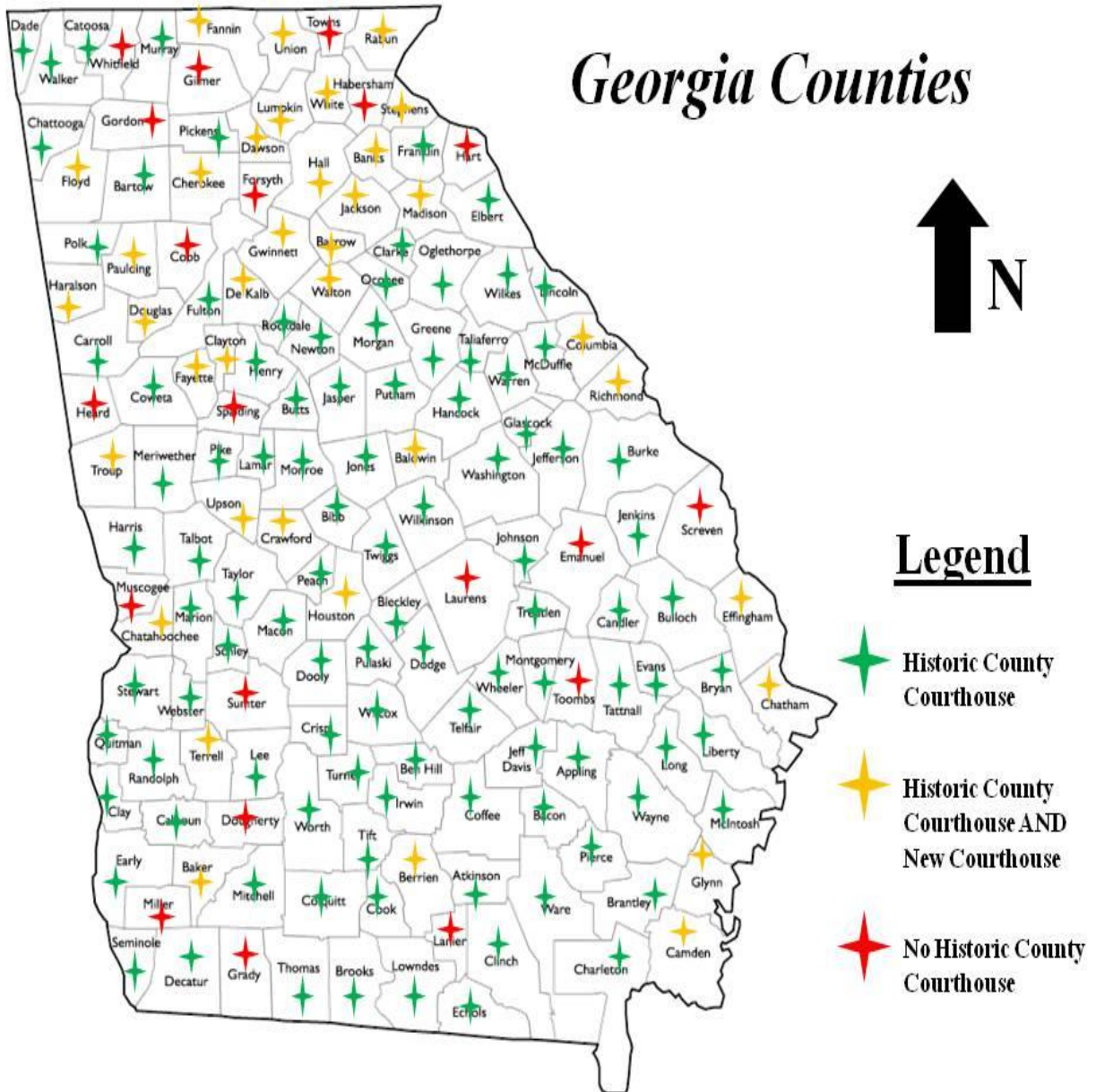
“Photograph of the exterior of Grady County Courthouse, Cairo, Grady County, Georgia, ca. 1909 – 1916”, Vanishing Georgia, Georgia Division of Archives and History, Office of Secretary of State; Image: “gra 060”

“Postcard Upson County Courthouse - Early 1900s” Courtesy of Gary Doster; GeorgiaInfo, Carl Vincent Institute of Government, University of Georgia Libraries, ©2009; World Wide Web: <http://georgiainfo.galileo.usg.edu/courthouses/upsonCHpostcard.htm> , (Accessed: February, 2010)

Wayne, Jimmy “Upson County Courthouse, GA”, Flickr, World Wide Web: <http://www.flickr.com/photos/auvet/91214196/> (Accessed February, 2010)

APPENDIX A

MAP OF GEORGIA COUNTIES



APPENDIX B
LIST OF GEORGIA COUNTIES WITH COURTHOUSE CONSTRUCTION DATE(S)

County Name	Historic Courthouse Construction Completed (Date of Loss if Applicable)	Modern Courthouse Construction Completed
Appling	1908	N/A
Atkinson	1920	N/A
Bacon	1919	N/A
Baker	1900	2000
Baldwin	1887	1997
Banks	1863	1987
Barrow	1920	2009
Bartow	1902	N/A
Ben Hill	1906	N/A
Berrien	1898	2008
Bibb	1924	N/A
Bleckley	1914	N/A
Brantley	1930	N/A
Brooks	1864	N/A
Bryan	1928	N/A
Bulloch	1894	N/A
Burke	1857	N/A
Butts	1898	N/A
Calhoun	1930	N/A
Camden	1928	2004
Candler	1921	N/A
Carroll	1928	N/A
Catoosa	1939	N/A
Charlton	1928	N/A
Chatham	1889	1978
Chattahoochee	1854	1976
Chattooga	1909	N/A
Cherokee	1929	1994
Clarke	1914	N/A

Clay	1873	N/A
Clayton	1898	2000
Clinch	1896	N/A
Cobb	1873-1969	1966
Coffee	1940	N/A
Colquitt	1902	N/A
Columbia	1856	2002
Cook	1939	N/A
Coweta	1904	N/A
Crawford	1832	2002
Crisp	1950	N/A
Dade	1926	N/A
Dawson	1858	1978
Decatur	1902	N/A
DeKalb	1916	1967
Dodge	1908	N/A
Dooly	1892	N/A
Dougherty	1904-1966	1968
Douglas	1957	1998
Early	1906	N/A
Echols	1956	N/A
Effingham	1908	2007
Elbert	1894	N/A
Emanuel	1940-2000	2002
Evans	1923	N/A
Fannin	1937	2004
Fayette	1825	1985
Floyd	1893	1995
Forsyth	1905-1973	1977
Franklin	1906	N/A
Fulton	1914	N/A
Gilmer	1898 (1934)-2008	2008
Glascocock	1919	N/A
Glynn	1907	1991
Gordon	1889-1961	1961

Grady	1908-1980	1985
Greene	1849	N/A
Gwinnett	1885	1988
Habersham	1898-1963	1964
Hall	1937	2002
Hancock	1883	N/A
Haralson	1891	1972
Harris	1908	N/A
Hart	1902-1967	1971
Heard	1894-1964	1964
Henry	1897	N/A
Houston	1948	2002
Irwin	1910	N/A
Jackson	1879	2004
Jasper	1908	N/A
Jeff Davis	1907	N/A
Jefferson	1904	N/A
Jenkins	1910	N/A
Johnson	1895	N/A
Jones	1905	N/A
Lamar	1931	N/A
Lanier	1921-ca.1970	1973
Laurens	1895-1962	1962
Lee	1918	N/A
Liberty	1926	N/A
Lincoln	1915	N/A
Long	1926	N/A
Lowndes	1905	N/A
Lumpkin	1836	1965
Macon	1894	N/A
Madison	1901	1997
Marion	1850	N/A
McDuffie	1872	N/A
McIntosh	1872	N/A
Meriwether	1904	N/A

Miller	1906-1974	1977
Mitchell	1936	N/A
Monroe	1896	N/A
Montgomery	1907	N/A
Morgan	1905	N/A
Murray	1917	N/A
Muscogee	1896-1973	1973
Newton	1884	N/A
Oconee	1939	N/A
Oglethorpe	1887	N/A
Paulding	1892	2009
Peach	1936	N/A
Pickens	1949	N/A
Pierce	1902	N/A
Pike	1895	N/A
Polk	1951	N/A
Pulaski	1874	N/A
Putnam	1906	N/A
Quitman	1939	N/A
Rabun	1908	1967
Randolph	1886	N/A
Richmond	1801	1957
Rockdale	1939	N/A
Schley	1899	N/A
Screven	1897-1963	1964
Seminole	1922	N/A
Spalding	1911-1981	1985
Stephens	1908	2000
Stewart	1923	N/A
Sumter	1888-1959	1959
Talbot	1892	N/A
Taliaferro	1902	N/A
Tattnall	1902	N/A
Taylor	1935	N/A
Telfair	1934	N/A

Terrell	1892	Unknown (Former Guard Armory)
Thomas	1858	N/A
Tift	1913	N/A
Toombs	1919-1960s	1964
Towns	1905-1963	1964
Treutlen	1920	N/A
Troup	1939	2005
Turner	1907	N/A
Twiggs	1904	N/A
Union	1899	1978
Upson	1908	1998
Walker	1918	N/A
Walton	1884	2004
Ware	1957	N/A
Warren	1909	N/A
Washington	1869	N/A
Wayne	1903	N/A
Webster	1915	N/A
Wheeler	1917	N/A
White	1859	1964
Whitfield	1890-1961	1961 and 2006
Wilcox	1903	N/A
Wilkes	1904	N/A
Wilkinson	1924	N/A
Worth	1905	N/A