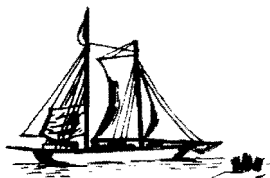


SAN JOAQUIN HISTORIAN



PUBLISHED QUARTERLY BY
SAN JOAQUIN COUNTY HISTORICAL SOCIETY



VOLUME XVIII

OCTOBER-DECEMBER 1982

NUMBER 4

MINUTE BOOK A - COURT OF SESSIONS (Civil) SAN JOAQUIN COUNTY - CALIFORNIA - 1850-52

Annotations by Robert Bonta

(Continued from the July-September 1982 Issue)

Court of Sessions Civil Matters
Wednesday August 18th A.D. 1852
Court met pursuant to adjournment.
Present: Hon. Wm. A. Root, Judge
J. K. Shafer Associates
B. G. Weir
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

It is ordered that Court be adjourned
to Court in Course.

[signed] Wm. A. Root, County Judge
J. K. Shafer Associate
B. G. Weir Justices

Board of Equalization

San Joaquin County

Wednesday August 18th A.D. 1852

The Board met pursuant to adjournment.

Present: Hon. W. A. Root, Judge
J. K. Shafer Associates
B. G. Weir
A. C. Bradford, Clerk

In pursuance of section 36 of an act passed 23d April, 1852, entitled "an act to provide for levying, assessing, and collecting Public Revenue, the Board of Equalization of said County designate the following times and places in said County for the Sheriff to attend and collect the taxes which by the provisions of the said act he is made collector of:

The times and places herein-before mentioned are as follows:

Stockton September 1st to and including
the 15th September

French Camp	—	—	—	16	do
Chalmer's [Ranch]	—	—	—	17	do
Hunter's Ferry	—	—	—	18	do
Clark and Sirey's			—	20	do
Cotton's Ferry	—	—	—	21	do
Knight's Ferry	—	—	—	22	do
Oregon Tent	—	—	—	23	do
David O'Neill's Ranch	—	—		24	do
Gard's [Ranch]				25	do
Staples and Nichols' [Ferry]				27	do
Benedict's [Ferry]				28	do
Elk-Horn [Ranch]				29	do

Section 36 of the revenue act read in part.
"The Sheriff, who is hereby declared to be, **ex officio**, the Collector of all state and county taxes, levied under this Act, shall receive from the County Auditor the duplicate of taxes [owed] as soon as he shall have proposed the same, and shall at once proceed to collect the taxes"

There being no business before the Board and no business having been presented, it is ordered that it adjourn **sine die**.

[signed] Wm. A. Root, Co. Judge
J. K. Shafer Associate Justices
B. G. Weir of the Court of
Sessions of
San Joaquin County

This was Judge Root's last meeting with the Court of Sessions. Two weeks later the Judge

MINUTE BOOK A - COURT OF SESSIONS (Civil) (con't)

was dead, a victim of the dreaded cholera at the age of thirty. William A. Root had been born in Madison, New York, in 1822 and at the age of twenty-two graduated from military school. He studied law in the office of a Rochester attorney and was admitted to the bar in 1848. In the spring of 1850 he decided to come to California, arriving on the 20th of June in San Francisco where he immediately opened a law office. He moved to Stockton five months later and took up the practice of law once more. In January of 1851 he became a partner with John White in the publication of the STOCKTON TIMES. White and H. H. Radcliffe had founded the newspaper in March of the previous year, and when it ceased publication in April, 1851. Root became one of the editors of the new Democratic Party organ and TIMES' successor, the SAN JOAQUIN REPUBLICAN.

Root was active in local politics, participating in the organization of the local Democratic Party in April of 1851, and serving as a delegate to the party's first statewide convention held in Benicia a short time later. In May, 1851, the California Legislature established the Insane Asylum at Stockton and Root was appointed to its first governing board, serving his one-year term as its secretary-treasurer.

He became the presiding judge of the Court of Sessions upon appointment by Governor Bigler in February, 1852, to fill the vacancy created by the resignation of Judge O. C. Emory. Root's death occurred rather suddenly. He first complained of feeling ill on September 2nd, and despite the best of medical care then available in Stockton and his youthfulness, died the following day. Burial was in the local cemetery on the fourth, with services conducted by fellow-members of the local lodge of the Odd Fellows. The following tribute to his service to the people of the county appeared in his newspaper, the SAN JOAQUIN REPUBLICAN, on the day of the funeral:

William A. Root is dead. Our Friend--the Friend of Stockton--a friend of the whole human kind is on his journey to a better world. May the Eternal Father, who knows our most inmost thoughts, who trieth us, and as we are told, tempers mercy with justice, deal with his great soul mercifully.

Were we to attempt to express the sentiment of esteem we feel for him, the esteem and brotherly affection which have grown out of the daily intercourse and confidence

of years, from our knowledge of his singleness of purpose, his enobling and holy aspirations, his daily charities, his self-denial, nay, even his utter forgetfulness of self when his friends required him to act--we say, were we to attempt to express all these and our heartfelt emotion at his loss, we might possibly be accused of exaggeration. 'Tis true his great virtues did not serve to blazon his name as a public man, but his good actions were only known to himself and the objects of them: "Full many a flower is born to blush unseen."

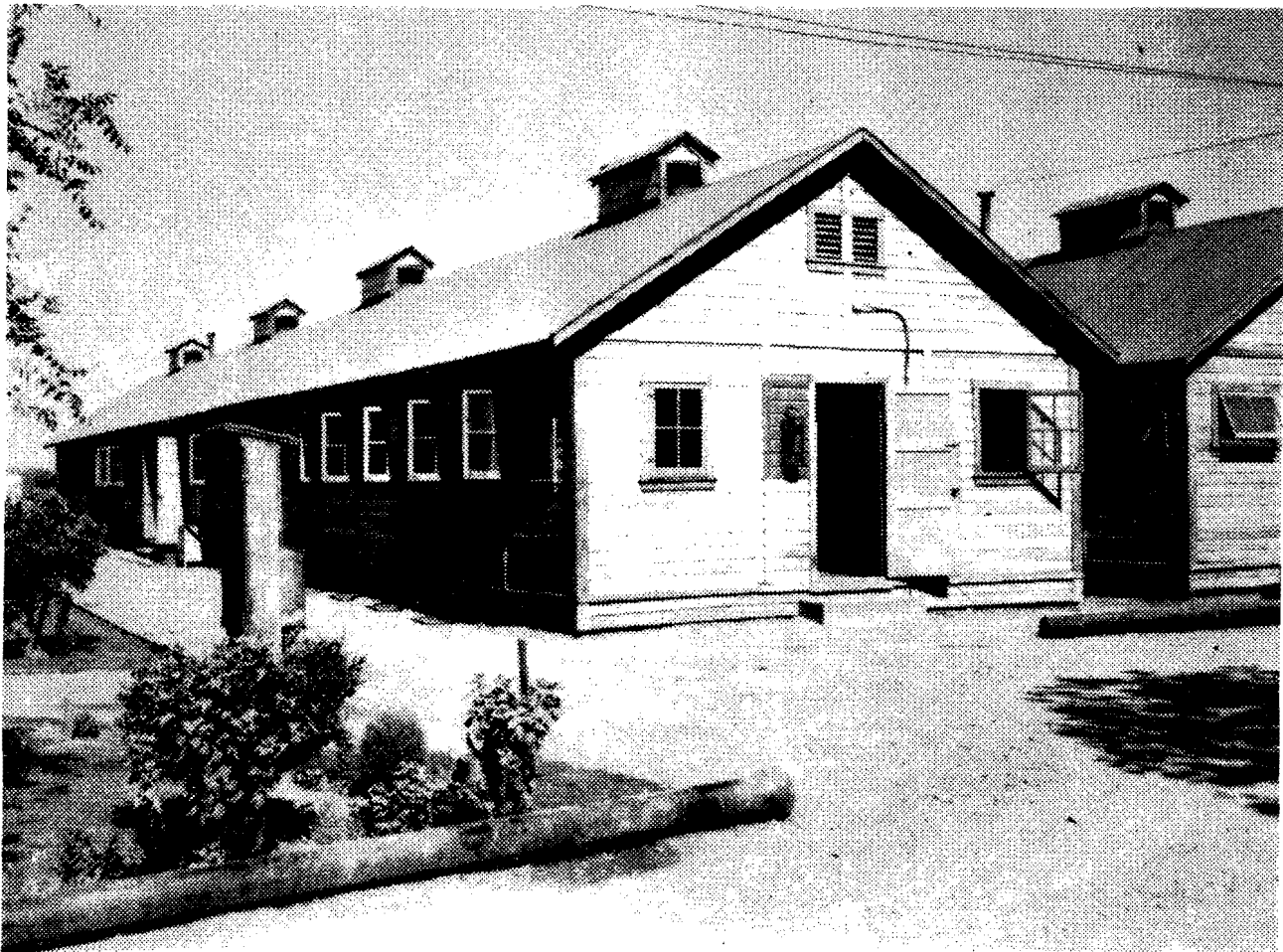
We can say no more now than that he was taken sick on Thursday at two o'clock. He first complained of diarrhea which ended in the form of simple cholera which has proved so fatal in California.

We take this opportunity of returning our personal thanks to Dr. Walker and Dr. Cowan, who scarcely left his room from the time of the attack until that of his death. We have also to acknowledge the kind consideration of Drs. Reed, Gratton, Langdon, Shurtleff, Kerr, and others.

Nothing less could be expected from a newspaper that represented his political viewpoint and in which he had an interest; what is of greater value, in judging the true character of the man, is the opposition's assessment of his virtues and his faults. The following article appeared on the same day in the rival newspaper and Whig Party organ, the STOCKTON JOURNAL:

Death of Judge Root--The Community of Stockton has lost a valuable member in the person of the late Judge of the Court of Sessions of San Joaquin County. To supply his place with an able and efficient successor, whose energy and talent will be so unremittingly devoted to the advancement of the great interests of the county, will be a matter of difficulty, if not impossibility. As all men have, Judge Root possessed many warm personal friends, and many strong enemies; but now that he is dead, the merits that lived with him may be extolled as worthy of imitation, and his faults interred in the memory, never to be repeated. Such should be the fate of men who die while standing in the sunlight of fortune, for their foibles are apparent to all eyes, while their many virtues shrink from the public gaze. That he acted conscientiously for the public good will not be denied by those who knew him intimately; but he erred sometimes as mortals are fated to do. We cannot claim

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On August 22, 1946, the San Joaquin County Honor Farm on Mathews Road was opened with the acceptance of approximately 120 prisoners transferred from the condemned and overcrowded jail in downtown Stockton. The barracks buildings in the two photographs above already existed, having been

recently converted for temporary use as a jail facility. They had previously served as housing for the county's indigent single men. In January, 1947, Lieutenant Louis G. Sala was assigned to the new facility by the newly-elected sheriff of San Joaquin County, Carlos A. Sousa.

MINUTE BOOK A - COURT OF SESSIONS (Civil) (con't)

perfection for his breathing dust as he was actuated always by a strong will and a devoted friendship; but as he has left those he served with devotion to be his impartial judges, let us render to him praise for his many noble qualifications both of the head and heart.

Court of Sessions
San Joaquin County
October Term 1852

Be it remembered that heretofore to wit, on Monday the fourth day of October in the year of our Lord one thousand eight hundred and fifty-two (it being the first Monday of said month), a regular term of the Court of Sessions in and for the County of San Joaquin was held pursuant to law for the transaction of of court matters.

Present: Hon. O. C. Emory Judge
J. K. Shafer, Associate
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

407 It is ordered by the Court that S. Dean, Justice, be allowed the sum of twenty-nine dollars for fees in criminal cases as per bill filed.

It is ordered that Court adjourn until tomorrow morning twelve o'clock.

Emory was appointed by the Governor to replace Judge Root on the Court within a week of the latter's death in September. He had first joined the Court as an Associate Justice at the time of the formation of county government in June of 1850. Emory's term ended the following summer, and Justice Jacob Shafer was selected in his place with the opening of the new Court term that fall. But then with the resignation of Judge Benjamin Williams soon after the term opened, the Governor appointed Emory to fill that vacancy, and he re-joined the Court on October 15 (1851). This was followed by Emory's resignation, in turn, the following February--only to be re-appointed at this time.

Tuesday October 5th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Associate
R. P. Ashe, Shff [sic]
A. C. Bradford, Clerk

It is ordered that Court adjourn until tomorrow morning ten o'clock.

407-1 Court of Sessions Civil Matters
Wednesday October 6th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
R. P. Ashe, Sheriff
A. C. Bradford, Clerk
It is ordered that Court be adjourned until tomorrow morning ten o'clock.

Court of Sessions Civil Matters
Thursday October 7th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Associate
R. P. Ashe, Sheriff
A. C. Bradford, Clerk
It is ordered that Court be adjourned until tomorrow morning ten o'clock.

407-2 Court of Sessions Civil Matters
Friday October 8th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Associate
R. P. Ashe, Sheriff
A. C. Bradford, Clerk
It is ordered that Court be adjourned until Monday morning ten o'clock.

Court of Sessions Civil Matters
Monday October 11th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Associate
R. P. Ashe, Sheriff
A. C. Bradford, Clerk
It is ordered that Court be adjourned until Tuesday morning ten o'clock.

407-3 Court of Sessions Civil Matters
Tuesday October 12th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Asso.
B. G. Weir
R. P. Ashe, Sheriff
A. C. Bradford, Clerk
It is ordered that Court be adjourned until tomorrow morning ten o'clock.

Civil Matters
Wednesday October 13th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Asso.
R. P. Ashe, Shff. [sic]
A. C. Bradford, Clerk

MINUTE BOOK A - COURT OF SESSIONS (Civil) (con't)

It is ordered that Court be adjourned until tomorrow morning ten o'clock.

- 407-4 Court of Sessions Civil Matters
Thursday October 14th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Asso.
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

It is ordered that Court be adjourned until tomorrow morning ten o'clock.

- Court of Sessions Civil Matters
Friday October 15th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Associate
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

It is ordered that Court be adjourned until tomorrow morning ten o'clock.

- 407-5 Court of Sessions Civil Matters
Saturday October 16th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer, Asso.
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

It is ordered that Court be adjourned until Monday morning ten o'clock.

- Court of Sessions Civil Matters
Monday October 18th 1852
Court met pursuant to adjournment.
Present: Hon. O. C. Emory, Judge
J. K. Shafer Asso.
B. G. Weir Justices
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

- 408 It is ordered by the Court that John Kritzner be allowed the sum of one hundred and twenty-six dollars for work done in the office of the County Clerk as per bill filed.

- 409 It is ordered by the Court that Noble and Stevenson be allowed the sum of one hundred and forty-three dollars for expenses incurred by them in the burial of one Joel W. Haws as per their bill filed.

Colonel R. W. Noble and Archibald Stevenson opened a store and a hotel-restaurant of a sort at French Camp circa August of 1849. They were the first settlers at

the old French-Canadian fur-trapping headquarters along the French Camp Slough. Within a few months others began to settle at the same site, a natural stopping place along the old route from Stockton to San Jose as well as to the southern mines. Travelers crossed the San Joaquin at Doak and Bonsell's Ferry at that time, but along the Stanislaus to the south of French Camp they already had a choice of a number of crossings in 1949. No doubt the deceased was an indigent passing through French Camp when death befell him.

- 410 It is ordered by the Court that John MacNish be allowed the sum of five hundred and fifty dollars for rent of County offices as per his bill filed.

One of the county's largest monthly expenditures in its first several years of existence was the cost of renting office and court space as well as jail facilities. An act authorizing counties to construct courthouses was passed by the first state legislature in April, 1850, and the first order of business of the San Joaquin County Court of Sessions was to authorize the sheriff to contact Charles Weber and to negotiate with him the transfer of a parcel of land for the purpose of constructing a county government building (see Vol. XIV, No. 2, p. 163-4). Following the incorporation of Stockton in July (1850) Weber quietly deeded the courthouse square to the city instead of to the county (see Vol. XVI, No. 2, p. 226 and 228). Both legal entities being in need of public facilities, the city and county finally agreed to the construction of a joint "courthouse" building in 1853. Originally the intention was to include a county jail in the building, but upon the advice of the Grand Jury it was decided to build the jail on Market Street, between Hunter and San Joaquin and three blocks distant from the courthouse. The courthouse structure, a two-story brick building measuring 60 by 80 feet, was first occupied in the spring of 1854. It was replaced in 1890 by a beautiful, massive brick and granite structure which in turn was replaced by the present structure in 1964. The county jail, constructed at the same time as the original courthouse, was a two-story brick building, 30 by 40 feet, with walls that were two feet thick. Broken glass bottles partially imbedded in mortar atop a fifteen-foot-high wall prevented prisoners from escaping from the premises and provided them with an exercise yard. This facility was replaced by a

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Construction of the first phase of the permanent kitchen and mess hall facility of the Honor Farm commenced in the summer of 1948. It opened on Thanksgiving Day of the same year. Shown above are

the foundation forms being laid. Women were first assigned to the Honor Farm--previously an all-male facility--in March of 1955 upon completion of a special facility to house them.

new jail, nicknamed "Cunningham's Castle," on the northeast corner of San Joaquin and Channel streets in May of 1893. This building was in turn replaced in 1959 by the present jail facilities in the French Camp area.

411 It is ordered by the Court that A. C. Bradford, County Clerk, be allowed the sum of one hundred and twelve dollars for attendance upon the Court of Sessions and fees in criminal cases as per his bill filed.

412 It is ordered by the Court that Samuel Langdon be allowed the sum of seventy-six dollars and fifty cents for medical

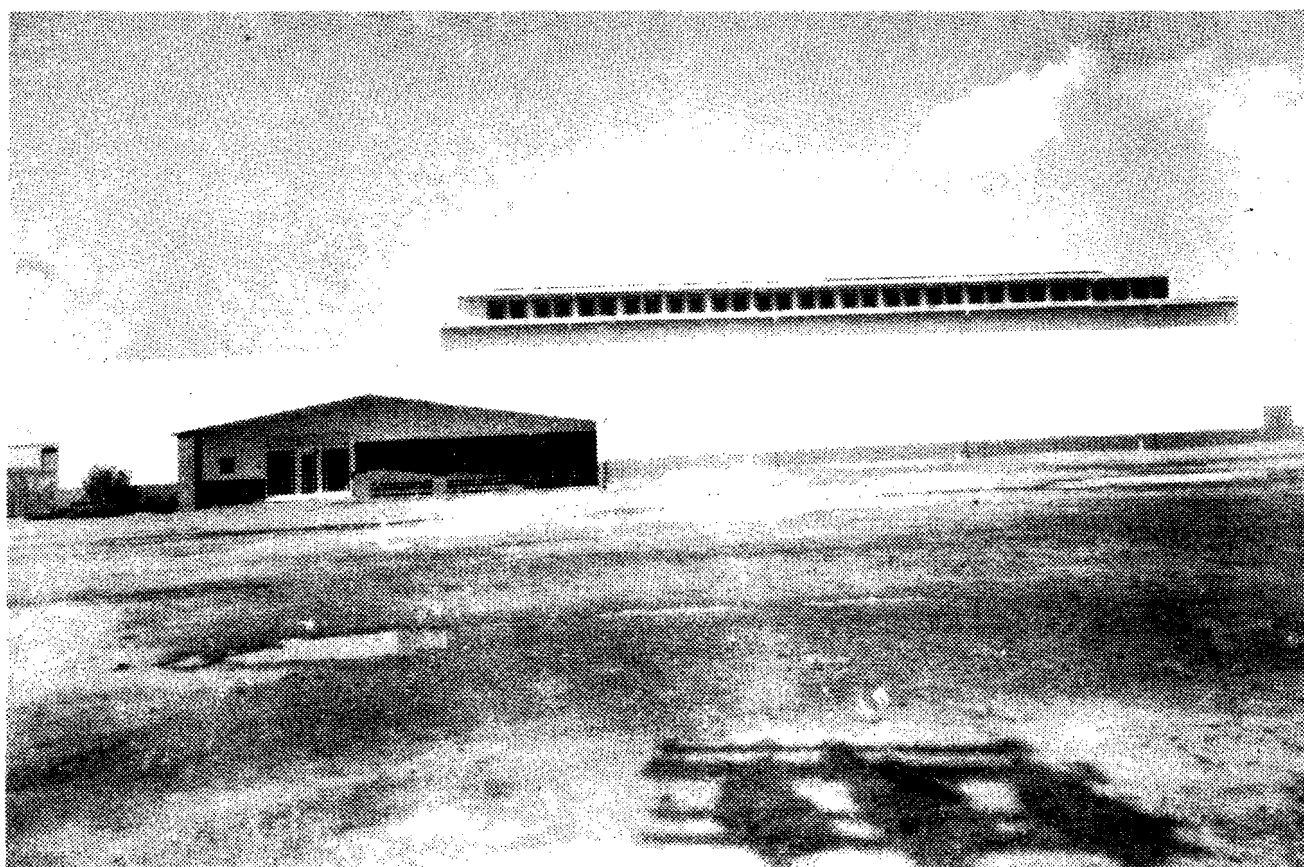
attendance upon the prisoners of the county as per his bill filed.

413 It is ordered by the Court that R. P. Ashe, Sheriff, be allowed the sum of three hundred dollars for the services of E. Canavan as assistant jailor as per his bill filed.

414 It is ordered by the Court that R. P. Ashe, Sheriff, be allowed the sum of three hundred and forty-one dollars for board of county prisoners as per his bill filed.

(To Be Continued in Next Issue)

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Frontal view of the new San Joaquin County jail on Mathews Road southwest of Stockton, taken just prior to its opening in April of 1959. This first unit included (from left to right) the booking room (lowest roof, behind fence), the receiving area (low, flat

concrete roof), the office complex (with slanting roof and brick veneer front), and the massive concrete maximum security facility. The entire jail complex lies to the east of the Honor Farm buildings.

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The Quarterly of the
 SAN JOAQUIN COUNTY
 HISTORICAL SOCIETY, INC.
 Published Four Times Each Year
 P. O. Box 21, Lodi, California 95241

Editor: Robert Bonta

The San Joaquin County Historical Society, a non-profit corporation, meets the fourth Monday of each month except for July, August and December. Membership includes a subscription to the San Joaquin Historian.

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