

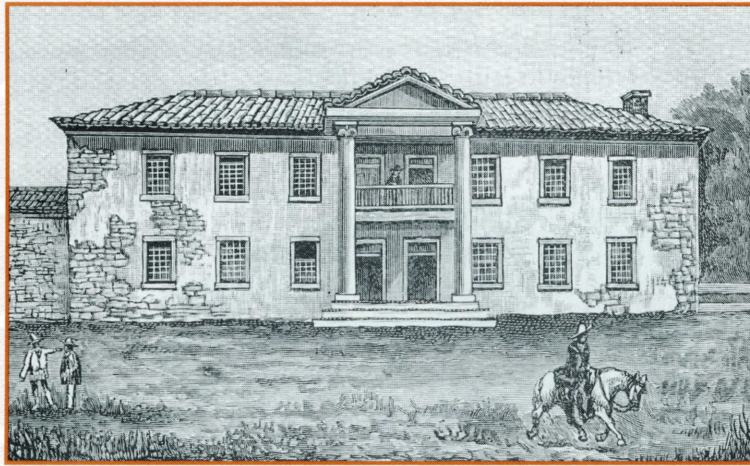
CALIFORNIA'S STATE CAPITOLS

1850-PRESENT





The California Legislature convened at Benicia on February 16, 2000, in honor of the 150th Anniversary of California Statehood



Colton Hall, Monterey
Site of Constitutional Convention of 1849

The Siting of a Capitol

(Excerpt from the 2000 edition of *California's Legislature*)

Among the duties of the Constitutional Convention of 1849 was that of proposing a seat of government for the new state. The question was placed before a group of men little affected by historical precedent, for the majority of the delegates had settled in the northern part of the territory for less than a decade, and one-fourth had come west with the gold rush. The few native Californians present might have recalled a territorial capital being moved from Monterey to San Diego, Santa Barbara or Los Angeles at the whim of various Mexican governors. Even Monterey, while playing host to the convention, claimed only the dubious distinction of housing, since 1846, the headquarters of the American military governors.

Thus unencumbered by tradition, the delegates voiced their desire for a location free of the distractions of commerce. Offers of accommodations poured in from communities large and small, all envisioning a substantial return on their investment.

During the session, two men from the booming little town of Pueblo de San Jose were sent galloping over the hills to Monterey to offer Washington Square in their town as a capitol site and to assure delegates that a suitable building would await them. After hours of debate the convention accepted the offer and named Pueblo de San Jose the capital—with the qualification that, by law, it might be moved elsewhere.¹



Capitol at San Jose — 1849-51

SAN JOSE

State Capital, November 13, 1849 to May 1, 1851

The First and Second Sessions of the Legislature, which were held in 1850 and 1851, convened at San Jose. Founded in 1777, San Jose was the first incorporated city in the state and is the county seat of Santa Clara County.

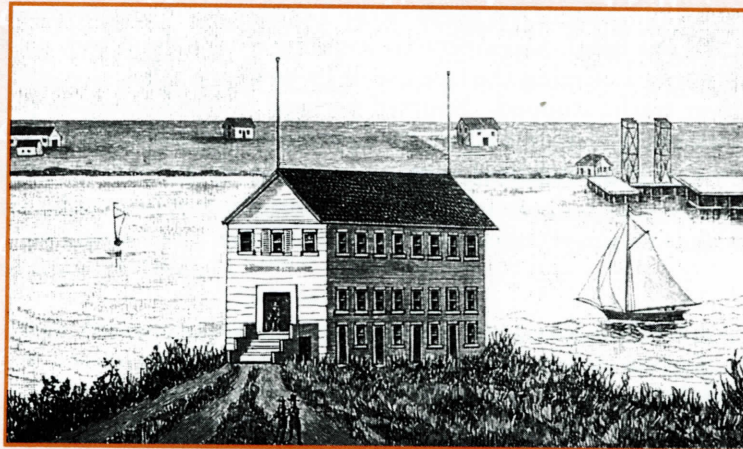
The Capitol was a two-story adobe hotel, 60 by 40 feet, the upper story being assigned to the Assembly and the lower to the Senate. William Kelly, English author of *A Stroll Through the Diggings of California*, who visited the First Legislature at work, describes the Senate and Assembly Chambers as being:

*... accommodated under the same roof, one downstairs, the other above; but, by a sort of solecism in the arrangement, the Senate, or upper house, occupy the lower apartment, which is a large, ill-lighted, badly-ventilated room, with a low ceiling, and a rough railing a little inside the door, beyond which none but the elect may pass. Each member had a rush-bottomed armchair, and a small desk with stationery . . . At the farther end, the Speaker was perched in a species of pulpit; the floor was covered with a number of little carpets, of various shapes and patterns . . . The other apartment (the Assembly Chamber) is of precisely the same size, but has the advantage of greater loftiness . . . plain common chairs, flat deal tables, and a strip of matting thrown where the feet are erroneously supposed to rest, being the extent of the accommodation . . .*²

Judge Sexton of Oroville said that "no sooner was the Legislature fairly organized than the members began to growl about their accommodations. They didn't like the legislative building and swore terribly between drinks at the accommodations of the town generally. Many of the solons expressed a desire to remove the capital from San Jose immediately."³

During the session of 1850, several proposals to provide suitable lands for state buildings, along with lands, bonds or moneys to establish funding for construction, were presented to the Legislature. General Vallejo's offer was by far the most generous. "The Committee on Public Buildings reported in favor of accepting the Vallejo proposition, and on April 22, an Act was passed and approved directing the Governor to submit to the people at the following general election the various propositions that had been made for the location of the Capital . . ." ⁴ At the general election of October 7, 1850, the proposal of General Vallejo was overwhelmingly favored.

On January 14, 1851, General Vallejo presented a communication to the Senate offering bonds as security for the fulfillment of his proposal. A majority of the Senate Committee on Public Buildings reported a bill recommending removal of the capital to the town of Vallejo which, passing both houses, was approved by the Governor on February 4, 1851. ⁵ California's first State Capitol site is now marked with a plaque across from the Plaza de Cesar Chavez on South Market Street in downtown San Jose.



Capitol at Vallejo—1852-53

VALLEJO

State Capital, January 5, 1852 to February 4, 1853. Removed temporarily to Sacramento January 16, 1852 to May 4, 1852.

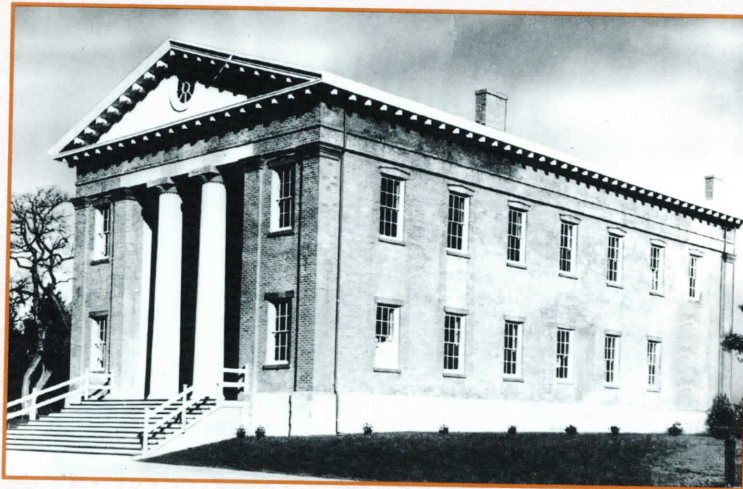
The Third Session opened at Vallejo on January 5, 1852. The capital was in a state of total chaos. Accommodations of all sorts were in varying stages of construction, with workmen noisily determined upon their completion. The *Sacramento Daily Union* reported: "The furniture, fixtures, etc., are not yet in their places (in the Capitol); many of them have not yet arrived at Vallejo . . . no printing materials in town . . . few or none of the buildings in town finished . . . music of the saw and hammer heard night and day." ⁶

Of the State House itself, Bancroft wrote: "The \$125,000 capitol so far was a rather insignificant two-story building with a drinking-saloon and a skittle-alley in the basement—the third house, as it was ironically called."⁷ The site is now marked by a bronze plaque on the corner of York and Sacramento Streets in Vallejo.

The steamer, *Empire*, establishing itself as a floating hotel, berthed some 250 persons, of whom 50 were Members of the Legislature. Anywhere else, wrote the *Daily Union*, should a man become "so prodigal as to purchase the exclusive privileges of a settee or a line of stools, it is perfect destruction on the purse."⁸

The dearth of essentials and the absence of amenities plunged the legislators into a new battle to move the Capitol. The obvious efforts of builders to complete construction and the pledges of townspeople to secure conveniences were countered by charges that General Vallejo had broken his contract to provide a suitable capital. Compromise prevailed, and it was decided that, while the town of Vallejo would remain the permanent capital of the state, the Senate and Assembly would repair to Sacramento on January 16, 1852 to complete the session.

The following year, on January 3, 1853, the Legislature assembled again in Vallejo for the Fourth Session. Compared with the previous year, conditions were a little better, and the weather worse. Transportation and communication, in spite of great effort, fell far short of the needs of the Legislature. Proponents of removal viewed, on the one hand, Sacramento recovering from a flood and, on the other, the town of Benicia offering the free use of its new city hall and a port of call at which all river traffic stopped. Spurred perhaps by the immediate prospect of an uncomfortable session in Vallejo, the Legislature passed a bill on February 4 ordering the seat of government to be moved instantly to the City of Benicia.



Capitol at Benicia — 1853-54

BENICIA

State Capital, February 4, 1853 to February 25, 1854

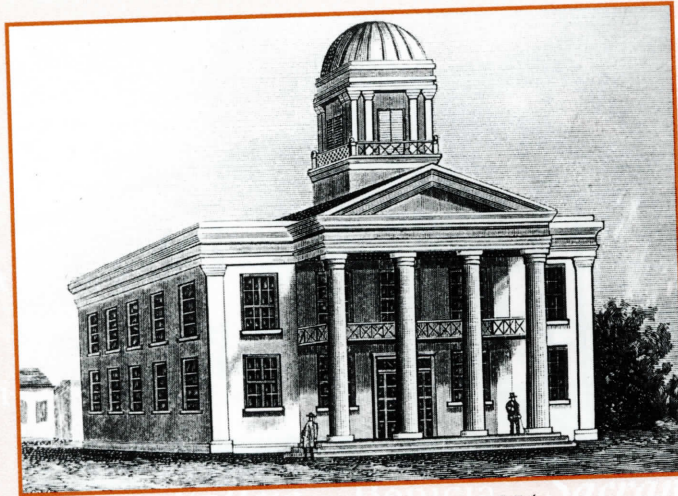
The newly designated capital promptly welcomed the Legislature as the Fourth Session reconvened on February 11, 1853. Benicia, given the second name of the wife of General Vallejo, had grown with the addition of an ordnance depot and a military post into a major port of call between San Francisco and Sacramento.

The new State Capitol was a roomy, two-story brick building which, besides two large legislative chambers, contained much-demanded rooms for committees. Two Doric pillars and four pilasters presented, for the first time, a suitably grand façade. The lawmakers, with little or no complaint, resumed their labors and adjourned May 19, 1853.

Yet once more, the capital seemed inadequate to the accommodations required for a legislative session and its entourage of scribes, journalists and advocates. On January 2, 1854, the opening day of the Fifth Session, it is reported that "at least a hundred men had no place to sleep except barrooms of saloons."⁹ As with Vallejo, inclement weather heightened the general irritation. The change to Benicia had proved apparently to be a change in the degree of discomfiture.

A handsome proposal from the City of Sacramento arrived at about this time. Free use of the Sacramento County Courthouse as a capitol building, rooms for state officers, fireproof vaults for the records, removal of the Legislature and furnishings from Benicia to Sacramento without charge, and a building site for a permanent capitol—were included.

Other political considerations were agreed to, and an act was passed repealing all prior legislation which had to do with a state capital and naming Sacramento as the permanent seat of government. On February 25, the bill was signed by Governor Bigler, and the Legislature, bag and baggage, climbed aboard the steamer, *Wilson G. Hunt*, for the voyage to the new capital.



First Capitol at Sacramento 1854

SACRAMENTO

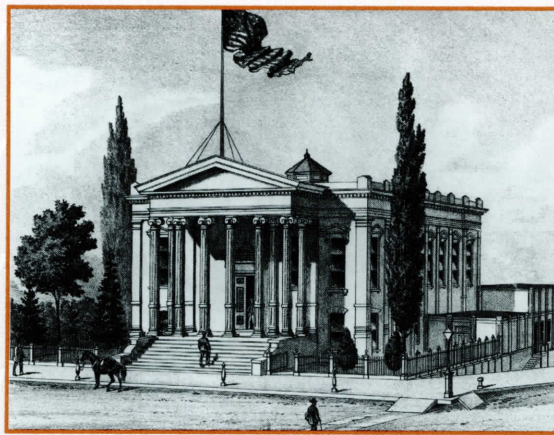
State Capital, February 25, 1854 to present. Removed temporarily to San Francisco in 1862.

—The First State House in Sacramento (1854)—

A few of the legislators recalled the surroundings of two years before as they reconvened the session of 1854 in Sacramento County's first courthouse. Just prior to its completion in 1851, the wooden two-story building was proudly described in the *Daily Union*: "Sacramento can now boast of the finest and most commodious courthouse in the State . . . The design of the main entrance is very neat and in good taste. Four fluted columns will support a balcony, surrounding which there will be a handsome iron railing. The building will be ornamented with a neat cupola, in which a bell is to be suspended, and a clock also will show its face and hands to late witnesses and trembling culprits." ¹⁰

The confidence of the city was to be seen everywhere. Sturdy levees braced it against flooding rivers, and the new Capitol looked down upon streets covered with wooden planking, ever-increasing numbers of substantial brick and iron buildings and no less than 55 hotels. Stagecoaches, freight wagons and pack trains combined with frequent steamboat service to make Sacramento one of the most accessible cities in the state. More rapid communications were available by telegraph.

At last, a permanent capital seemed able to offer an abundance of those facilities deemed necessary for the appropriate conduct and comfort of the Legislature. Soon after the conclusion of the session, the stately courthouse, along with a considerable portion of the city, was razed in the disastrous fire of July 13, 1854. Undaunted, the energetic citizenry saw the cornerstone of a more splendid courthouse laid on September 27, 1854. The 7th and I Street location of these first two Capitol buildings in Sacramento is now the site of the Sacramento County Jail. Although the location is registered as State Historic Landmark No. 869, no plaque has been placed there to identify it as such.



Second Capitol at Sacramento 1855-69

—Sacramento's Second State House (1855-69)—

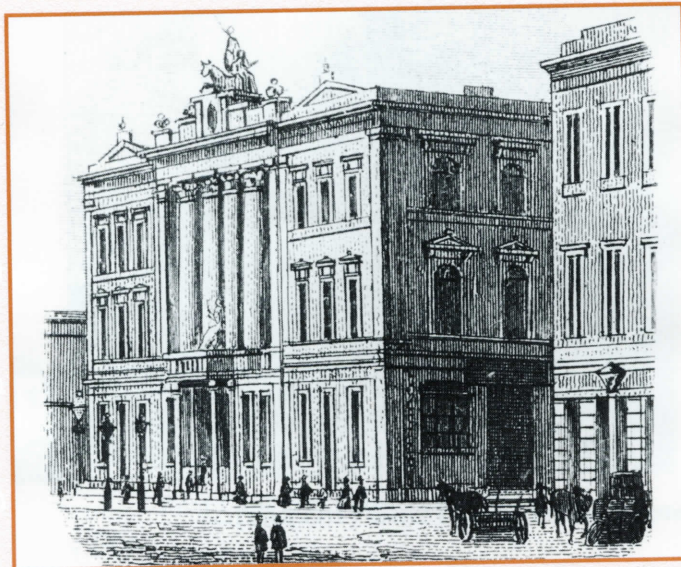
Sacramento's Second County Courthouse was ready for occupancy in less than four months. Completed in January 1855, construction of the new State House neither delayed nor distracted the Legislature.

The façade was graced by eight fluted pillars with Ionic capitals supporting an imposing entablature. The second floor was 80 by 120 feet, granting sufficient space not only for adequate chambers for the Senate and Assembly, but also for nine rooms to be used by officers and clerks of the Legislature. The ground floor provided offices complete with fireproof vaults for the Controller and Treasurer.

The rebuilding of Sacramento caused James G. Read to write: "After four years, in which she had been in turn desolated by flood and pestilence, consumed by fire, and shook by civil commotion, we will look at her as she stands in her pride of wealth and power. We will look at her extensive levees, her commodious wharves, her noble lines of storehouses, her magnificent post office, her elegant and spacious church, and other public buildings; her fine hotels and her palace-like private residences, and who can forbear astonishment?"¹¹

This "pride of wealth and power" embraced the Legislature. In 1854, the public square at 9th and 10th, I and J Streets, was donated by the city as a site for the permanent Capitol. The work, which commenced in December of 1856, was halted by court litigation, and construction was never resumed.¹² The site, which reverted to the city, is now Cesar E. Chavez Plaza.

Intense geographical and political scheming led to various legislative attempts to move the capital again. At one point even the State Supreme Court ruled, but later reversed itself, that the state capital was actually still San Jose.¹³ Several cities, including San Francisco, Oakland and San Jose, reopened the prospect of change by proposing capitol sites to the Legislature, but Sacramento's gift of four blocks between L and N, 10th and 12th Streets, was finally agreed upon in 1860. The Legislature appropriated \$500,000 as a construction fund, and appointed a commission to superintend the building of a capitol.



Merchants Exchange Building at San Francisco—1862

SAN FRANCISCO

Temporary State Capital, January 24, 1862 to May 15, 1862

December 9, 1861, found Sacramento completely flooded. Early in January, the *Daily Union*, while describing conditions in the city as normal, reported "a movement, probably having a speculative origin, to attempt to bring about a temporary removal of the Capital of the Legislature to San Francisco, but we do not apprehend that such an attempt will be countenanced by sensible men in either branch."¹⁴

On January 10, 1862, Sacramento was again awash with flood waters rising 20 inches higher than the crest the previous month. Governor Leland Stanford supposedly arrived for his inauguration in a rowboat.

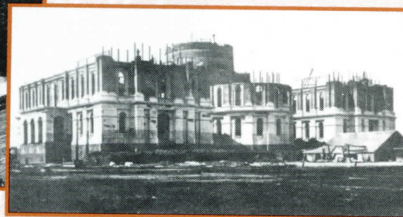
The question of removal was not only considered, it was pursued to the extent that one legislator feared they would become known as "the changing, mudscow, steamboat moving, forever uncertain legislature of California." On January 24, 1862, the Legislature took up temporary residence in San Francisco.

The business of the state resumed in the Merchants Exchange Building, which stood on the northeast corner of Battery and Washington Streets. Erected in 1854 for the Hong Kong trading house of Jardine and Matheson, this imposing, three-story structure, capped with a central dome, was done in the palladian style of architecture. Statuary of an allegorical nature embellished the cornice. The site is now occupied in part by the forecourt of the Richard Henry Dana Building at 550 Battery Street.

Any efforts, public or private, to foster another permanent move of the capital must have been rebuffed, for the next session convened in Sacramento.



Capitol at Sacramento 1874-present



Capitol under construction — 1860-74

SACRAMENTO

The Capital Comes to Rest in a Glorious New Building

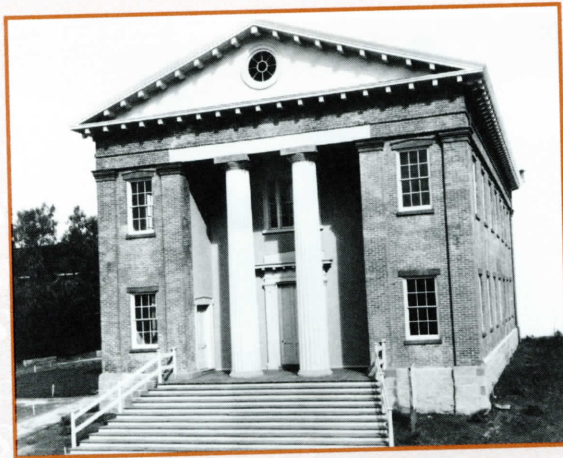
While the Legislature had been away, work proceeded on a magnificent new capitol building designed by M.F. Butler. Ground had been broken on September 24, 1860, and the cornerstone had been laid on May 15, 1861. Details and working drawings were prepared by Reuben Clark, the first of the superintending architects, as problems arose.

Construction of the Capitol covered a period of 14 years, and special taxes had to be levied to sustain the project. "Until the roof was built in 1868, work stopped in the winter, both because wet weather set in and because the year's funds, derived from annual taxes, were exhausted by fall. Supplies contracted for did not always arrive at the stipulated time; during the Civil War many construction items that might previously have been ordered from the East were made in San Francisco, where facilities were limited."¹⁵ Flooding, cost overruns, and delays in construction reinvigorated Bay Area cities' attempts to move the state capital to their locales. In 1868, serious removal efforts were waged to move the capital to Santa Cruz, San Jose, Oakland, Benicia, and San Francisco.¹⁶ None of the removal bills passed the Legislature.

On November 26, 1869, the offices of the Governor and Secretary of State were occupied, and on December 6th of that year the Legislature convened in the new chambers. Work on the Capitol continued until 1874, when it was declared completed.

Five years later, the Constitutional Convention of 1879 incorporated into the Constitution a section declaring Sacramento to be the seat of government of the state.¹⁷ Removal could be obtained only by an extraordinary vote of the Legislature and a majority vote of the people.

On foundations patterned after the ancient Spanish fortress at Panama and cemented by the state's new Constitution, California's Capitol finally came to rest.



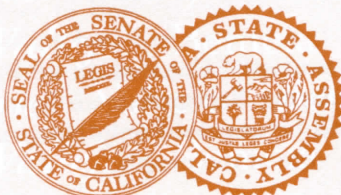
Restored Benicia Capitol Building
Site of the Sesquicentennial Commemorative Session

Celebrating California's Past:

The Legislature Returns to Benicia (March 15, 1958 and February 16, 2000)

The capitol structures in San Jose and Vallejo, as well as the two original buildings in Sacramento, were destroyed long ago. After a hundred years, the only edifice left standing was the two-story building in Benicia. Over the years, the building was used as the city hall, a school, church, fire department, county courthouse and library. In the 1950's, efforts were made to refurbish the aging structure. The City of Benicia, the Benicia Capitol Restoration Committee, and the State of California cooperated in the restoration project. The building was restored to its original condition, in authentic detail, and in 1958 was rededicated as a State Historic Park. To honor the occasion, the Legislature passed SCR 2, moving the capital to Benicia for one day. For three days, Benicia celebrated with parades, parties, a Governor's Ball, and a one-day commemorative legislative session held on March 15, 1958.

But the recognition of Benicia's place in state history did not end in 1958. To celebrate the 150th anniversary of California statehood, the 1999-2000 Legislature adopted SCR 54. The measure called for the Legislature to convene once again in Benicia on February 16, 2000 to pay homage to California's rich past. Benicia again reclaimed its status as the state capital, if only for a day.



Footnotes:

- 1 *California's State Capitol*, Northern California Writers' Program, Works Project Administration. Office of State Printing, Sacramento, California, 1942, p. 28. "The first session of the Legislature shall be held at the Pueblo de San Jose, which place shall be the permanent seat of government until removed by law." *Constitution of 1849*, Article XI, Section 1.
- 2 William Kelly, Esq., *A Stroll Through the Diggings of California*, Simms and McIntyre, London, 1852, pp. 190-191.
- 3 *California's State Capitol*, p. 31.
- 4 "History of the Seat of State Government," *Governmental Roster, 1889: State and County Governments of California*, compiled by W.C. Hendricks, Secretary of State, Office of State Printing, Sacramento, 1889, p. 199.
- 5 *Id.*, pp. 199-200.
- 6 *Sacramento Daily Union*, January 5, 1852.
- 7 Bancroft, Hubert Howe. *History of California, 1848-1859*, The History Co., San Francisco, 1888.
- 8 *Sacramento Daily Union*, January 5, 1852.
- 9 *California's State Capitol*, p. 37.
- 10 *Sacramento Daily Union*, December 16, 1851.
- 11 *Quoted in California's State Capitol*, pp. 39-40.
- 12 *California Blue Book*, 1907.
- 13 *A Documentary History of California's State Capitol*, Lucinda Woodward, California State Capitol Restoration Project, October 1981, p. 2.
- 14 *Sacramento Daily Union*, January 6, 1862, p. 2.
- 15 *California's State Capitol*, p. 47.
- 16 *A Documentary History of California's State Capitol*, pp. 61-62
- 17 *Constitution*, Article III, Section 2.



The Great Seal of the State of California

"Around the bevel of the ring are represented thirty-one stars being the number of states of which the union will consist upon the admission of California. The foreground figure represents the Goddess Minerva having sprung full grown from the brain of Jupiter. She is introduced as a type of the political birth of the State of California without having gone through the probation of a Territory. At her feet crouches a grizzly bear feeding upon clusters from a grape vine emblematic of the peculiar characteristics of the country. A miner is engaged with a rocker and bowl at his side, illustrating the golden wealth of the Sacramento upon whose waters are seen shipping typical of commercial greatness and the Snow-clad peaks of the Sierra Nevada make up the background while above the Greek motto 'Eureka' (I have found it) applying either to the principle involved in the admission of the State, or the success of the miner at work."

— Constitutional Convention, Monterey, October 2, 1849.

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