Chapter XI

# THE CAPITOL

## THE SITING OF A CAPITOL

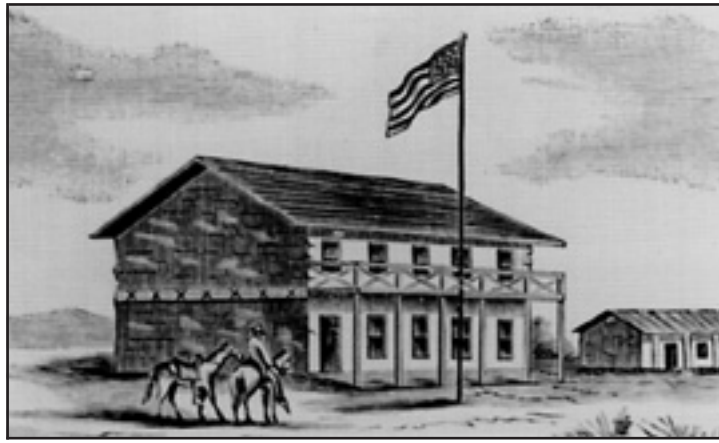
**Colton Hall, Monterey**
**Site of Constitutional Convention of 1849**

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 José 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 José the capital—with the qualification that, by law, it might be moved elsewhere." [1]

[1] *California's State Capitol,* Northern California Writers' Program, Works Projects Administration. Office of State Printing, Sacramento, California, 1942, p. 28.
"The first session of the Legislature shall be held at the Pueblo de San José, which place shall be the permanent seat of government until removed by law." *Constitution of 1849,* Article XI, Section 1.



**Capitol at San Jose—1849–1851**

***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 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]

[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.

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—1852–1853**

***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]

[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.

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 capital. 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 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.

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[7] Bancroft, Hubert Howe—*History of California, 1848–1859,* The History Co., San Francisco, 1888.
[8] *Sacramento Daily Union,* January 5, 1852.

**Capitol at Benicia—1853–1854**

***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 facade. The lawmakers, with little or no complaint, resumed their labors and adjourned May 19, 1853.

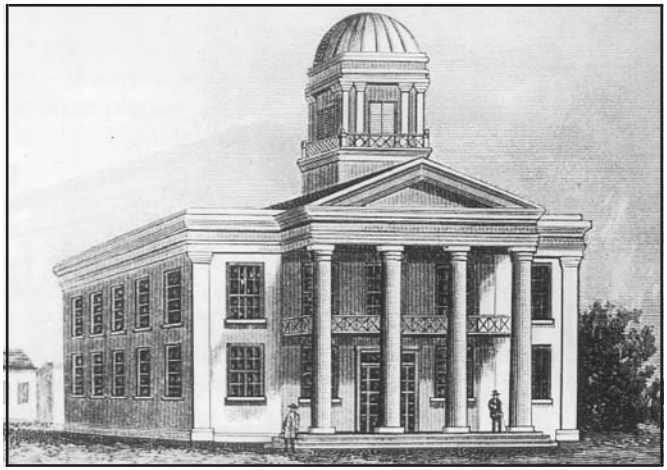
Yet once more, the capital seemed inadequate to the accommodations required for a legislative session and its entourage of scribes, journalists and advocates. On January 2, 1854, the opening day of the Fifth Session, it is reported that "at least a hundred men had no place to sleep except barrooms of 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—should Sacramento be declared the permanent capital—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

[9] *California's State Capitol,* p. 37.

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)***

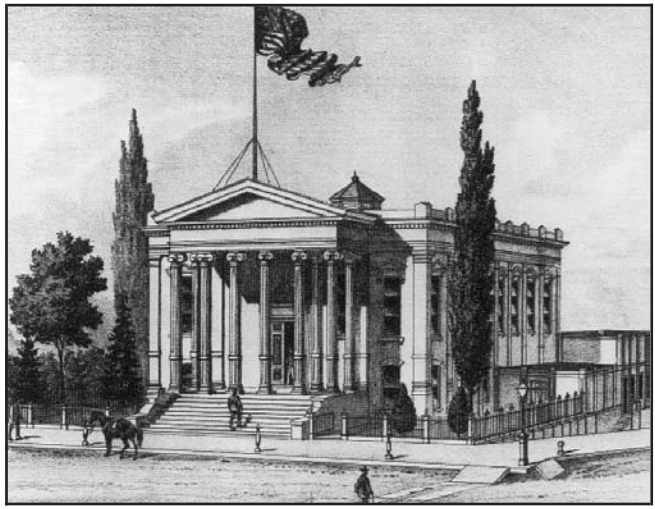
A few of the legislators recalled the surroundings of two years before as they reconvened the session of 1854 in Sacramento County's first courthouse. Just prior to its completion in 1851, the wooden two-story building was proudly described in the *Daily Union:* "Sacramento can now boast of the finest 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

[10] *Sacramento Daily Union,* December 16, 1851.

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—1855–1869**

### *Sacramento's Second State House (1855 to 1869)*

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 facade 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.

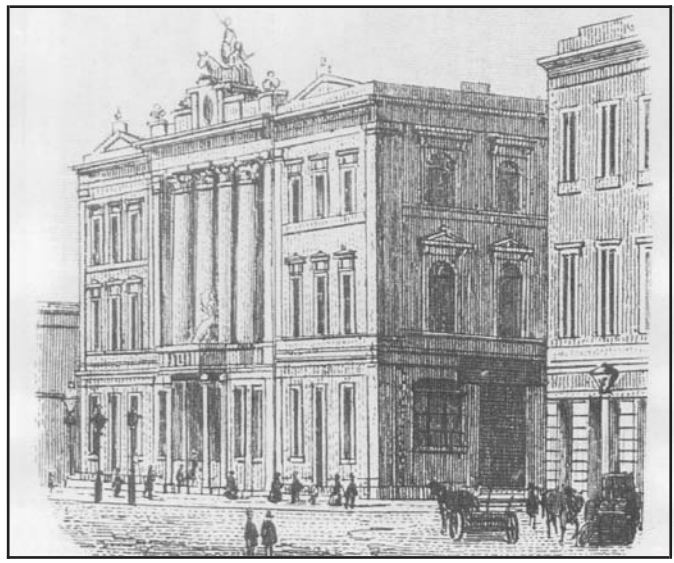
The rebuilding of Sacramento caused James G. Read to write: "After four years, in which she had been in turn desolated by flood and pestilence, consumed by fire, and shook [sic] by civil commotion, we will look at her as she stands in her pride of wealth and power. We will look at her extensive levees, 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

[11] Quoted in *California's State Capitol*, pp. 39–40.

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 1862, 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 of the previous month. Governor Leland Stanford supposedly arrived for his inauguration in a rowboat.

[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.

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.

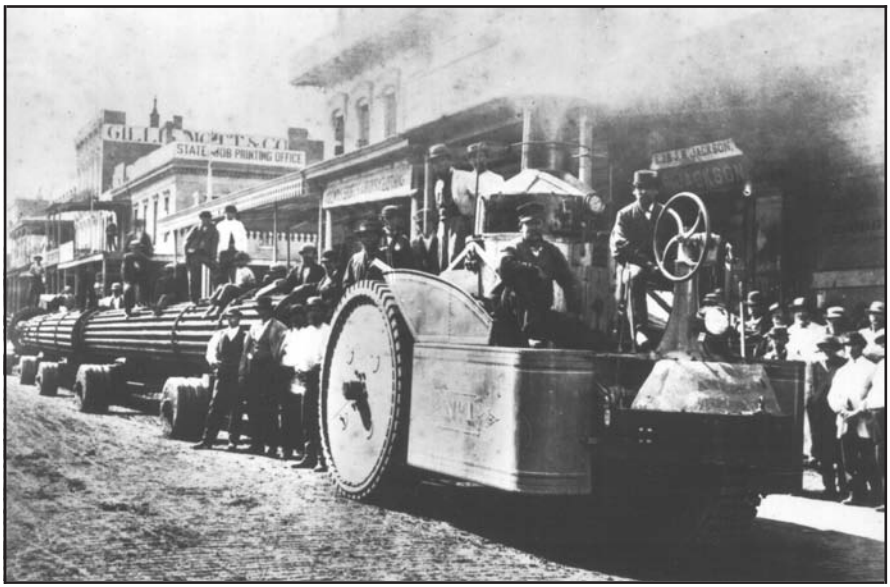
The business of the state resumed in the Merchants' Exchange Building, which stood on the northeast corner of Battery and Washington Streets. Erected in 1854 for the Hong Kong trading house of Jardine and Matheson, this imposing, three-story structure, capped with a central dome, was done in the palladian 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.

**California's Capitol shortly after completion, circa 1878**

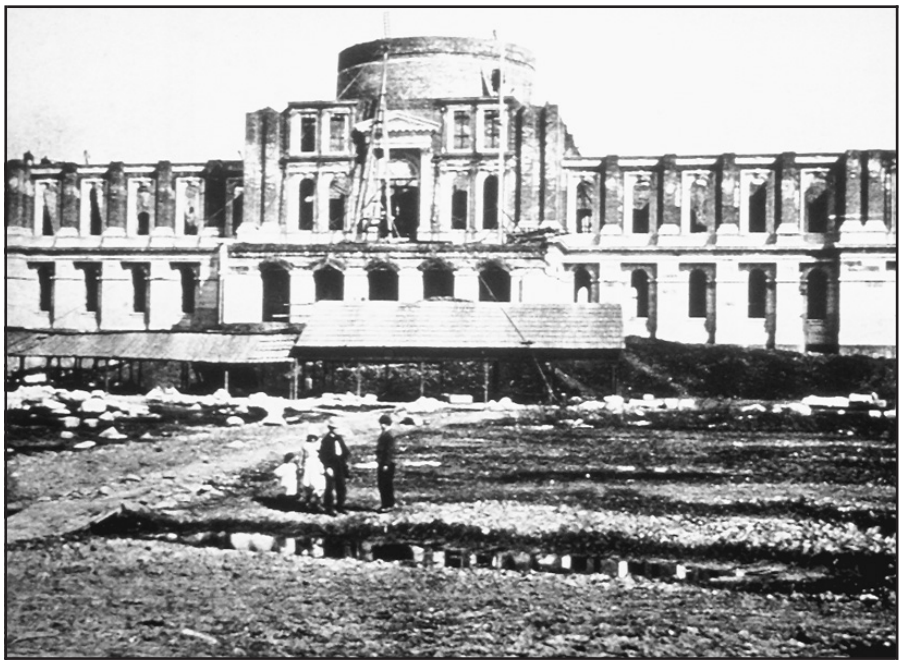
***Sacramento (The Capital Comes to Rest in a Glorious New Building.)***

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.




**Steam-powered tractor pulls west entrance columns down J Street, circa 1870**

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



**Capitol under construction in Sacramento, circa 1867**

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.

**Capitol nearing completion, circa 1872**

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.

[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.

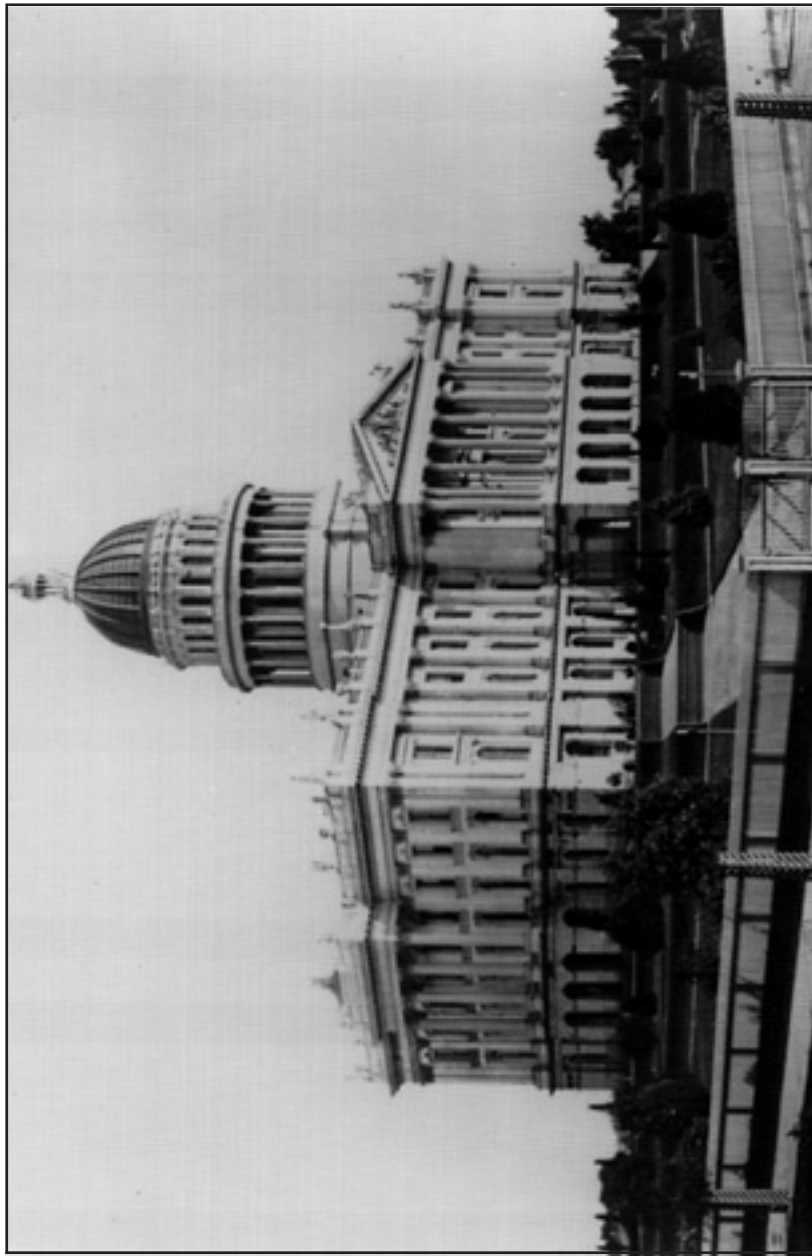
**Restored Benicia Capitol Building**
**Citizens, legislators, journalists, and staff gather for Sesquicentennial Commemorative Session, February 2000**

***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 1950s, 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.

**Assembly in Session at Benicia Capitol, February 2000**

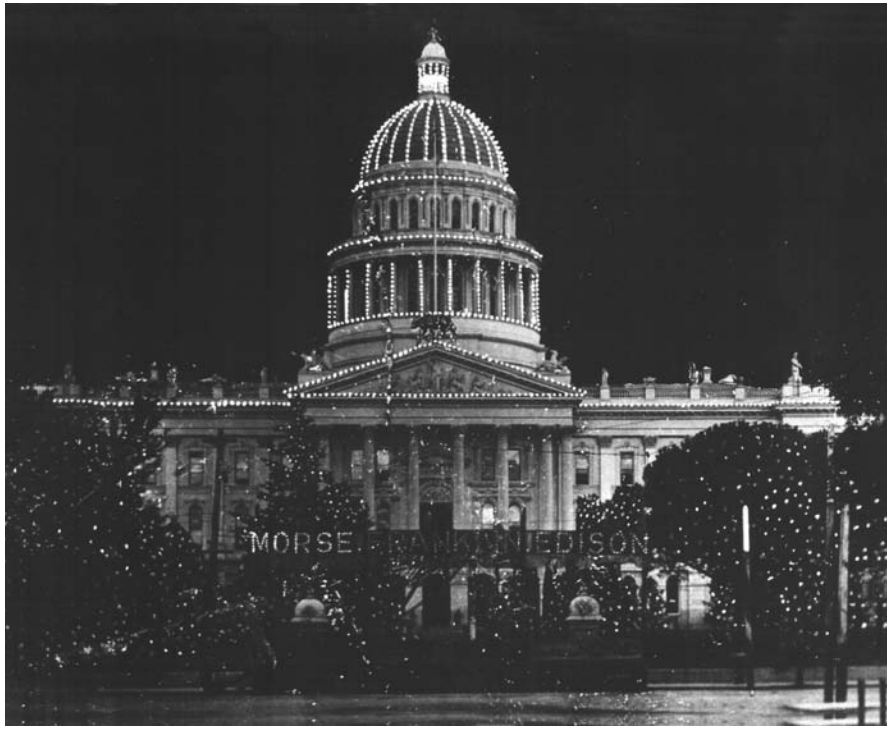
But the recognition of Benicia's place in state history did not end in 1958. To celebrate the 150th anniversary of California statehood, the 1999–2000 Legislature adopted SCR 54. The measure called for the Legislature to convene once again in Benicia on February 16, 2000 to pay homage to California's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



The State Capitol, as it appeared in 1879

## THE CAPITOL BUILDING

Known as the "old Capitol" to distinguish it from the more recent addition of an annex, the original structure is of Roman Corinthian design, four stories in height, and surmounted by a magnificent copper-covered dome. At the apex of the dome is a cupola or "lantern" with a small domed roof supported by 12 columns. This roof is covered with gold plate and its crowning ornament is a "ball 30 inches in diameter, made of copper, and plated with gold coins with a value of $300." [18] At night, floodlights outline the dome against the sky, making it visible for miles in every direction.

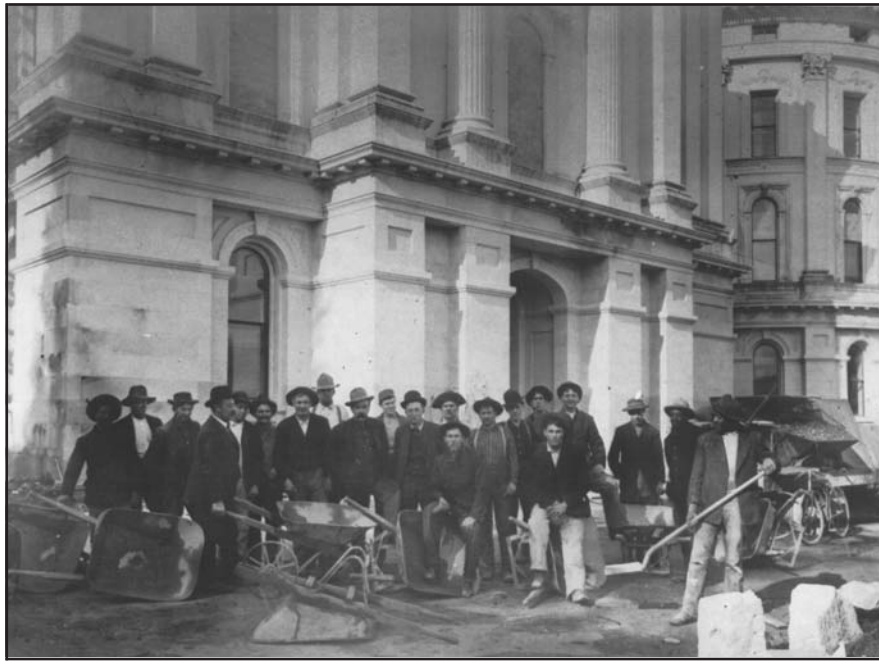



**Capitol during Electric Light Carnival, 1895**

The dome rests on a two-story drum. Around the base of the drum is a colonnade of 24 fluted Corinthian columns supporting a balustered roof, and above that rises a clerestory.

The height of the building, from the street level to the ball surmounting the lantern at the top of the dome, is 219 feet 11½ inches. Its length (greatest dimension) is 320 feet; and its width, 164 feet.[19] The rock quarries of nearby Folsom and Rocklin provided the granite for the construction of the first story of the building, while plaster-covered brick was used for the three upper stories.

[18] *California Blue Book,* 1907.
[19] Survey of State Department of Architecture (now, known as the Division of the State Architect (DSA)).



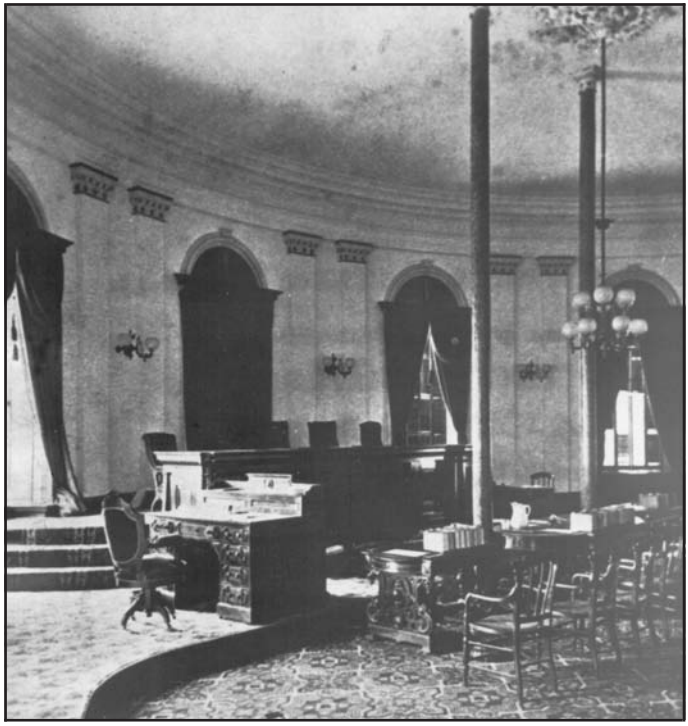
**Remodeling the Capitol, 1906–1908**

The "old Capitol" was remodeled from 1906 to 1908, and again in 1928. Until the 1976–1981 restoration, there had been no great structural changes made in the building since its acceptance in 1874, except the addition of the Annex in 1949.

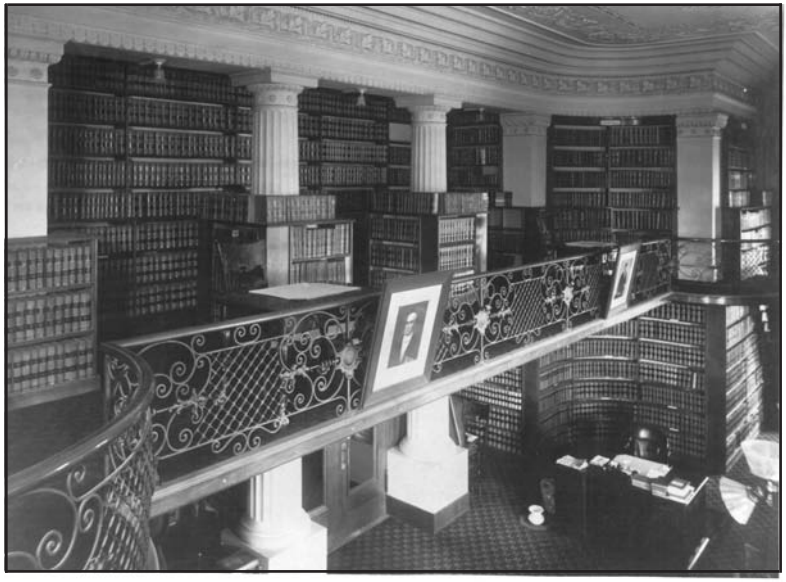
### *The Annex*

Necessitated by the ever-increasing work of the executive and legislative branches of state government, construction of an annex to the State Capitol began on June 3, 1949, and the addition was completed in January 1952. The cost was approximately $7.6 million, the original appropriation being made at the 1946 First Extraordinary Session.[20] Plans and specifications for the building were prepared by the State Division of Architecture, and were made with the approval of an eight-member joint committee of the Legislature.

[20] *Statutes of 1946,* Chapter 145.



The California Supreme Court, housed on Second Floor of the apse, circa 1890



State Library, Law Department, 1904 (replaced Supreme Court Chambers in apse)

Prior to commencing the actual construction work, it was necessary to excavate to the base of the old structure. The semicircular wing (apse) on the east side of the Capitol was removed in order to join the new and old sections of the Capitol Building. It was also necessary to perform exploratory work as a basis for planning the wall reconstruction since none of the original drawings of the Capitol could be found, and, in fact, it is believed that there never were complete drawings. During the demolition work, it was discovered that a great part of the load of the original structure is supported by heavy box girders and beams of wrought iron bearing the imprint of the Phoenix Iron Works, Philadelphia, 1857.

**Capitol basement garage, shortly after its completion in the 1950s.**

A contemporary architectural style distinguishes the Annex while, insofar as is possible, blending with the lines and style of the heavy construction used in the original building. The first two floors are faced in granite, and the remaining stories in concrete stucco. Although the roofline is the same, the new section has two additional floors.

The Annex has six stories and a basement. It is 210 feet long, 269 feet wide and 103½ feet in height from the street level to the top of the sixth floor. Driveways permit vehicle access to the basement garage.

Within the building are numerous stairways, a bank of four public elevators and elevators, located adjacent to each chamber, for the use of the Members of the Legislature. There is also a private elevator for the use of the Governor which operates from his or her offices, located in the southeast corner of the first floor, to the basement garage.

Legislative committee rooms in the Annex and the restored Capitol are apportioned 10 for the use of the Assembly, and six for the use of the Senate, and include a large committee room for each house with seating capacities of

approximately 300 persons. Each committee room has a public address system, and the proceedings may be recorded or televised on statewide cable television [21] if desired. Near each chamber is a small conference room which is used principally by the Rules Committees of the respective houses.

The showplace of the Annex is the first floor. The walls of the corridors are of St. Genevieve rose marble from Tennessee and the flooring is of Adorado marble from Missouri. The main entrance to the Governor's office is outlined in black and gold Montana marble, representing the oil and gold resources of California. The double doors are constructed of native California woods, such as pin oak, redwood burl, orange, and lemon.

Sixty black marble-framed glass showcases, with individual displays for each of the 58 counties and two for the state, are placed along the wall of the first floor corridors. These displays give visitors an idea of the vast storehouse of natural resources and the diversity of commerce to be found in the "Golden State."

### *Restoration of the Old Capitol, 1976–1981*

Increasing concerns over the seismic safety of the historic Capitol led the Legislature, in 1971, to order a structural study of the building.[22] Responding to this request, the State Architect in 1972 submitted the results of a seismic study of the "old Capitol," declaring it structurally unsafe for continued occupancy without considerable renovation.[23]

In addition to analyzing the structural strength of the building, the report also focused on Sacramento's numerous experiences with earthquake damage in the past. In particular, a major earthquake in 1892 inflicted significant damage:

> "The Deputy State Librarian reported that the State Capitol rocked wildly. . . large statuary on the top of the building were thrown to the ground with such force that they were buried in the ground . . . All the elegant decorations in the Assembly Chamber are ruined." [24]

Six possible approaches to the problem were explored, two of which were recommended by the State Architect: reconstruction for full use; or strengthening the West Wing for use as a museum. Alternative approaches included vacating the building, doing nothing, partial strengthening, or rehabilitation.[25] A subsequent evaluation of the report by a private engineering firm supported the findings and confirmed that any practical effort to preserve the elegant, historic edifice would require the evacuation of the building for a period of three to five years.[26]

Since several proposals were under consideration, $42 million was appropriated in 1973 for the Capitol Improvement Fund. Of this amount,

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[21] *See* Chapter XIII, *infra,* p. 215.
[22] *Statutes of 1971,* Resolution Chapter 233.
[23] *Seismic Study—West Wing, California State Capitol.* Office of Architecture and Construction, Sacramento, California, 1972.
[24] *Id.,* p. 44, quoting *Woodland Daily Democrat,* April 21, 1892.
[25] *Id.,* p. 9–11.
[26] *A report on Evaluation of the State Architect's Study—West Wing, California State Capitol.* VTN Consolidated, Inc., 1973.

$21 million was to be made available for reconstruction or restoration of the old Capitol, and $21 million for construction of a new legislative building.[27]

Considerable public controversy arose over the proposal to totally reconstruct the historic building. An editorial expressing such concerns read as follows: "If it had been proposed during President Harry Truman's Administration that the White House be torn down instead of strengthened to shore up structural weaknesses, the public outcry would have been deafening." [28] Legislators' emotional attachment to the historic edifice, as well as the public's high regard for their State Capitol, fueled the movement to restore the building to its original grandeur.

To study the whole matter, a subcommittee of the Joint Rules Committee, known as the Subcommittee on Legislative Space and Facilities, was established.[29] Its labors resulted in the presentation, early in 1975, of a massive independent study organized under the direction of a prominent architectural firm.[30] Three alternatives for the construction of a new legislative building were offered together with a recommendation that the old Capitol be preserved by restoration and partial reconstruction.

Shortly thereafter, new legislation was passed which again centered attention on the old Capitol.[31] Moneys earlier appropriated for restoration and for construction of a new legislative building were redirected to the sole purpose of restoration and rehabilitation of the historic old Capitol.

The direction finally taken might have been presaged by earlier expressions of the Legislature. Attachment to the chambers overrode professional exhortations regarding safety when the Assembly rejected a proposal to remove itself from its home of more than 100 years.[32] An informal poll of Senators revealed a like sentiment in the upper house.[33]

Even more than endearment, the "old Capitol" evokes a persistent spirit of pride in California. The pen of an engineer wrote: "Confidence has been defined as one of the prerequisites of civilization. In a very real sense the Capitol represents an expression of the confidence felt by the founders of the State in the continued success of their enterprise . . ." .[34]

In 1976, the "old Capitol" became the object of the most extensive restoration effort in the western hemisphere. After the prime contractor was selected, the dismantling of all decorative elements, both interior and exterior, and the numbering and cataloging of each was immediately commenced.

Gigantic cranes were brought in and positioned to begin the removal of large segments of the interior. As the building slowly became a shell, the

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[27] *Statutes of 1973,* Chapter 129, Item 332.5.
[28] *Ramifications of Architect to Proceed with Preliminary Plans,* Staff Report, Joint Rules Committee, August 27, 1975.
[29] *Statutes of 1973,* Resolution Chapter 83.
[30] *Restoration and Development of the Capitol for the Joint Committee on Rules—California State Legislature,* Welton Becket and Associates, Architects, and others, February 1975. 2 vols.
[31] *Statutes of 1975,* Chapter 246.
[32] *Assembly Concurrent Resolution No. 128, 1973–74 Regular Session. See also Journal of the Assembly, 1973–74 Regular Session,* August 31, 1973, p. 7428.
[33] *"Solons Stand Pat: Senators Decide Not to Leave."* The Sacramento Bee, Sacramento, June 29, 1973.
[34] *Evaluation of the State Architect's Study,* p. 75.

outside walls of the Assembly and Senate Chambers were buttressed by huge metal pipes for support during the reinforcement of the original brick walls with thick concrete backing.

When the exterior and interior walls, floors and stairwells were in place, master artisans were brought in to work and to train others in the near-lost crafts of mosaic tiling, ceiling moulding, painting and gilding, and the handcarving of wooden balustrades, stair rails and posts. Lighting fixtures were faithfully copied from old photographs, and more than one original artifact, unearthed in the demolition, was refurbished and replaced. Most imposing of these are the brass facings of the elevator areas which had been plastered over during a prior renovation.

Work was completed in time for the reconvening of the 1981–82 Regular Session on January 4, 1982. Throughout that week, the ''Restoration Gala'' festivities included a gargantuan cake-cutting ceremony, light shows, symphony and band concerts, parades, tours and theatricals, and concluding with a laser light and fireworks display of imposing proportion, a formal dinner and grand ''Occupancy Ball''—a fitting recollection of the first Occupancy Ball held in 1869.

California's Capitol had been returned to the grandeur and dignity of the early 1900s. Completed at a cost of approximately $68 million, the restoration has delighted Californians and has provided the state with one of the truly beautiful and outstanding capitols in the country.[35]

[35] In September 1982 four statuary groups, sculpted by Spero Anargyros, were mounted atop the Capitol. Two of the groups, ''Indian Warrior being attacked by a Bear'' and ''Indian Woman being attacked by a Buffalo'' were placed on the west front pediment of the Capitol. The other two groups representing ''Union'' between the State and Federal Governments and the reuniting of the North and South were set on the Assembly and Senate porticos respectively. The statuary replaced originals created by Pietro Mezzara in 1874.

State Capitol as it appeared during the 1976–1981 Restoration.

### *Temporary Legislative Chambers*

During the restoration period, the Legislature maintained offices for the members in the Annex and held its meetings in temporary chambers located on each side of the east entrance to the Capitol.

The temporary chambers were functional and, by comparison with the permanent chambers, spartan. Indirect lighting, acoustical tile and veneered masonite served in place of ornate fixtures, draperies and sculptured native woods. In each chamber, on standards to the left and right of the presiding officer's rostrum, were displayed the American and Bear Flags. A portrait of George Washington occupied a prominent position above the Senate rostrum, while the Assembly's portrait of Abraham Lincoln, lacking suitable space, was placed in storage.

In addition to the chambers these structures each contained a members' lounge; a Sergeant at Arms office; a small committee room; and offices for the Speaker and President pro Tempore, respectively.

### *The Restored Capitol*

In the minds of the planners, function was important, to be sure, but so was the legacy of art and history. While the allocation of space was the principal, practical consideration, great emphasis was given to returning the building to an earlier, more elegant stage. Its history was remembered, not only in its public areas, but also in a number of rooms where the original occupancies were reclaimed and incorporated as museum pieces in an otherwise bustling legislative building. The conjunction of historical rooms with present day offices, committee rooms and legislative chambers, makes this State Capitol truly unique.

The design feature of the basement is the exposure of the original brick walls and foundation. This is especially outstanding in the dining and cafeteria area. Various offices were established in the basement along with an exhibit area showing the various stages of the restoration. A small theater, tour office, bookstore, legislative bill room and public telephones are located on this floor.

The main floor contains a number of rooms for committee hearings and all of the historically re-created offices. The Governor's office is based upon actual photographs of the 1906 office of Governor George Pardee. The Secretary of State's office is a re-creation of that of Secretary of State, C. F. Curry, in 1902. The Treasurer's office is derivative of the era of State Treasurer Truman Reeves, and contains a seven-ton safe which was retrieved from Sutter's Fort. The office of the Attorney General reflects the design prevalent during the time of Attorney General, Ulysses Webb. The designs of the two remaining museum rooms, the archive exhibit room and the state library exhibit room, are taken from actual designs of an earlier decor. The library exhibit room will keep reference material on the restoration project

for the public. In the center of the rotunda is a statue of Columbus asking Queen Isabella to finance his voyage to the "New World." [36]

The Senate and Assembly Chambers are located on the second floor. The only offices on this floor are those reserved for the Speaker of the Assembly and the President pro Tempore of the Senate. From this floor, in the rotunda, the magnificent moulding and painting of the inner dome may be seen at its best.

The third floor offers visitors a view of the Assembly and Senate in session from the galleries of each chamber. In the north wing are two committee hearing rooms and additional office space. The south wing contains the offices of the Senate Majority and Minority leaders.

The fourth floor includes the offices of the Senate Rules Committee, several Assembly committee hearing rooms, some Assembly Members' offices, and various staff offices.

### *The Restored Legislative Chambers*

The Assembly and Senate Chambers are, in a word, opulent. Galleries, extending along both sides and the rear of each chamber, overlook the legislative activity on the floor. Crystal chandeliers are suspended from ornate, heavily moulded ceilings which, in turn, are framed in soft backlighting. The walls are illuminated by crystal wall sconces which compliment the chandeliers. In each chamber is the original presiding officer's rostrum and the original Desk, i.e., the center portion of the large forward area accommodating the staff of the Chief Clerk of the Assembly or the Secretary of the Senate.

Draperies hung between the pillars at the rear of the chambers provide visual and auditory softening effects. The wall covering between pilasters is a kind of fine burlap which screens large areas for further sound absorption. Green is the dominant color of the lower House, and the decor of the Assembly Chamber reflects that everywhere. The traditional red prevails in the Senate's color scheme.[37] Dark shades are reserved for the draperies and carpet while several lighter tones combine with white and gilt to produce a subdued, but rich, environment.

In both houses, the American and Bear Flags flank the rostrum of the presiding officer. Behind this rostrum are two tiers of pillars which dramatize the height of the chambers. On a projection above the lower pillars are inscribed the mottoes of each house: "*Legislatorum Est Justas Leges Condere,*" [38] the motto of the Assembly, and "*Senatoris Est Civitatis Libertatem Tueri,*" [39] the motto of the Senate. Framed by the motto and the two upper pillars, the portraits of President Lincoln in the Assembly [40] and

[36] The statue of Carrara marble is by the American sculptor Larkin Goldsmith Mead. It was presented to the state by Darius Ogden Mills in 1883. The statue was on display in State Office Building 1 during the restoration (1976–1982) and returned to the Capitol on October 6, 1982.

[37] The red and green color scheme for the upper and lower houses can be traced back as far as the British Parliament where the House of Lords chose red and the House of Commons used green.

[38] "It is the duty of Legislators to make just laws."

[39] "It is the duty of a Senator to guard the liberty of the Commonwealth."

[40] The painting is attributed to William Cogswell (1819–1903). Mr. Cogswell also painted some of the Governors' portraits hanging in the first floor corridors of the Capitol. In 1909 the Legislature appropriated $1,700 for the purchase of two portraits, one of President Lincoln which now hangs in the Assembly Chamber and one of President McKinley, the whereabouts of which is unknown. *Statutes of 1909,* Chapter 255.

President Washington [41] in the Senate have been returned to their historical places of prominence. Panels displaying the item of business before the house and the names and manner of voting of each member complete the outstanding features of this wall of the chamber.

In the Assembly, the Speaker is the presiding officer, and, in his or her absence, the Speaker pro Tempore or the Assistant Speaker pro Tempore presides. In the Senate, the Lieutenant Governor is President and presiding officer, and in his or her absence, the President pro Tempore wields the gavel.

Adjacent to the Assembly Chamber are the offices of the Chief Clerk and Sergeant at Arms, and next to the Senate Chamber are the offices of the Secretary and Sergeant at Arms.

### *The Members' Desks*

The seats of the Members of the Legislature in the Assembly and Senate Chambers are assigned by the Speaker and the Senate Committee on Rules, respectively.[42]

The desks were originally installed in 1870, shortly after the present chambers were officially opened in 1869. For a number of years, the Assembly attempted to seat its members in a sort of geographical arrangement, that is, with Districts 1 to 40 (those representing northern California) on the north side of the chamber, and Districts 41 to 80 (those representing southern California) on the south side. However, such an arrangement is no longer possible, since recent reapportionments have resulted in a considerable majority of the Members of the Assembly being elected from districts in the southern part of the state. Also, the front row of desks have come to be occupied by such ranking Members of the Assembly as the Majority and Minority Floor Leaders who occupy the two front row center seats and are flanked, respectively, by the Majority and Minority Caucus Chairpersons.

Each desk is equipped with a microphone, voting buttons, and a page button. Some years ago, youths were employed as pages on a temporary basis, but with sessions spanning much of the year, they have been replaced by Special Services employees, under the auspices of the Chief Sergeant at Arms.

During floor sessions, there are laptop computers on the Members' desks, which provide instant access to bill and amendment texts, analyses, and e-mail capabilities.

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[41] This is one of the many copies of the famous Gilbert Stuart portrait of Washington that were made by Jane Stuart (1812–1888), daughter of the prominent colonial painter. *California's State Capitol* (published by State Department of Finance, 1960), p. 65.

The painting was saved from the fire of July 1854, which destroyed the Sacramento County Courthouse and a large part of Sacramento's business district. The following excerpt from the *Democratic State Journal* of July 14, 1854, describes the incident: "*Patriotic.*—When the fire threatened the courthouse with destruction, the Governor (Bigler), who was present, and who had been working from the commencement of the fire wherever Sacramento most needed a soldier, asked those present to assist him in saving the furniture. To this many objected, on the ground that private parties, who could not suffer the loss as well as the county, needed their services. A full-length portrait of Washington was standing against the southern wall, and, pointing to it, the Governor said, 'See, there is a portrait of the father of your country; will you permit it to be destroyed?' when a general rush was made for the portrait, and it was saved."

[42] *See, e.g., Assembly Rule 26(a)(4).*

### *Media Facilities*

Adjacent to each chamber is a press bay for the use of television crews covering legislative floor sessions. Additionally, numerous desks are stationed in the rear of each chamber, reserved for correspondents of leading press associations and California newspapers of large circulation.

### *Public Address System*

Both houses have public address systems to amplify members' voices when speaking before the house. In the Assembly and Senate, there is a stationary microphone on the rostrum for the use of the Speaker and President pro Tempore, one on the desk for the use of the Reading Clerk, and one at the desk of each member. The system is operated from a station at the side of the chamber.

In the Assembly and the Senate, a sergeant at arms controls the sound system. In both instances, a control panel is in place, showing the diagram of the seating arrangement in the respective chambers. Each member's name is shown on this touch screen computer display. When a member is recognized to speak, the Sergeant at Arms controls the microphone from this console.

The members' microphones are attached to a moveable armature at their desks. When a member wishes to be recognized, he or she raises his or her microphone. After the presiding officer verbally acknowledges the member, the operator of the console is alerted that the member is to have the floor. The operator then activates the microphone via the touch screen system. A small red light on each member's desk lights up to show them that their microphone is live.

This system reduces the possibility of two members having the use of different microphones at the same time. When one member poses a question to another, both microphones may be opened to permit the answering of the question. The volume of sound transmitted is regulated by the operator of the console.

Portable microphones may, on occasion, be set up at the front of the chamber for the use of those members who desire to speak from the front of the chamber, or for witnesses appearing before the Assembly when it is meeting as a Committee of the Whole.

Floor sessions, committee hearings, and Capitol press conferences may be viewed or heard via the numerous in-house televisions and radios that are installed in most Capitol offices. Floor sessions and committee hearings are also "webcast" live on the Internet via the Assembly and Senate homepages. The legislative broadcasting system is also located in many committee rooms for the convenience of members attending meetings therein. These useful devices are made available statewide to any person, company, or state agency for a monthly fee. Most cable systems also carry televised legislative proceedings on the California Channel.

### *Electronic Roll Call System*

The Assembly uses an electronic system for voting upon most matters, except the election of Assembly officers and certain parliamentary motions. The first electrical machine was installed in 1935; a second replaced it in 1947, and, with the construction of the temporary Assembly Chamber in 1976, an updated electronic device was incorporated. A totally new computerized system was installed in the restored Assembly Chamber in 1981. Subsequent enhancements were added to the system to keep pace with upgrades in computer software and technology. In 2000, the Assembly installed a new state-of-the-art voting system to further improve functionality on the floor.

The Constitution provides that a rollcall vote shall be taken on a question and entered in the Journal at the request of three members present.[43]

The Assembly Rules further provide that the ayes and noes be recorded by the electronic voting system on the final passage of a bill, when a vote of 41 members or more is required, when demanded by three members, or when ordered by the Speaker.[44]

On the front wall of the Assembly Chamber, facing the members, are two tall black panels—one to the right, and the other to the left of the Speaker's rostrum. Each panel displays the names of the Members of the Assembly in alphabetical order. Next to each name are two lights, one red and one green. When a member votes "aye," the green light next to his or her name illuminates, and conversely, when voting "no," the red light is activated. If a member is absent or chooses not to vote, neither light will turn on. The total number of ayes and noes are automatically tallied on screens located at the top of each panel. The File item number is also shown on these panels to indicate which measure is being voted on.

A voting unit, consisting of red, green and yellow buttons which can be secured by a key, is located on the desk of each member and on the Speaker's desk at the rostrum. When the roll is opened for voting, a member may select the red or green button which activates the corresponding light opposite that member's name on the front wall panels, thus displaying the member's vote. Prior to the 1990s, the yellow "page" button was used to summon a sergeant at arms. The key is provided so that no person other than the member can operate the voting unit.

To assist the Speaker in presiding over floor sessions, the rostrum is equipped with a variety of electronic instruments. Included in this array of devices are: a touch-screen monitor; microphone control switches; a timer to track the length of speeches (e.g., members are allotted only five minutes for the opening speech on a bill); and a small display panel indicating the item number and other pertinent information. The computer monitor displays a list of measures that have been placed "on call." Members can also view a list of such measures on their laptops or at either of two kiosks stationed on each side of the Chamber. Laser printers are provided to allow members to print out vote information should they need it.

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[43] *Constitution,* Article IV, Section 7(b).
[44] *Assembly Rule 105.*

At the front of the Chamber, immediately behind and above the Speaker's rostrum, is a large display panel. This panel indicates the File and bill numbers, the author, the bill status, i.e., Second Reading, Third Reading, and any motions pending on the bill, such as amendments, motion to lay on the table, re-refer etc. This large panel also displays the total number of ayes and noes when the roll is closed and the vote electronically tallied. The central display is controlled from the Reading Clerk's touch screen computer monitors at the Reading Clerk station. The ability to display any message or information on this board is limited only by the size of the panel.

To begin the voting process, the Speaker orders the clerk to open the roll. The Reading Clerk then manually activates the electronic voting system, which triggers a chime. This chime signals the members that the system is open and ready for them to vote from their desk units. The Speaker then asks all members to vote, if they desire to vote, and orders the clerk to close the roll and tally the vote. At this moment, the Reading Clerk closes the voting system, and prints out a ballot at the clerk's desk. Each member's name is appropriately listed on each ballot under the heading "Ayes," "Noes," or "Not Voting." This information is immediately stored in the computer's memory, and is made available to the membership on their laptop computers or at the Chamber kiosks, should they wish to view a printed ballot. On uncontested matters the rollcall is completed within a few seconds. Once voting has commenced, it may not be interrupted, except that, before the vote is announced, any member may change his or her vote or request that the Speaker direct the clerk to call the roll of absentees.

Prior to announcement of the vote, the Speaker inquires if all members have voted. Any member may move a call of the Assembly after the completion of the roll and before the announcement of the vote. The rules provide that members may change their votes, prior to the adjournment of that legislative day, in the absence of any objection, as long as the outcome of the vote is not changed.[45] To change his or her vote on a measure, a member must login to the computer kiosk at either side of the Chamber using a personal identification number. After changing the vote in the computer system, the member must announce his or her vote change to the Assembly.

In the Senate, the roll is called orally by the Secretary of the Senate or an assistant. An electronic information panel is located above the dais displaying the item number, author, bill number, and vote tally. The Senate Rules provide that whenever a rollcall is required by the Constitution or rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his or her name is called. The names of the members are called alphabetically.[46] A call of the Senate may be ordered after the roll has been called, and prior to the announcement of the vote.[47]

[45] *Assembly Rule 106.*
[46] *Senate Rule 44. See also Senate Rules 45–48.*
[47] *Senate Rule 42.*

### *The Galleries*

There is a gallery across the rear and along the sides of each chamber. From the galleries the public may observe the proceedings of the Senate or the Assembly, for only members, attachés, and other persons who have been granted special permission may go on the floor of the Chamber of either house while it is in session.

**A portion of the LOB demolished during November 1999 remodeling**

### *Legislative Office Building (LOB)*

The Legislature must maintain adequate office space to house the professional staff, documents, and equipment necessary to efficiently service the legislative needs of a state of over 36 million residents. Although the addition of the Annex in 1952 relieved the cramped Capitol quarters for some time, more office space became necessary as the state population grew and the Legislature became a full-time body in subsequent years. Therefore, the Legislature now maintains a legislative office building on the corner of 10th and N Streets. The LOB houses various committee offices, caucus consultants, staff training rooms, administrative offices, reprographics facilities and a day care center.

Assembly Chamber

Senate Chamber

## Capitol Park

California is justly proud of Capitol Park, for it is widely known as one of the most beautiful in the United States. The well-kept broad green lawns extend over an area of 30.5 acres—from 10th Street east to 15th Street, and from L Street south to N Street in downtown Sacramento.

Beautification of Capitol Park began in 1869, at about the time the Capitol was first occupied. The grounds were graded and the soil enriched with loads of river silt in 1870, and during the winter of 1870–1871, some 800 trees and shrubs from all parts of the world were planted. This original planting consisted of some 200 different kinds of rare plant life. Today, there are over 40,000 trees, shrubs, and flowers in the park. With more than 800 varieties of flora represented, ranging from subarctic to subtropical in origin, a visitor from virtually any corner of the globe can find some species of plant life native to their homeland. Capitol Park stands as one of the finest collections of plant life in the country.

Located on the east side of the park is an extensive grove of camellia trees, where many varieties of this beautiful flower bloom from October through May. The camellia thrives in the capital city climate. A testament to this is the fact that the Sacramento City Council has officially designated Sacramento as the "Camellia City."

The park showcases other special collections, such as the cactus garden, with plant life representing the California desert, and the rose garden, which contains over 800 roses. Growing individually in Capitol Park, and of special importance to Californians, are the many specimens of the State Tree, the California Redwood, and the State Flower, the Golden Poppy.

The park abounds with squirrels who run wild over the lawns and walks. These squirrels are not native to Sacramento, but were originally imported in 1923 from Fresno and from Golden Gate Park in San Francisco.

**View of Capitol Park at 15th and N Streets, circa 1940.**

A decorative fence circled the grounds from 1881 until 1949, when it was removed to make room for the Capitol's expansion. In the late 1990s, plans were discussed to build a security fence around the Capitol grounds, but concerns over public access caused the plans to be shelved. However, in 2001, two incidents increased the focus on the security risks posed by having a fully open Capitol building. In January 2001, a man intentionally crashed an 18-wheel truck into the south entrance of the Capitol, causing extensive damage to the historic building. Several months later, on September 11, 2001, terrorist attacks in New York and Washington, D.C. triggered a nationwide increase in security procedures at key public buildings. In response to these events, legislative leaders approved the installation of metal detectors, a perimeter barrier, and the hiring of additional security personnel to ensure the safety of the visiting public and Capitol employees.

**View of Capitol from 10th and L Streets, circa 1883.**
**The ornate fence structure encircled the grounds from 1881–1949.**

**East End Complex**

In 2003, construction of the $392 million Capitol Area East End Complex was completed.[48] The Complex is an extension of the eastern edge of Capitol Park, and consists of several large state office buildings, housing thousands of state employees. These new buildings have enabled the state to consolidate offices that were previously scattered throughout the region.

### *Capitol Park Memorials*

Aside from its immense collection of plant life, Capitol Park is significant for the many memorials which serve to recognize various groups and individuals who have contributed to California's history.

Military tributes are the theme for many of the memorials in the park. On the west side of the Capitol is a memorial to Mexican-American soldiers from California who fought in World War II. "Memorial Grove," on the east side of the Capitol, contains trees which began as saplings on southern battlefields of the Civil War, and were transplanted here in memory of the fallen. Nearby is the bell from the *U.S.S. California*, the only battleship to be built on the Pacific Coast. The California Veterans Memorial was completed in 1998. The memorial consists of a 28-foot granite obelisk surrounded by a small plaza. It is located on the N Street side of Capitol Park between 13th and 14th Streets. The memorial honors the military service of all Californians who have served in military uniform since 1850.[49]

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[48] *Government Code*, Section 8169.5.
[49] *Statutes of 1985,* Chapter 411.

**Father Serra Memorial**

Other monuments in Capitol Park have a different focus. The grove of camellia trees has been designated "Pioneer Camellia Grove," in honor of the early builders of the state. Near this grove is a bronze statue of Father Junípero Serra,[50] the 18th century Franciscan friar who led the movement to establish the missions in California. South of the camellia grove is a memorial to the Native Americans who originally inhabited California. Near the Library and Courts Building is a monument honoring Peace Officers who have died in the line of duty protecting the citizens of the state. In the east end of Capitol Park, there is a bench memorial honoring former Speaker of the Assembly Robert Moretti.[51]

[50] *Government Code,* Section 13082. The statue of Father Serra was dedicated in 1967. The significance of Father Serra's contribution to California is attested to by the fact that his likeness also represents the state in Statuary Hall in the U.S. Capitol.

[51] The memorial is located between 12th and 13th Streets, opposite the fishpond, on the south side of the divider. Robert Moretti served as a Member of the Assembly from 1964 until his resignation June 27, 1974. *See also, Statutes of 1994,* Resolution Chapter 80 (directing the establishment of a bench memorial in memory of Robert Moretti).

The California Firefighter Memorial was completed in April 2002, and features a polished limestone wall and large sculpture. The memorial is located near the intersection of paths in the eastern portion of the park.

**California Firefighter Memorial**

Perhaps the most striking of the memorials is the California Vietnam Veterans Memorial, the end product of a grassroots effort which began with the creation of the Vietnam Veterans Memorial Commission in 1983.[52] Spearheaded by the fundraising efforts of former Army Captain B.T. Collins,[53] who himself had lost an arm and a leg in Vietnam, over $1.6 million was raised from private sources and the memorial was dedicated on December 10, 1988.

The circular memorial contains 22 panels of India Black Granite upon which are etched the names of the more than 5,800 Californians who gave their lives in the Vietnam Conflict. The inner walls of the memorial contain bronze panels sculpted from actual photographs of various scenes from the battlefields, the hospitals, and the prisoner-of-war camps.

[52] *Statutes of 1983,* Chapter 1042 (*Military and Veterans Code,* Section 1300).

[53] B.T. Collins also served as a Member of the Assembly from 1991 until his death in office March 19, 1993. *See also, Statutes of 1993,* Resolution Chapter 65 (directing the Department of General Services to establish a bench and plaque near the Vietnam Veterans Memorial in memory of B.T. Collins).

The California Vietnam Veterans Memorial located in Capitol Park

Spanish-American War Memorial

California Veterans Memorial

View of the eastern portion of the Capitol and Capitol Park, 1901. Visible is the semicircular apse, which was removed during the construction of the Capitol Annex, 1949–1952.

Interior view of the apse, circa 1890. The State Library was located in the apse at this time.

Main Book

Linotype machines at the Office of State Printing, circa 1940.
These machines have been replaced by computer publishing methods.