

## Petersburg as the County Seat 1846 - 1852

Besides acquiring funds for the county treasury, the next most difficult problem was providing housing facilities for the county offices and court. Upon its organization in 1846, the home of Franklin Clark was selected for the meeting of court and the office of the County Clerk.

From 1847 to 1851, the County Clerk and District Clerk offices were housed in the home of Josiah Dowling. Court attendants and the Grand Jury were housed in the neighboring homes. County prisoners were guarded by private citizens who usually locked them in their homes or barns.

In April 1847, the county purchased from Josiah Dowling a log house located on Lot 3 in Block 16 for the sum of \$45.00 for a temporary courthouse. On January 10, 1851, this lot was sold to Thomas Bishop. The deed excluded the courthouse which stood on that lot.

In 1848 a post office was established in Petersburg with W.R.B. Wills postmaster and H.K. Judd deputy postmaster. Also, in January of that year the first precincts were marked off.

In May 1850, Spencer Townsend sold the county a log house, formerly used by him as a store house, for \$25.00 to serve as a courthouse.

In April 1851, it was reported by several newspapers that the building used as a courthouse at Petersburg, Lavaca County, was consumed by fire on the 6<sup>th</sup> around 12:00 am. The building, which was being used as a courthouse, church, school house, County Clerk's office and Sheriff's office, was entirely enveloped in flames and in a few hours was totally consumed.

A letter from Spencer Townsend to the Texas Monument newspapers in LaGrange said Judge (Fielding) Jones and the members of the bar seem determined to hold court under a live oak tree nearby.

The courthouse was not the only thing on fire in Petersburg. In November 1851, it was reported that factions within Petersburg soon developed, smothered at times, and then grew with such bitterness and intensity that by 1851 the quarrels reverberated throughout the county.

It was primarily a fight between Sherrill, the town donor, and Townsend the storekeeper and their followers. The feud became so strong that few persons have been disposed to go to the place.

Before the fire in April, the county had allocated \$800.00 for the construction of a new building to serve as the courthouse. Spencer Townsend secured the contract and carpenters Thomas Sanders (Chaudoin) and John Wunenburger built the courthouse of native lumber all hewn by hand. The weather boards that covered it were handmade from post oak.

In 1852, an election was held to determine the permanent location of the county seat. The two major contenders were Petersburg and Hallettsville; with Hallettsville eventually being selected as the permanent county seat on June 21, 1852. The County Seat Election and the following Archives War are covered in the book, History of Lavaca County by Paul C. Boethel pp. 47 – 64.

While Petersburg lost the battle, it did not go down without a fight. In January of 1852, Lavaca County filed suit against Arthur Sherrill over the ownership of the Petersburg courthouse. The county claimed that it owned the building since it had paid for its construction, but Sherrill claimed the building was his and refused to relinquish ownership. The case went to trial and it ruled for Sherrill.

The following notice was printed in the Texian Advocate on September 25, 1852.

Notice

All persons are hereby notified that the  
County Seat of Lavaca County has been  
removed from Petersburg to Hallettsville; and  
that all the offices required to be kept at the  
county seat have been removed thereto.

Given under my hand and seal, this

September 7<sup>th</sup>, 1852

Joshua E. Martin

Chief Justice Lavaca County

The two-story courthouse survived until 1968 when it was torn down after serving as private home for many years.

Sources:

Boethel Notes

Lavaca County Deed A/13

Lavaca County Deed A/14

Lavaca County Deed A/23

Lavaca County District Court Case #96

Houston Post September 29, 1968

Hallettsville Herald March 10, 1910

Lavaca County Tribune November 30, 1951, October 9, 1951

Herald & Planter October 23, 1878

Hallettsville Herald December 25, 1887

The Texas Monument April 16, 1851

Texian Advocate May 4, 1848

Indianola Bulletin October 19, 1853

San Antonio Express September 12, 1968

Lavaca County Tribune March 5, 1935

Free State of Lavaca p.157

History of Lavaca County p.40, 42, 46, 47

Sand in Your Craw p. 98

Notary Public Records Petersburg Part 1 D.W. Huddleston Aug. 27, 1853 to Feb. 15, 1858

Police Court Minutes of Lavaca County from August 31, 1846 – November 29, 1852