

GRAYS HARBOR COUNTY COURTHOUSE

A Crown for “The Maid of Wynooche”

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On a map, Grays Harbor looks like a pair of cavernous jaws biting into the Pacific Ocean, and it was into this yawning maw that Captain Robert Gray first sailed his brig, *Columbia Rediviva*, in 1792. He thus gave the body of water a name and a place in history. Instead of falling down some monstrous gullet, however, Gray found one of the finest harbors in the Northwest. Flowing into Gray's newly discovered port was the river that had created his watery haven in the first place: the Chehalis. Those two natural bodies—the river and the harbor—will control the destiny of the region for as long as the sea laps the shores of the Pacific Coast.

The Chehalis River drains a large portion of central Washington, and it is navigable for a goodly distance inland. The bottom land around the flow was fertile and the hills above it were covered in thick forests, so it was only a matter of time before settlers invaded the area. One of the first pioneers to reach the vicinity was Isaiah Scammon, who arrived at the confluence of the Chehalis, Wynooche, and Satsop rivers in 1852. He staked his land claim, cleared a patch of forest, and began to work the soil. Scammon must have made a fairly comfortable living, for a few years after his arrival in the region, he sold part of his property and with the proceeds traveled to his native Maine to bring back his wife and children. Shortly after this they built the first frame house in the area.

Scammon was a quiet man who was known for his stern morality and honesty in business dealings. He was, as one historian put it, "a tall tree in a wilderness of trees and one of the most respected men ever to come down the Chehalis." But as rare a character as he was, it was Scammon's wife who made the biggest impression on guests and neighbors.

Lorinda Scammon was only five feet tall, but her iron will and quick temper made her something of a giant in the Chehalis valley. Because of the Scammons' strategically placed homestead, Lorinda and her husband often played host to parties of travelers going to and from the harbor. Thanks partly to this geographical advantage and partly to Lorinda's cooking, the family eventually turned their home into a public inn.

If visitors to Scammon's establishment were expecting a stay filled with riotous hilarity and alcoholic excess, however, they were disabused of that notion when they met the hostess. True to her stern Puritan ancestors, Lorinda was a believer in a strict and straitlaced form of Christianity. She would brook no foolishness when guests stopped for the night at Scammon's Landing.

Once a group of boisterous boatmen tied up their skiff and marched up the steep bank, bringing with them a keg of whiskey and hoping to spend the evening in the delightful company of Mr. John Barleycorn. They had not counted on Lorinda Scammon. As soon as the scrappy little woman caught sight of the liquor, she promptly took action. Brushing past the astonished guests, Lorinda commandeered the keg, rolled it back out the door, down to the river bank, and into the stream where it floated away. Wiping her hands on her apron, the indignant woman then wheeled around and went back into the house without so much as a word or a side glance.

Gradually, the Scammons' home became a gathering place for settlers from all over the river valley, a convenient place between the inland farmers and the sailors of Grays Harbor. It was a haven where the visitor could expect plain, filling meals and uncompromising Protestant theology. It was understandable then, when Lorinda decided that their homestead needed a lofty name like the estates of Europe, she chose "Mount Zion." This was later changed to "Montesano," meaning "Mountain of Health," because the latter sounded better, and some amateur linguist had convinced the woman that the words had the same meaning as the Biblical name. No one ever dared tell her that the translation was faulty.

As strong-willed as she was, even Lorinda Scammon could not stop the tide of settlers coming into the Grays Harbor country. By 1854 there were enough people in the region to break away from Pacific County and form their own. On April 14 of that year, Chehalis County was established, and the seat was designated as the home of Captain David K. Welden at the mouth of the North River on Willapa Bay. But there was one little problem: the territorial legislature had drawn the boundaries so that the north shore of Willapa Bay was in two counties at once. Ironically, the new seat was not even in Chehalis County.

Strangely, no one seems to have been in any particular rush to straighten out this difficulty, and it was not until 1860, a full six years later, that the seat was moved. In July of that year there was an election. Not surprisingly, the seat was placed at the Scammon home, so for the next 26 years the legal and administrative business of Chehalis County was carried on in Lorinda's parlor.

As comfortable as it might have been, the Scammon homestead could not house the county's courtroom forever. The region's population was growing, and the facilities at Montesano were not really the best. Chehalis County was becoming too big for Isaiah and Lorinda Scammon to take care of by themselves, and soon the couple began selling off parcels of their land to friends and neighbors. One of these men, Charles N. Byles, purchased a large tract north of the original homestead in 1870. There he laid out a town he wished to found, and he called it Montesano.

Byles subdivided his property and sold lots to prospective settlers. The town's happy placement was one of its principal attractions; the soil was fertile, and it was along the easiest route from Puget Sound to the Pacific. By 1881 there were stores, hotels, homes, and other buildings dotting the Hill of Health. In February of 1883 the *Chehalis Valley Vidette* published its first issue, stating in an editorial that the journal's special object would be to proclaim to the world the many merits of Chehalis Valley. Encouraged by all this progress, the citizens of Montesano decided to incorporate the town in the same year.

Three years later the county government was ready to move out of the Scammons' front parlor, but there was considerable controversy about where it should go. The front runner was the new town of Montesano, but it had stiff opposition from Cosmopolis on the harbor. As might be

expected, the *Vidette* came down squarely on the side of Montesano, though it also published the appeal of its rival.

Soon there was talk of dividing the county into eastern and western sections, though nothing much had yet come of the idea. Meanwhile, Montesano attempted to woo the voters with promises of a courthouse that would be "even better than the more populous county of Thurston provides for her officers." The *Vidette* played upon the fears of its already overtaxed readers. Chehalis County, it warned, "cannot afford to listen to the siren voices of the divisionists."

Undaunted by these admonitions, Cosmopolis also dangled a courthouse in front of the county electorate—theirs would be worth \$10,000 and would sit on one of the most desirable blocks in the city. The harbor town vowed that its men would produce "the best courthouse in Washington Territory." Despite all the claims and counterclaims, when the election finally came one month later, it proved less disturbing than it might have been.

There were neither threats nor shotguns, noted a satisfied *Vidette* editorial in March 1886. Rather, it was "a quiet, orderly election in which nearly every voter in the county participated and cast his ballot for the place of his choice without fear or hindrance." Better still, Montesano had racked up an impressive victory. The "Maid of Wynooche," as one flowery tribute called the victorious town, would be the new seat of government. Thanks to the lubricating effects of "plenty of wine and Irish whisky," even the Cosmopolis supporters gave in gracefully to the public's will. After all those years, it looked as if Lorinda Scammon would finally have the living room to herself.

Charles Byles, the man who donated the land for the county's first real courthouse, became a guiding force behind Montesano's rise. In fact, he virtually gave his life for the new county. At one time or another he had been a large landowner, founder of the town's first bank, councilman and mayor of Montesano, as well as Chehalis County auditor and treasurer. It was while he occupied this latter office that the county seat was moved and it fell to Byles to move the county's treasury.

In those days the county's assets consisted mainly of gold and silver coins. Lacking any proper receptacle, Byles filled a brand new pair of boots with the coins, tied the boots together, and swung them over his shoulder. Unfortunately, the treasure was so heavy that Byles was forced to stagger and stumble through the mud to the new county seat. The task ruined not only his boots but his health. The trip provoked a latent asthmatic condition that afflicted Byles for the rest of his life. He often repeated that carrying the gold and silver "broke his wind." Byles died in 1897, a martyr to the cause at the age of 52, and was ever after regarded as the father of Montesano.

With the county seat firmly in its grasp, Montesano was certainly destined for great things. Until suitable quarters could be provided, court was held in a variety of temporary locations, and it was not until 1889 that construction of a new county home began. In May of that year sealed bids were advertised for construction of a courthouse at a cost of about \$14,000. When the proposals were analyzed, George H. Vail was given the construction contract for the new edifice.

A new county building was not the only thing being constructed in the town. For years the citizens of the little town had lived in constant hope that a railroad would eventually pass through the community, but nothing certain had been settled. In 1889 the hopes were realized when articles of incorporation were filed for the "Tacoma, Olympia and Pacific Railroad Company." The object of this endeavor was to lay tracks from a convenient point on the line of the Northern Pacific Railroad to the most convenient point on Grays Harbor. Fortunately, this meant that Montesano was directly on the route.

With even the mere hint of approaching rails, business was destined to boom, but here was a dead certainty. Montesano began to feel the heady effects of prosperity almost at once. Soon, railway officials visited Montesano regularly. Instead of two daily stages from Olympia, suddenly there were six, all filled to capacity. Property values shot up. During just one week early in 1889, \$30,000 worth of real estate was sold in the town. Things suddenly looked rosy for the Hill of Health.

Befitting the town's status as commercial hub of the entire region, a large and elegant wooden courthouse was finally completed in 1890. It featured spacious courtrooms and offices, and a fireproof vault constructed of 40,000 bricks shipped from Victoria, British Columbia, aboard the *Dolphin*. However, the structure's most striking design element was a prominent tower with a domed and shingled roof. It was, as the *Seattle Post-Intelligencer* reported coolly, "rather a sightly structure," and it served the bustling, successful community well.

Despite the county seat's pleasing public buildings and its veneer of civilization, many remembered a time when there was little but forest where it stood. One anonymous Hoquiam school marm from this time was not blinded by the town's brilliance. "Montesano," she wrote, "was THE town of the county and called all the lower towns on the Harbor holes in the mud." But, she quickly added, "if you want to find a first class lot of mud and dust, you go to Montesano."

The teacher's quickness to defend the cities of Grays Harbor was all the more telling since Montesano was beginning to be overshadowed by other newly prominent towns. By the early 20th century, 80 percent of the population resided in Aberdeen and Hoquiam. Montesano might be at the railroad junction, but the towns of the lower harbor were on the sea, and that meant that their destinies were tied to the larger world beyond Chehalis County.

Starting in 1905, the rival towns of Aberdeen and Hoquiam joined uneasily in a campaign to move the county seat to the harbor. When this failed, the two towns made a bolder move. In January 1907 they revived the idea of splitting the county in two, with Aberdeen the seat of the new Grays Harbor County and Montesano the seat of a pared-down Chehalis County. Ultimately, it was Aberdeen, the larger and more dynamic of the two cities, that took the lead in what proved to be a vigorous campaign.

There were several powerful opponents to the deal, however. Naturally, the Montesanans were not enthusiastic about Aberdeen's secessionist plans. The *Vidette* called it "the most roaring farce that has ever been played by any cast of lawmakers in the state." The outraged paper assured its readers that "the scheme was conceived by political iniquity, born of a spirit of revenge, nourished on personal animosity and attained its consummation by a specious system of legislative hoodwinking." But there were other even more powerful opponents.

The Weyerhaeuser timber syndicate owned vast tracts of forest land in the proposed county, and it feared the impending division as much as the citizens of Montesano. Property tax increases were a dead certainty as the new county scrambled to provide its citizens with the infrastructure that any political entity would need.

As Aberdeen soon learned, Weyerhaeuser was skilled both at dirty fights and at getting its own way. The company produced a petition listing names of hundreds of citizens who were against division. On closer inspection, it was discovered that Weyerhaeuser employees were coerced into signing petitions all across the proposed county; those who refused were threatened with dismissal. An outraged *Aberdeen Daily Bulletin* announced that "the trust is putting the screws to the local manufacturing concerns," and thus bringing the long-awaited division into doubt. It had suddenly turned into a heated and vicious campaign.

In March 1907 the legislature bravely ignored all the pressure applied by the various parties and approved Aberdeen's plans. At long last it seemed that Grays Harbor County was a reality. But almost before the ink had dried on the bill, Montesano, with solid backing from Weyerhaeuser, began a challenge in the Washington State Supreme Court. "If the advocates of county division think the fight is over and that they can rest assured of an ill-gotten victory," a feisty editorial in the *Vidette* reported, "they are very much mistaken, as they will find to their cost in the near future."

This proved to be no idle threat, and for the next two years the case dragged through the legal system. Despite being passed by both houses and signed by the governor, the bill creating the new county was rejected by the attorney general who ruled that the bill must be accompanied by a petition signed by at least three quarters of the voters. Next, the county commissioners further muddied the already turbid waters by voting to appropriate \$5,000 to fight against the required petition. Despite this obstruction, the petition was completed and sent to the governor who again passed the matter on, this time to a Lewis County judge. The judge referred the situation back to Washington's Supreme Court which finally ruled that the division was unconstitutional. At long last it appeared that the legal nightmare was at an end.

In an attempt to smooth Aberdeen's ruffled feathers, the county commissioners voted in April 1909 to authorize a "sub-courthouse building" in Aberdeen. This was a substantial but unspectacular brick building on West Simpson that was occupied for a few years and then abandoned by the county. A group of doctors later leased it for use as a hospital.

In the same commissioners' meeting the men voted unanimously to advertise for plans and specifications for a modern, fireproof courthouse to be erected in Montesano. Perhaps as a further concession, the plans of an Aberdeen architect, Watson Vernon, were chosen as the winning entry. The monumental structure that he proposed must surely have taken away the breath of all those who first saw the renderings. Vernon planned a huge stone building with massive classical columns, arched windows, pediments, and a beautiful dome rising over it all.

The architect had designed several smaller buildings in the area, but nothing that came close to rivaling the new courthouse. This was to be his masterpiece. The county commissioners apparently hoped that such a huge, ornate building would make taxpayers reluctant ever to remove the county seat. They consequently spared no expense in building and decorating the new structure.

By October 1909 contractors Sylliasson and Sando of Seattle were ready to break ground on the courthouse. Throughout the next year construction and foundation work continued at a steady pace and the building's basement and footings began to take shape next to the old, outgrown wooden courthouse.

Finally, in April 1910 the cornerstone of the new courthouse was laid amid much pomp and ceremony. Masons from lodges all over the county participated, as did the high school band. A solemn procession wound its way up the hill and to the new building on Courthouse Square off Main Street. Ceremonies were led by supreme court judge Stephen J. Chadwick. As the band softly played "Rock of Ages," the stone was set in place, and oil, corn, and wine were sprinkled atop the stone to symbolize prosperity, nourishment, and joy. Inside the cornerstone was a copper box containing documents and photographs related to the county. It was a joyful ceremony, and it served well to heal some of the ill feelings that had rent the two parts of the region.

Late in 1910 the building received its most distinctive interior decoration. Associated Artists of Milwaukee, Wisconsin, won the commission to paint a series of murals in the dome. German-born artists Franz Rohrback and F. Biberstein completed the four allegorical tableaux. By the time construction drew to a close in 1911, the massive structure had consumed around six million pounds of warm-colored Tenino sandstone as well as huge quantities of gravel, sand, cement, and brick. The building's crowning glory was the graceful tower with its E. Howard tower clock and a roof of solid copper plating. After all the costs had been computed, the massive building set the county back over \$193,000, but in exchange they had one of the finest courthouses in the state.

One of the men who had worked tirelessly in the campaign to avoid county division was a colorful attorney named William H. Abel. Motivated by a possible loss of prestige, he had played a big part in keeping Montesano as the county's capital. The lawyer had often boasted that one of the main reasons the county commissioners had chosen the inland town as county seat was that he offered the officials free use of his extensive law library. This was typical of his braggadocio, and perhaps it is even true, for Bill Abel always seemed to get his way in Chehalis County.

W. H. Abel had come to Montesano as a young man. He made a good living representing loggers and other workers who had been injured on the job. He was so good at this that the bosses thought it best to retain the young man for their own purposes. From then on, Abel switched allegiance and usually came down on the side of money and power in a legal dispute. He gradually acquired the exaggerated importance and respect that often falls to legal or political bullies in a small town. His rivals used to say that in the Chehalis County Courthouse, when the black-robed judge came in and took his place, everyone in the courtroom stood up; but when William Abel arrived before the bench, the judge himself stood up.

When a number of "Wobblies," radical labor unionists, were arrested in 1916 after the Centralia Massacre, they were brought to Montesano where it was hoped they would receive a fair trial. Feelings ran high on both sides, and as soon as W. H. Abel was chosen to prosecute the prisoners, the union press could not conceal its contempt for the man who was a hero to just as many others. The labor journalists branded him "Oily Abel" and claimed that he was "suave and slimy as a snake; without any of the kindlier traits of nature." W. H. Abel, the writer declared,

"sounded the gamut of rottenness in his efforts to convict the accused men without the semblance of a fair trial."

Less well-known, though hardly less slimy, was Abel's role in a trial from 1929. The case is also remarkable since it graphically demonstrated his methods of operation. On the surface, the process should have been a simple one. Abel was retained by the city of Hoquiam in a bid to acquire and transform a private water company into a public utility.

The private company hired an up-and-coming barrister by the name of Theodore B. Bruener. The younger man had quickly established a name for himself in the county as a person from whom great things were expected. He was quick-thinking and decisive and soon found himself in opposition to Abel on a number of occasions. Since Abel would brook no rivals in his little bailiwick, it was almost inevitable that the two men would come into conflict. When the case was finally tried in July 1929, Abel decided to stop at nothing to win the judgment and, if he could, discredit Bruener forever. He succeeded on both counts.

The trial began ordinarily enough, but by some means or other, Abel came into possession of some shocking intelligence. It concerned a pretty juror with the ironic name of Katherine Law. The older attorney had Mrs. Law shadowed by a private detective during the trial. According to the detective's report, Mrs. Law and Bruener arranged to meet after court on Saturday, July 20, for a picnic along the brushy banks of the Satsop.

The two guilty parties were observed talking and laughing, eating a light lunch, and consuming quantities of bootleg hooch. They were also seen sporting and frolicking in a highly charged, erotic way. The eavesdropping detective realized at once that this was a most unlawyerlike way to interview a juror, and he quickly telephoned Abel, asking him to come out and have a look for himself. This he did, and after observing the intimate scene long enough to have a few pictures snapped and determine the nature of the tryst, Abel took action. Like an avenging angel, the old lawyer strode into the midst of the love nest. In a loud voice, dripping with moral outrage, "Oily Abel" demanded to know what they were doing. The shocked Bruener could do little but jump up in amazement while Mrs. Law became hysterical and pulled a blanket over her face. Abel brutally ripped it away, exposing her shame to the world.

In the weeks that followed, Abel achieved two of his fondest goals: a highly favorable ruling for his client and a disbarment for his chief rival. Bruener paid the ultimate professional penalty for his foolish dalliance, and Abel no longer had to worry about upstart challengers who might rival his prestige.

Abel continued to lord it over the county for many years. Eventually, he retired to a lovely home just a few steps from the courthouse where he had spent so much time. Watson Vernon, the architect of the domed and frescoed palace of justice, also designed Abel's residence. In 1915, a few years after the house was completed, Chehalis County made one final concession to the cities on the harbor by officially rechristening itself "Grays Harbor County."

A magnitude 5.9 earthquake struck Montesano on July 2, 1999, causing serious damage to the venerable courthouse. The worst problems occurred near the clock tower, which actually shifted on its foundations. The entire structure was evacuated for a time, but the county decided to

restore the building to its original glory. Two years and \$7.5 million dollars later, the courthouse was officially rededicated on July 28, 2001.

Today the old rivalries are forgotten. Montesano, the "Maid of the Wynooche," possesses one of the most beautiful courthouses in the state. Lorinda Scammon's Hill of Health is crowned by a structure worthy of the Heavenly City itself.

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