

The Courthouse Mentioned in the Revelation on Zion

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Max H. Parkin

In the summer of 1831 after the Prophet Joseph Smith and members of his party arrived in Missouri to find the location of the Lord's City of Zion, the young leader dictated a revelation informing the Church that a temple was to be constructed near the Jackson County Courthouse. "Behold, the place which is now called Independence is the center place," reported the Prophet that July 1831, "and a spot for the temple is lying westward, upon a lot which is not far from the courthouse." (D&C 57:3)

Because some have identified the wrong courthouse as the landmark mentioned in the revelation, historian and artist alike have sometimes inaccurately reconstructed the past. The problem derives from the fact that there were *three* Jackson County courthouses commissioned and constructed in Independence during the decade surrounding the Prophet's visit. To add to this confusion, some historians indicate that the courthouse in use when Joseph received the revelation was a log courthouse, while others say it was brick.¹ Two facts which contribute to this misunderstanding are that the pioneer log courthouse, built only as a temporary frontier facility, has been preserved by an historical society [see illustration #1], and that a third courthouse—the second permanent brick structure—was immortalized in about 1850 by an unknown artist's etching [see illustration #3]. This rendition has been widely reprinted and sometimes mistakenly designated as the first permanent brick courthouse.²

The courthouse of the revelation is neither the log structure nor the second brick building. The courthouse which was standing on the public square the summer Joseph and his party arrived in Missouri was the first permanent-type brick courthouse in Jackson County [see illustration # 2], but it enjoyed only a brief service from 1831 to 1836, when it was torn down and replaced by the second permanent brick building. Because of the short life of the first brick courthouse and because knowledge of its successor was made more readily available and lasting by the artist's etching, the existence of the first permanent brick courthouse has been largely overlooked, even by public officers of Jackson County.

The log structure which predated the courthouse mentioned in the revelation was built shortly after Independence became the county seat on 29 March 1827. In the September 1827 term of court, the county administrators ordered Lilburn W. Boggs, superintendent of public building, to

erect a hewed log courthouse, 36 feet by 18 feet, as temporary quarters for county business. The one-story log building of two rooms was to be constructed on the northwest corner of lot number 59 on Lexington and Lynn streets, reserving the public square of approximately one acre for the permanent courthouse. The contract was awarded to Daniel P. Lewis for 150 dollars—25 dollars below the court's authorized limit, and 40 dollars below high bidder.³ Lewis worked on the temporary courthouse for nearly a year, and the county officers moved into their temporary facility on 11 August 1828. During the October term of court, the commissioners authorized the final payment to Lewis for completion of this contract and dispatched Samuel C. Owens, county clerk, to the federal land office at Lexington, Lafayette County, to secure a patent for a quarter section of land that became the original plat for Independence.

The previous February, the superintendent of public buildings had laid before the court plans to erect a permanent brick courthouse upon the public square. This "first" brick building was the courthouse referred to in the revelation. It was rectangular—40 feet long and 30 feet wide—rising to 23½ feet at the square. It was two stories high, built on a stone foundation, and constructed to face north and south with entrances on the long sides. Major contracts for various phases of the building were awarded in May 1828. William Silvers, George H. Arnold, and Eli Roberts received the contract to perform the stone and brick work for \$799.00; Samuel Weston was to do the carpentry work, including glazing and furnishing hardware, for \$415.00; William Bowers was to provide the plank, scantling, joists, and other heavy timbers for \$192.77½; and Lin Shepperd was to provide other large boards and hewn walnut or oak shingles for \$50.20. The county Judges awarded the builders payments in city lots.

Lilburn Boggs, noting the rapid advance of initial construction, reported to county officials the adequacy of the work and the superiority of the stone foundation and brick work. By October 1828 the walls had risen to nine feet above the stone foundation, "much better" than the contractors "were bound to do."⁴ Except for William Bowers' failure to comply with his contract (for which the county fathers sued him), the construction progressed in an orderly manner. By 3 August 1829, all the stone and brick work was completed. The building was probably closed in that fall as evidenced by the delivery of rafters and roof sheeting (the year before) by Mirack Davis and John B. Lucas, Bowers' successors, and by the nature of the interior work the following summer.

Although construction continued, it moved more slowly the following two years. In 1830 Samuel Sweet laid two hearths for fireplaces at each end of the building, bricked around the doors and windows, and constructed the inner partitions on the east end of the first floor to provide for two jury

rooms.⁵ In June 1831 the county court ordered the acquisition of boards for shutters for the lower floor and for partitioning the second floor into serviceable rooms and for building a judge's seat on that floor; but the stairway to the second floor was not authorized until the November 1831 term of court with an accompanying order to have the building finished by 15 February 1832.⁶ It is not clear whether the ornately designed stairway to the second floor was ever constructed; it may be that temporary stairs were used throughout the life of the building.

In August 1831, after the arrival of the Prophet, the judges ordered Sheriff Jacob Gregg, who had been appointed courthouse superintendent the previous June, to procure six chairs, a table, and sufficient lumber to construct "ten or twelve good plank benches for use of the courthouse."⁷ Although the courthouse was not in full service when the Prophet and his party arrived in Missouri, the building was nearing completion. Whether furniture from the log courthouse was temporarily used in it, or whether the date of first use was delayed until the courthouse was more nearly complete, is unknown, as nowhere in the court records does the county clerk refer to the first occupation of the new brick courthouse. Nevertheless, the following winter the county sold the old log courthouse and lot 59 to Smallwood P. Noland, who shortly afterwards, on 20 February 1832, sold the west parcel of the 2.4 acre lot and the log building to Algernon S. Gilbert and Newel K. Whitney, operators of the Church's store in Zion. Tradition indicates that they used it as a storage warehouse. The log courthouse remained on this lot until it was removed in 1916 to its present site on west Kansas Street and restored.

In early August the Prophet conducted special ceremonies dedicating Jackson County for the gathering of the Saints, and a parcel of land owned by Jones H. Flornoy for the building of the temple. This land was situated approximately one half mile west of the courthouse and outside the original Independence survey.

One of the elders, Ezra Booth, described the city at this time as "... a new town containing a court-house built of brick, two or three merchant's stores, and 15 or 20 dwelling houses, built mostly of logs hewed on both sides."⁸ Whether or not the county judges or other officials met in the new courthouse at the time Booth first saw it, it seems improbable that the revelation would have referred to the log structure, rather than the more conspicuous new two-story brick courthouse situated in the middle of the public square.

This courthouse which yet enjoys an aura of immortality, experienced only a short period of mortality. The building never proved satisfactory, and county judges ordered repairs on it both before and after its completion. On 19 December 1836, the fatal blow was issued when a circuit court

grand jury recommended that the county administrators have the building demolished because of its “delapidated, deplorable condition,” for all efforts to make the courthouse a “comfortable and convenient one to do the business of the county would be fruitless and unavailing.”⁹ The contract for the demolition of the first brick courthouse was opened to public bid on 1 February 1837. The lowest bidder was requested to remove all parts of the courthouse except the rock foundation which was to be used as the foundation for the new building.

Embarrassment over the first building plus a sense of community pride probably prompted the commission to order that the new brick courthouse not be “inferior to any in the adjoining counties.”¹⁰ Before a year passed the judges used county tax revenue and public subscriptions to start construction on the second brick courthouse. Parts of the unfinished building were soon occupied, but construction continued until 5 January 1841, when the court officially received the new building as complete.

Today nothing remains of the original permanent brick courthouse—the courthouse mentioned in the Lord’s revelation—except foundation stones that were used in later construction and renovation.¹¹ Yet, the tower of the preserved courthouse metaphorically watches over the temple site “not far” away.

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1. The distribution on this point is approximately equal with the following selections as examples. For the log courthouse there are: Ivan J. Barrett, *Joseph Smith and the Restoration* (Provo, Utah: BYU Press, 1973), p.186; Carter E. Grant, *The Kingdom of God Restored* (Salt Lake City: Deseret Book, 1965), p.143; R. Don Oscarson and Stanley B. Kimball, *The Travelers Guide to Historic Mormon America* (Salt Lake City: Deseret Book, 1965), p. 56. For the brick courthouse there are: B. H. Roberts, *A Comprehensive History of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Deseret News Press, 1930), 1:260; Fawn M. Brodie, *No Man Knows My History* (New York: Alfred A. Knopf, 1960), p.114; William E. Berrett, *The Restored Church*, 13th ed. (Salt Lake City: Deseret Book, 1965), p. 88. Also, the large wall mural in the Visitor’s Center of the Church of Jesus Christ of Latter-day Saints in Independence, Missouri, shows the log courthouse.

2. Charles A. Dana, ed., *The United States Illustrated; In Views of City and Country* (New York: Herrman J. Meyer, 1853), 2:142.

3. County Court Record, Book 1, February 1828, p. 30. Some histories state that \$175.00 was paid, but that was the amount allowed by the court.

4. County Clerk’s Record, 27 October 1828, 1:53.

5. *Ibid.*, 5 August 1830, 1:93. The original specifications called for two jury rooms on the first floor and east end of the building (the stairs to the second floor being designed for the west end). Although the first floor was partitioned off as specified, the court authorized Superintendent Boggs to make alterations in the original plans, and

the jury rooms may have been relegated to the second floor as later statements suggest. See Clerk's Record for 27 June 1831, 1:113, and for 17 August 1836, 2:200.

6. *Ibid.*, 7 November 1831, p. 132.

7. Court Record, 2 August 1831, 1:119.

8. *Ohio Star II*, no. 46 (17 November 1831), n. p.

9. Court Record, 19 December 1836, p. 230.

10. *Ibid.*, 20 February 1837, p. 264.

11. Mrs. Fowler identified and showed to the author in the greatly enlarged basement area the foundation stones believed to be part of the courthouse of the revelation.