

Early Justice in Oakland County

Territorial law once governed the region we now know as Oakland County. Justice was dispensed by judges of the Supreme Court of the Northwest Territory on a rotational basis. By 1787, three of these judges were assigned to our district. In 1805, Congress passed an act creating the territory of Michigan, and district courts were temporarily established to resolve some local disputes.

County courts were established in 1815. At this time, laws were enacted by the governor and three judges stationed in Cincinnati, Ohio. They defined crimes and punishments, commanded the strict observance of Sunday as a day of rest, prohibited swearing and drunkenness, and regulated marriages. It is during this period that courthouses and jails were established.

In 1818, the governor and the Supreme Court instituted the first probate courts for all counties. Justice in Oakland County was originally practiced from a primitive log cabin in the pioneer village of Pontiac, situated on the east side of Perry Street between Lawrence and Pike. According to Judge Crofoot, the crude cabin, built around 1820, lacked “door, floor, or chimney.” Mercifully, this simple structure served the needs of the justice community for only a very brief time.

The first structure built specifically as a county courthouse was erected in 1823-1824 at the southwest corner of Saginaw and Huron Streets. By this time, three judges held annual sessions in the facility. No illustration of the original structure has been found. The site was donated by The Pontiac Company, and was chosen because it overlooked the growing community and was near the Clinton River. The building housed both a courthouse and a jail under the same roof. The jail was located in the lower level and was constructed of squared logs, while the upper level was framed and accommodated a courtroom and the jailer’s residence. The jail’s first inmate was a Bloomfield Township resident charged with a gruesome double homicide in 1825.

This courthouse was ill constructed from the start, and as the years passed, it became a disgrace to the County due to its dilapidated condition. In 1848, a local newspaper described the escape of two incarcerated horse thieves, and further commented:

“Time after time the old courthouse has been presented by the Grand Jury as an unsafe, unhealthy, indecent and inconvenient receptacle for prisoners – and indeed they have a number of times presented it as a nuisance which ought to be abated.”

During this period of escalating public ridicule, the old courthouse found itself cast as the setting for what many remembered as the “murder trial of the century.” This case, tried in 1846, involved a handsome young doctor accused of slowly poisoning his beautiful wife with arsenic. It is said that an expert defense team witness so thoroughly befuddled the jury that the trial resulted in a verdict of not guilty, which sent Pontiac townfolk into a fury.

Meanwhile, in 1836, the first state constitution was framed. By March of the following year, three circuit courts had been established. Judges were appointed by the governor and confirmed by the senate for seven-year terms. Chief Justice Fletcher was assigned to oversee Oakland County and the six “sister” counties under one of these circuit courts.

In 1850, a second Michigan Constitution drastically altered the state judiciary by making all state officials’ offices elective in nature. County courts were completely abolished, and the state was divided into eight circuit courts, each of which would elect one judge. The region that was originally defined as the Sixth Circuit included St. Clair, Macomb, and Sanilac, in addition to Oakland County. Circuit court

judges at this time were expected to also serve on the Supreme Court. However, the legislature was empowered by law to begin to construct an independent and elected Supreme Court, which became effective by 1858.

In April of 1856, after a thirty-year struggle to move the Oakland County Courthouse to the village of Auburn, or raise funds to replace the rundown building, voters finally agreed to fund the construction of another courthouse. By that time, Pontiac was becoming an active trade center and housed 2,000 residents. The county was served by a judge of the Supreme Court, a judge of probate court, one prosecuting attorney, one circuit court commissioner, and seven lawyers.

In 1857 construction began for a new facility, later referred to as the “Civil War Courthouse,” on the site of its predecessor at Saginaw and Huron Streets. It was an impressive size for its time, and measured 60 feet by 100 feet.

Standing two stories tall, this facility was larger than Michigan’s state capitol at the time. It was constructed of brick in Italianate style by a local carpenter, and cost over \$12,000. It housed the county clerk, a probate judge, register and treasurer, and included a courtroom and judge and jury rooms. Throughout the years, this building was not only the scene of many notable trials, but also served as the focal point of numerous community activities, including lectures, funerals, choral recitals, and farmer’s meetings.

During the forty-six years that this third courthouse was in operation, it is estimated that the presiding judges sentenced approximately 2,000 criminals and heard roughly 4,000 civil cases. The Honorable George W. Smith also indicated that 1,200 couples were divorced in this building. In fact, the signing of a divorce decree was the last item of business conducted in the structure before it was closed.

In 1896, under Judge Smith, the Sixth Circuit was reduced in size to include only what we now know as Lapeer and Oakland Counties.

By the turn of the century, Pontiac’s population had increased to 10,000, and Oakland County’s to almost 45,000. Once again, the community began to see the need for a new courthouse. One local newspaper described the situation as follows:

“ . . .Oakland County, one of the largest counties in the state, one of the most wealthy, and in fact, the third richest agricultural district in the United States, is compelled to put up with perhaps the most antiquated and antediluvian courthouse in the State of Michigan, if not in a dozen states.”

Some local politicians wanted to demolish the courthouse and sell the site for retail development. A number of alternative locations were proposed and examined. In 1903, a decision was made to erect another structure on the grounds of the retiring facility. The cornerstone of this newest courthouse was laid on August 30, 1904, and was attended by huge fanfare. It was estimated that 12,000 to 15,000 people participated in the cornerstone event. Festivities included a mile-long parade, music by local bands, and a program that called for short speeches by several dignitaries, who dubbed the new facility their “temple of justice.”

Joseph Mills designed this new courthouse. Some observers thought it looked more like a fortress than a temple. The architectural gem was covered in gray sandstone and measured 100 feet by 900 feet. It was intended to house the county clerk, probate and circuit judges, courtrooms, supervisors, and several county departments. In addition, the school commissioner and superintendent of the poor were also contained therein, along with an auditorium for meetings and school examinations. The courthouse was

completed in 1905 and took 17 months to construct. This courthouse would, in 1909, become the home of the first probate court in the state to handle juvenile matters.

Shortly after courthouse construction was completed, the statue of “Lady Justice” was installed at the apex of the courthouse dome, 104 feet above street level. In 1913, a courthouse bell was secured from Meneely & Company, and soon thereafter Daniel L. Davis, a prominent Pontiac attorney, donated a giant clock. This timepiece was synchronized with the courthouse bell to ring at the passage of hours. In 1945, the 500-pound weights that powered the clock were replaced with an electric mechanism to ensure greater accuracy.

By the mid 1900's, this courthouse became seriously overcrowded. Due to its location in the downtown district, there was no room for expansion. Former Oakland County Probate Judge Donald Adams recalled that parking in the vicinity of this court was 'a nightmare'. Ultimately, a new site was selected for the construction of a replacement courthouse at one of the highest elevations in the village. A large tract of farmland was selected to accommodate the growth Oakland County was experiencing. Local businessmen and residents were deeply concerned about this move, and expressed loud condemnation, suggesting that the court's departure would gut Pontiac's core. Even so, the cornerstone was laid on June 27, 1960, and was attended by much less fanfare than in 1903.

The original Oakland County courthouse tower, built on the present site, has served as the axis for several wings, and as a magnet for other buildings housing important functions of Oakland County government. The most recent addition occurred in 1994, when the west wing extension was added, including energy efficient glass and precast brick and concrete panels.

The current courthouse would certainly be a marvel of form and function, to the inhabitants of the very first log cabin courthouse of 180 years ago, despite its variations in style. The pride of those early settlers, who made a fervent commitment to truth and justice in a challenging environment, is reflected today in the evolving edifice that we call our court home. Here, we continue the pioneers' legacy of devotion to the truths imbedded in the laws of our land.