

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. **Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

1. Name of Property

historic name Old McDonald County Courthouse

other names/site number McDonald County Courthouse; McDonald County Historical Museum

2. Location

street & number 400 N. Main Street N/A not for publication

city or town Pineville N/A vicinity

state Missouri code MO county McDonald code 119 zip code 64856

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,
 I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:
 national statewide local

Mark A. Miles *MARCH 6, 2012*
 Signature of certifying official/Title Mark A. Miles, Deputy SHPO Date

Missouri Department of Natural Resources
 State or Federal agency/bureau or Tribal Government

In my opinion, the property meets does not meet the National Register criteria.

 Signature of commenting official Date

 Title State or Federal agency/bureau or Tribal Government

4. National Park Service Certification

I hereby certify that this property is:

entered in the National Register determined eligible for the National Register

determined not eligible for the National Register removed from the National Register

other (explain:) _____

 Signature of the Keeper Date of Action

Old McDonald County Courthouse
Name of Property

McDonald County,
Missouri
County and State

5. Classification

Ownership of Property
(Check as many boxes as apply.)

Category of Property
(Check only **one** box.)

Number of Resources within Property
(Do not include previously listed resources in the count.)

- private
- public - Local
- public - State
- public - Federal

- building(s)
- district
- site
- structure
- object

Contributing	Noncontributing	
1		buildings
		sites
	1	structures
	3	objects
1	4	Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing)

Number of contributing resources previously listed in the National Register

N/A

N/A

6. Function or Use

Historic Functions
(Enter categories from instructions.)

GOVERNMENT/county courthouse

Current Functions
(Enter categories from instructions.)

OTHER/circuit clerk records storage

WORK IN PROGRESS/county museum

7. Description

Architectural Classification
(Enter categories from instructions.)

Other: foursquare

Other: county courthouse

Materials
(Enter categories from instructions.)

foundation: STONE

walls: BRICK

STUCCO

roof: ASPHALT

other: WOOD

Old McDonald County Courthouse
Name of Property

McDonald County,
Missouri
County and State

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

A Property is associated with events that have made a significant contribution to the broad patterns of our history.

B Property is associated with the lives of persons significant in our past.

C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

D Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

A Owned by a religious institution or used for religious purposes.

B removed from its original location.

C a birthplace or grave.

D a cemetery.

E a reconstructed building, object, or structure.

F a commemorative property.

G less than 50 years old or achieving significance within the past 50 years.

Areas of Significance

Politics/Government

Social History

Period of Significance

1871 – 1962

Significant Dates

1938

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

Cogswell, Z.P. (architect)

9. Major Bibliographical References

Bibliography (Cite the books, articles, and other sources used in preparing this form.)

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67 has been requested)
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # _____
- recorded by Historic American Engineering Record # _____
- recorded by Historic American Landscape Survey # _____

Primary location of additional data:

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other

Name of repository: McDonald County Historical Museum

Historic Resources Survey Number (if assigned): _____

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Old McDonald County Courthouse
McDonald County, Missouri

SUMMARY

The Old McDonald County Courthouse is a 2 ½-story stuccoed brick and frame building situated in the center of the public square in Pineville, McDonald County, Missouri. Located at 400 N. Main Street, the original brick building was constructed as a Foursquare in 1870-71 from a design attributed to architect Z. P. Cogswell (Ohman *Missouri's* 121). In 1905, a full-height addition was constructed of brick on the east, enlarging the west-facing building by approximately a third. In 1943 a one-story frame addition with a flat roof was added on the south. The two-story portion is three-bay on the east and west and five-bay on the north and south. The thick, load-bearing walls consist of soft, locally made bricks, many of which were salvaged from the rubble of a previous courthouse on the site. The building rests on a dressed and faced stone foundation with a stone water table. The hipped roof is slightly flared and each slope contains a vented dormer. A paneled frieze circles the entire second floor of the structure. Rafters are exposed and have shaped tips. The courthouse's numerous double-hung 2/2 windows appear to be either original or very old. In the 1940s, the exterior was coated with stucco to prevent continued deterioration of the soft bricks. The building is painted white with rust-colored trim. The original floor plan is evident, and the recent removal of modern paneling and suspended ceilings has revealed much historic woodwork and other material. On the courthouse lawn, three memorials are noncontributing objects and a wooden bandstand is a noncontributing structure.

ELABORATION

In its original form, the Old McDonald County Courthouse measured approximately 42x48 feet. With the 1905 and 1943 additions, current dimensions of the courthouse (first floor) are approximately 58x66 feet. The square on which it is situated is relatively small (less than 200 feet per side), with the courthouse property bounded by Main Street on the west, Harmon Street on the east, 5th Street on the north and 4th Street on the south. A sidewalk wraps around the base of the building and, on the west, extends to Main Street. Short sidewalks lead to the building's east and west entrances. Native plant beds are maintained on the east, west and south by the McDonald County's Master Gardeners Club. Mature trees grow on the east side of the square. The bandstand is at the north end of the site and the three memorials, all noncontributing because of their age, are between the courthouse and Main Street. Minor elements on the property include a flag pole and six lampposts. There are also a couple of movable benches. Traffic is two-way on Main Street and one-way (counterclockwise) on the other three bordering streets.

The west elevation, on Main Street, is the primary elevation and contains one of the two transomed main entrances to the courthouse. Typical of its Foursquare design, the three-bay west façade is symmetrically arranged with a central entrance flanked by two windows. Originally containing two paneled doors, the slightly recessed entrance contains a single modern door with infill. At the second floor level, three window openings are located directly above those on the first floor of the building. Above the entrance is a wooden sign with the painted words OLD McDONALD COUNTY COURTHOUSE. All of the windows in this façade are double-hung 2/2 sash. The hipped roof is slightly flared and is topped with a shallow gable. A vented dormer, one of four, is centered in the façade. The elevation's symmetry is broken by the west end of the one-story 1943 addition which contains an entrance and a double window. A concrete ramp with a gentle incline leads to the entrance.

The east elevation, which faces Harmon Street, is virtually a mirror image of the west elevation except that there are two first floor windows south of the entrance instead of one, the east end of the 1943 addition contains two entrances (to public restrooms), there is no wooden sign above the central entrance and there are stone steps instead of a ramp.

The north elevation, which faces Fifth Street, features two floors of five windows each spaced more or less evenly across the façade. This elevation, expanded from east to west in 1905, lacks an entrance.

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Old McDonald County Courthouse
McDonald County, Missouri

Two of the building's four brick chimneys pierce the roof on either side of the vented dormer. The height of all chimneys (originally 12 feet) has been substantially reduced. A wooden bandstand occupies the central area of the courthouse lawn.

The south elevation, which faces Fourth Street, is dominated by the length of the one-story addition which contains four double-hung windows which are smaller than those in the main block. The second floor of the main block contains five windows similar to those throughout most of the building. As on the north, two chimneys emerge from the roof on opposite sides of the dormer.

The 1871 building contained four rooms downstairs in which county business was conducted, and a large courtroom upstairs, perhaps with a holding area for prisoners at the top of an exterior stairwell. (*Pineville Herald* 1885) Rafters and floor beams are oak timbers, primarily 2X12s. Entrances to the long east-west hallway were double-leaf and transomed, consisting of two 3X12 doors. Transoms consisted of two glass panes separated by vertical wood muntins. There was an exterior, enclosed staircase on the east side of the building leading to the second floor prior to 1905 ("Pineville Items" 1885). The current entrances are single-leaf with infill. The exterior staircase has been removed. Records are scant for the period between 1871 and the expansion in 1905, but apparently money was spent to repair a leaking roof and on fencing.

The 1905 east addition altered the original building's pure Foursquare design. Approved by the County Commission on 10 June 1905, it added thirty feet to the first and second floors plus two attic rooms with eight foot ceilings. The purpose of the expansion was to provide additional office space and a vault on the first floor (County Records 1905). At this time the enclosed exterior stairs were removed. This addition used locally manufactured bricks. For consistency, the new fenestration matched that in the original building. The dormers and chimneys apparently were moved somewhat in 1905 in order to maximize the symmetrical appearance of the now-modified Foursquare design.

In 1943, a one-story frame addition to the south side of the structure provided additional office and vault space and increased the overall size of the courthouse to 5,761 square feet (County Records 1943). This flat-roofed addition is supported by a stone foundation like the main block. At this time, stucco was applied over the entire building in order to protect the soft clay bricks from further disintegration. The small double windows in the dormers were boxed in and replaced by louvered vents and battens (County Records 1987). The chimneys were lowered to four feet during roof repairs in the 1990s (County Records 1992).

INTERIOR

The original four-room interior with a courtroom upstairs was not elaborate, consisting of hardwood pine flooring, brick walls that were plastered and painted, and hewn lumber for ceilings. The rudimentary appearance of the building exemplified the simplicity of McDonald County (and much of southwestern Missouri) at the time. In 1905, the added rooms featured hardwood pine flooring, modest string course moldings and corner blocks but the existing rooms were left with their original plank flooring. A vault was installed in the northeast corner room of the original Foursquare portion, with entry through a five-foot hallway between the original northwest room and the added-on northeast room (County Records 1905). Much historic material remains today.

Stairways to the second floor and to the partially finished attic are enclosed. Both stairwells make a 90-degree turn at the top. Tongue-and-groove wainscoting is used in the side walls. On the second floor, a hallway leads to the courtroom. The attic and the stairway above the second floor are only partially finished, with views of brick walls, rafters and other portions of the building's wood framework, and lathing readily visible. Horizontal tongue-and-groove siding is used in the finished attic rooms. Flooring is wood

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McDonald County, Missouri

plank. A 4x6 plank door divides the two attic storage areas. Simple wide wood moldings enframe doorways.

The majestic courtroom has been enlarged to provide more space in the jury box and seating area for attorneys. To accomplish this, the spectator section was reduced approximately four feet as evidenced by the moving of a banister that appears to have been set into the wood flooring and plastered walls. Although no records exist to indicate when this renovation was completed, it is surmised that these changes occurred in connection with the 1905 addition. The courtroom has 16-foot ceilings with wood beams and a floor of pine boards. The jury box and judge's bench are elevated. A three-foot walkway is exposed behind the bench, divided by a simplistic backdrop. The main entrance into the courtroom is five feet wide while a second, smaller doorway is connected to an office adjacent to the courtroom and the jury box. Four lights were hung in the courtroom when electricity was added to the entire building in 1924 by Ozark Electric Mfg. Company. Twelve electric lights were installed (County Records 1924).

The one-story 1943 addition contains a large room for additional office space, a 5x8-foot storage area and part of a large concrete and steel vault, one of two installed that year. The storage area (created in 1973 by removing the county clerk's private restroom) was used for the storage of voter registration files (County Records 1973). It has an exterior entrance on the west side as well as an inserted interior walkway. Two public restrooms in the southeast corner were accessible from the exterior only. The second vault was placed in the southeast room of the main block, allowing entry to this vault through a hallway between the original southwest room and the southeast room that was added in 1905.

The only existing floor plan (by Ewing O. Campbell) was created for the 1943 addition and reflects changes made to allow for the additional vaults. The floor plan indicates that downstairs rooms were assigned to the county clerk, collector, circuit clerk and recorder, probate judge and treasurer. The second floor supported the courtroom and offices for the superintendent of schools and the judge's chambers which doubled as a jury room.

RESTORATION

It is the intention of the Historical Society to present the public with a finished product that faithfully represents the integrity, character, and tenacity of our McDonald County ancestors, as well as their elegant craftsmanship.

Over time alterations were made as elected officials modernized and sought to improve the aesthetic value of the building. Much of this occurred in 1969 (*McDonald County Gazette* 3 July 1969) when ceilings were lowered and modern wall paneling installed over the painted plaster walls. Since leasing the building two years ago, the McDonald County Historical Society has been removing these suspended ceilings and paneling, alterations that had hidden the high ceilings, elegant wooden beams and decorative woodwork in the upstairs courtroom. Some deterioration has occurred, mainly to the roof and windows, and will be repaired. No reconstruction is planned.

The 1943 addition and two vaults installed at that time will not be removed, but otherwise the plan is to return the interior of this grand building to its state after the 1905 addition. Wooden beams and moldings that have been exposed are being refinished as originally to reveal the natural wood. Current restoration efforts include replication of deteriorated, unsalvageable historic materials while taking care to protect the integrity of the structure.

To provide handicapped access to the upstairs, an elevator will be installed in the southeast rooms, the lower of which was divided in 2005 to create two handicapped accessible restrooms funded by a grant for

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a Visitors Center Affiliate (County Records 2005). The southernmost restroom will remain to serve the museum.

Central heat and air has been installed to provide climate control for artifacts. The majority of the heat/air ductwork has been run above the vault areas where it is hidden from view. None of these interior alterations have affected the historic appearance of the exterior.

MEMORIALS

A memorial honoring McDonald County citizens who were killed during World War II was erected in the 1970s (by the American Legion) where the town well once stood, near the southwest corner of the courthouse square. Two additional memorials have since been placed on the courthouse lawn. The family of Captain Eldon E. Stratton, an Army Air Corps pilot from McDonald County who was killed in action during World War II, petitioned the Commission and was granted permission to place a memorial on the west side of the lawn (County Records May 1981). The second memorial is in honor of David A. Thurman, a Pineville patrol officer who was shot and killed in the line of duty in 1991 (County Records April 1991).

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Old McDonald County Courthouse
McDonald County, Missouri

SUMMARY

Completed in 1871, the Old McDonald County Courthouse in Pineville, Missouri, is locally significant under National Register Criterion A in the areas of Politics/Government and Social History. For 107 years, this Foursquare-style building served as the political and geographic focus of McDonald County, housing various governmental and other public functions within its walls of locally made bricks, many of which were salvaged from the ruins of a previous courthouse on the site which had been burned by bushwhackers during the Civil War. Also, the Old McDonald County Courthouse has become a sort of community shrine since 1938 when it played a supporting role in *Jesse James*, a Twentieth Century Fox movie loosely based on the legend of the notorious Missouri outlaw. Local citizens were hired for bit parts, Pineville's recently paved streets were temporarily covered with dirt, and a host of stars including Tyrone Power in the title roll, Henry Fonda, Randolph Scott and Nancy Kelly came to town. Subsequently, the celebration of "Jesse James Days" became, and remains, a regular summer event in Pineville. Plus when a brand new courthouse was completed in 1978, McDonald County became Missouri's only county to build a replacement courthouse several blocks off the square in order to preserve the old one for posterity. The period of significance begins in 1871 when county officials accepted the building and ends in 1962, the fifty-year cutoff date for periods where activities begun historically continue to have importance but no more specific date can be determined. The Old McDonald County Courthouse substantially reflects its 1943 appearance when it was expanded with a one-story addition, stuccoed and painted white. Although a newer McDonald County courthouse exists, the old one is still county-owned and is an annex used for the storage of excess circuit clerk records.

BACKGROUND: COUNTY AND COURTHOUSE ORIGINS

McDonald County was named (after Revolutionary War soldier/congressman Alexander McDonald) as early as 1847, but it remained attached to Newton County for legislative purposes for two more years (Sturges 25). Organized on 3 March 1849, McDonald County began with a stubborn disagreement between the citizens of two communities, Rutledge (now Elk Springs) and Maryville (later called Pineville) over which would be the county seat (Sturges 69). After an election to establish the seat of government, Rutledge carried the vote by a small margin because it was located in the west end of the county which contained most of the population (*History* 724; Sturges 71). A log, one-room courthouse was erected in Rutledge while citizens of Maryville also held court, using the residence of J.C. McKay as a temporary courthouse (*History* 724-725).

Fueled by 1850s issues of slavery and the free-soil movement, the dispute continued for some eight years even after a brawl in Rutledge in which three men were killed and despite the fact that the two communities were only about five miles apart, with Maryville to the northeast of Rutledge. McDonald County operated with two courthouses and rival slates of county officials until 1857 when an act of the legislature provided for the county seat to be located a maximum distance from the geographic center of the county, eliminating Rutledge because it was a bit too far west (*History* 75 and 726; Sturges 71). In 1847, a nine block section of land (the present site of Pineville) had been surveyed for Samuel Burke, with the center block reserved for a public square. This became the site of what is generally considered the first permanent courthouse in McDonald County (Sturges 69). At about the time the legislature cleared the way for Maryville to become the county seat, the place was renamed Pineville—apparently because of the many white pine trees in the area and the fact that another town named Maryville already existed in Missouri (Sturges 69).

While Sturges mentions a one-story frame courthouse on the site of what had become a livery stable, work on the first substantial courthouse in McDonald County began in December 1860 and was completed in 1861. It was a brick, Foursquare-style building with three floors, the uppermost of which was funded by

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the Freemasons. Although four men were appointed in February 1861 to dedicate the Masonic Hall (*History* 739; Sturges 74), the main lodge room apparently was never used. Its anteroom on the third floor, however, was rented for circuit and county clerk's office space (*History* 739). In August or September of 1863, this courthouse was burned by bushwhackers from south of town, led by Bill Hinson. Nearly all county records were destroyed in the blaze and the courthouse itself was reduced to rubble (Sturges 74).

Sealed bids for a new courthouse—the nominated building—were requested in November 1869. Contractors Zachariah Smith and Willis R. Cox were hired on 27 December 1869 after submitted the low bid of just under \$5,000. Construction, following Z. P. Cogswell's design for another Foursquare-style courthouse, began the next year using old bricks salvaged from the first building along with new material. This courthouse was ready for occupancy on 3 June 1871 (*History* 739).

SIGNIFICANCE IN POLITICS/GOVERNMENT

The Old McDonald County Courthouse is significant under National Register Criterion A in the area of Politics/Government. For 107 years, from its construction in 1871 until its replacement by a new McDonald County Courthouse in 1978, the Old McDonald County Courthouse has been an important political, administrative, judicial, and social center for the local citizenry. The building has housed circuit court proceedings as well as county offices that oversee responsibilities including land transactions, road maintenance and construction, bridges, and the registration of marriages, births, deaths and adoptions. Residents of McDonald County have come here to vote, pay taxes, record land purchases, and attend meetings. Various civic organizations have used the courthouse for meetings after regular business hours. Although county business moved two blocks to the north into the new courthouse, part of the old courthouse remains in use for the storage of county records. Until recently (2010), McDonald County's Missouri Extension Center—placed in the building to assist farmers with agricultural method and yield improvements—occupied first floor offices in the old courthouse. Today the Old McDonald County Courthouse remains an imposing building in a relatively small town, reflecting its history as a symbol of government and law. Some even say that it looks much more like a courthouse than the one-story building that replaced it in 1978.

McDonald County's western boundary was originally Indian Territory, and outlaws were still in abundance during the early years of the Old McDonald County Courthouse. While progress and a more genteel lifestyle was apparent in many communities during this post-Civil War period, an "eye for an eye" mentality prevailed in McDonald County where frontier justice could be severe. The second floor courtroom was the scene of numerous trials and pleas for felons apprehended and charged with everything from simple theft to bank robbery and murder. Accounts of murders, hangings, and acquittals followed by townsmen taking justice into their own hands are common.

One example of frontier justice involved a man named Irwin Grubb. In July 1885, Grubb was accused of killing a deaf and dumb man just outside of Pineville. When a mob formed while Grubb was awaiting trial, jailor _____ Bacon arranged for a posse to escort all of the prisoners to the nearby courthouse, where weapons sticking out of the upstairs windows were sufficient to fend off the mob until Grubb could be sneaked to the jail at Carthage. Upon his return, however, Grubb was taken outside of town and summarily hanged by a group of vigilantes who overpowered his guards (*Pineville Herald* 21 August 1891).

Frontier justice was likely to prevail when death sentences by the county court were commuted by a higher court in cases when the accused could afford counsel. At the February 18__ term of court, Madison Evans was acquitted of the murder of Sheriff _____ Brooks who reportedly had been "called out and shot in cold blood." It is believed that local justice once again prevailed and that Evans was hanged,

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although no one was ever charged. In 18__ , Dr. A. W. Chenoweth was ambushed and killed by Garland A. Mann, who received a change of venue to Newton County. After lengthy trials and appeals, neighbors of Dr. Chenoweth apparently became restless, traveled to Neosho and killed Mann while he sat in his jail cell (Sturges).

Probably the most notorious of all defendants to see the inside of the Old McDonald County Courthouse was Cora Hubbard, who with her gang was accused of robbing the McDonald County Bank in Pineville of \$589.23 in 1897. This robbery was considered unusual at the time because it involved a woman as an active participant (*Pineville Herald* August 1897).

In 1891, an incident of rare politeness in the courtroom was recorded by the *Pineville Herald* (21 August 1891) during the murder trial of a man named _____ Blunt:

Every seat was occupied with people standing. Soon after the speech [by T. A. Houghawont] began the aged mother of the accused, who had occupied a seat behind her son during the entire trial, elbowed her way through the crowd to the bar, and stood waiting for one of the men, who were comfortably seated, to offer her a seat. No one seemed to notice her except the lady stenographer who sat to the left of the judge. When she caught the eye of the aged mother she beckoned her to come forward and allowed the mother to sit in her chair, beside her son who was on trial for his life. A dozen chairs were immediately made available for the beautiful young stenographer!

Apparently the reporter found the young stenographer more interesting than printing the Blunt verdict, as nothing further was noted for publication.

Along with the courthouse building, the courthouse lawn has served as a social hub for residents of the entire county, and beyond. Because the space around the building is relatively small, a greater sense of intimacy was possible. The lawn became even more of a gathering place when a public well was dug on the west side of the courthouse in the summer of 1889 (*Pineville Herald* 7 June 1889). Several years later, a pump was installed (County Records 1924). In the 1970s, the well was covered with concrete and later still, a World War II memorial (the McDonald County Citizens Service Memorial) was placed above it. Over the years, politicians of various stripes have used the courthouse lawn for outdoor meetings and speechifying. The Women's Christian Temperance Union was very active in McDonald County, with WCTU members serving dinners and arranging entertainments in and around the courthouse to raise money for their cause. The courthouse and/or its lawn has been the site of railroad meetings, pie socials for the Order of the Eastern Star Chapter # 67, May Day and Fourth of July celebrations including band music, and activities of the Epworth League, a Methodist organization for young adults. Masons and Rotarians are among the benevolent organizations that have used the facilities, and a "Professor Wilbur" once demonstrated his skills as a mesmerist/hypnotist for a fee of 10 cents (*Pineville Herald* 22 December 1880; 19 April 1883; 17 May 1883; 7 December 1894; 27 July 1895; 27 June 1896; 26 June 1897; 31 July 1897; 7 August 1897; 27 November 1897; and 4 December 1897).

SIGNIFICANCE IN SOCIAL HISTORY

Despite its obvious *local* importance, in 1938 the McDonald County Courthouse was not particularly well known outside of its own limited sphere of influence in southwestern Missouri. The same could be said about the town of Pineville itself—a sleepy little place fewer than ten miles from Arkansas and approximately a dozen miles from Oklahoma, with a population of fewer than 500. However, 1938 would be a defining year for Pineville and its courthouse. Forty-three years later, no less an authority than Marian M. Ohman, the respected author of *A History of Missouri's Counties, County Seats, and*

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Courthouse Squares and other works of Missouriiana, stated in print what everyone who lived around there already knew—that the old courthouse had been “immortalized” on film. The film, of course, was the 1938 Twentieth Century Fox epic *Jesse James*, and the event has been celebrated locally ever since. But the fact that a Hollywood movie was filmed in and around the nominated building is not what makes the courthouse significant under National Register Criterion A in the area of Social History. More to the point is that the whole thing meant so much to the people who lived there that the courthouse became, in effect, a community shrine—and decades later it was saved from destruction for just this reason. Beginning with a three-day reunion event in 1946, “Jesse James Days” has been celebrated in Pineville virtually every summer since with film showings, enactments of a bank robbery, a parade, music, dancing, food and a party atmosphere that attracts huge crowds. Their numbers keep getting smaller, but several local citizens who had bit parts in *Jesse James* still gather each year to reminisce. The event is like an annual homecoming, which in this case is centered around a building that may literally owe its continued existence to a movie.

Shot in Technicolor during August and September of 1938, the film portrayed Jesse and Frank James as folk heroes who began robbing banks and trains only after their mother, according to the script, was killed by a railroad agent during a period when one particularly villainous, profiteering railroad (the fictitious St. Louis Midland) was usurping local farmland. Produced by Darryl F. Zanuck and directed by Henry King, the movie featured Tyrone Power in the title role, Henry Fonda as Frank James, Nancy Kelly as Jesse’s girl Zee, Jane Darrow as the outlaw’s mother, Randolph Scott as Marshall Will Wright, John Carradine as James gang member Robert Ford, Henry Hull as newspaper publisher Rufus Cobb, Ernest Whitman as ex-slave Pinky and Brian Donlevy as the railroad’s chief henchman. They and several other actors were part of a contingent of 175 persons who constituted the total film company in McDonald County (Bradley, 141).

The Old McDonald County Courthouse is the single building most strongly associated with Pineville’s major role in perpetuating the Jesse James legend. Major jail scenes were filmed inside the building, and it also appears in outdoor shots.* As the center of the public square where much of the action was staged, the courthouse easily remains the focus of the annual “Jesse James Days” celebrations today. Its appearance was undoubtedly one of the main reasons that Pineville was selected because unlike some other buildings that required false fronts and other enhancements, it needed little or no makeup. A few years after the movie was released, the courthouse was expanded with a one-story addition and stucco was applied to the exterior walls to preserve the soft locally-manufactured brick walls. Ceilings were lowered and modern materials were applied over portions of the interior during the intervening years, and these changes are in the process of being reversed.

The story of how a Hollywood film came to mean so much to Pineville is worth telling in greater detail.

Looking for a place to shoot his Jesse James movie, director King visited Kearney in Clay County, Missouri. While there he talked to members of the James family including Robert James, the son of Jesse’s brother Frank, and is said to have learned details about the brothers and their exploits that were incorporated into the script. Clay County would have been historically correct as a location for the film since various events in the movie purportedly occurred there, but King decided that it looked much too modern. Pineville was recommended by King’s friend Billy Parker, a Phillips Petroleum executive: “If you want to see a little town which is as America once was, then go to Pineville, Missouri.” (Bradley 29) For one thing, Liberty’s streets were paved while the movie’s streets needed to be dirt as befitting its 19th century setting—dusty or muddy according to the weather—and Pineville easily filled the bill since like most McDonald County towns it had unpaved streets in those pre-World War II days, or at least it did until a few months before shooting started. Plus the McDonald County Courthouse was sufficiently old for the

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Old McDonald County Courthouse
McDonald County, Missouri

*As a result of repeatedly watching the movie, the McDonald County Historical Society discovered a long-forgotten courthouse doorway that had been paneled over.

role, and looked it, and the rest of the buildings on the square could be doctored with false fronts, or whatever it took. Actor Tyrone Power wrote in his diary that "...the old red-brick courthouse...in Pineville...looks today more like yesterday's Liberty than the modern town of Liberty does..." (Bradley 143-144). It didn't matter that Jesse James had probably never set foot there.

Although the Old McDonald County Courthouse needed little to make it camera-ready, it did get a temporary stone plaque over the main entrance which was inscribed CLAY COUNTY COURTHOUSE, since Pineville was supposed to be Liberty. Hitching racks and water troughs were installed on the courthouse lawn. These were more than props, since many horses and other animals were used in the production and needed to be watered. Still photos taken during filming show horse-drawn buggies lined up in front of the courthouse and modern automobiles parked half a block away, people wearing period apparel who may be extras or just curious natives, and people who look more like tourists than anything else. There is no evidence of paved streets in the photos although they are there, buried under six inches of dirt representing thousands of truckloads. Buildings on the square that acquired wooden awnings for the movie were allowed to keep them after filming ended (Bradley 37).

When King traveled to Pineville to get permission for filming, he found Mayor F. T. Drumm doing the sort of thing that a mayor in a small town might be found doing on a summer day, mowing the courthouse lawn. King told the mayor and other civic leaders that Pineville was "the logical site for *Jesse James* because it had personality, a rustic look, and almost perfectly resembled the James' hometown of Liberty in northern Missouri." He also mentioned that Twentieth Century Fox would be spending more than \$20,000 in the dollar-starved area in advance of any filming, and that he expected to employ at least half of the local population as extras. At first skeptical, the Pineville City Council ended up meeting in special sessions to discuss a variety of things including parking issues, the establishment of screened outdoor eating places for visitors, the removal of overhead power lines, etc. The 1938 McDonald County Fair was cancelled, and the Chamber of Commerce called the movie "the biggest thing that ever happened to us, and we're proud that a great many folks will have the opportunity of at least seeing movies of our Ozark scenery." Missouri Governor Lloyd Stark sent King a telegram saying that he was "delighted and proud" that Missouri had been chosen for the film's location (Bradley 30-33).

Released in 1939, the movie compromised historical accuracy by treating the outlaws sympathetically and consequently helped perpetuate an image of Jesse James as a modern folk hero. As a youth, Jesse James rode with "Bloody Bill" Anderson's band of guerrillas, presumably because he enjoyed that sort of life. Later, he apparently was a cold-blooded robber who, as film writer Tom Weaver put it in the blurb accompanying the 2006 DVD release of *Jesse James*, "may never have helped anybody but himself." But Hollywood's version, based on a script by Nunnally Johnson, presented the outlaw "as a handsome Quixote, hopelessly jousting with a public utility—a career with which any stanch American who has ever launched an individual campaign against the gas, telephone, or electric light companies, can sympathize" (*New York Times*). Weaver suggests that Hollywood's Production Code and particularly its tenet about how crime, wrongdoing, evil or sin should never be portrayed sympathetically on the screen was the main reason the Jesse James character was so romanticized that many gallons of tears were likely shed (actually more for Tyrone Power than for Jesse James) at the end (Weaver).

Perhaps the sharpest criticism of all came from four granddaughters of Jesse James who said that although the movie was good entertainment, "about the only connection it had with fact was that there once was a man named James and he did ride a horse." (Bradley 90)

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Old McDonald County Courthouse
McDonald County, Missouri

Considering that *Jesse James* was filmed during the height of the Great Depression, with many McDonald County residents living hand-to-mouth, the revenue that it generated was a welcome relief for many families. Approximately two hundred McDonald County residents who lived in the Pineville/Noel vicinity were hired as extras and paid decent wages for each day they worked in the movie. As Bradley quotes one Pineville area resident: "Imagine making four dollars a day, when the going pay was just a dollar! My husband drove his truck and earned thirteen dollars a day. We purchased our first washing machine with cash," she said (Bradley 36).

The "on location" filming attracted huge crowds of tourists. While the majority of the filming was done in and around Pineville, most of the movie people were accommodated in the nearby town of Noel, just west of Pineville. Although Noel had a tourist hotel, many private homes, cabins, cottages and trailers also were pressed into service to accommodate the film crew. The film received national media coverage including a spread in *Life* by photographer Alfred Eisenstadt. It was estimated that between 4,000 and 5,000 persons waited along the railroad track for the arrival of the cast and film crew in Noel. Many visitors stayed in area campgrounds. On Labor Day weekend, some 50,000 visitors are said to have converged on Pineville. All in all, the local economy received a great boost from tourists—up to \$500,000 according to an estimate by local businessmen (Bradley 42, 47, 62, 85). Twentieth Century Fox reportedly spent \$1.6 million making the movie.

Not only was it a lucrative period in McDonald County history. As an anonymous Work Projects Administration writer put it in *Missouri: A Guide to the "Show Me" State*, Pineville "shed its provincialism" when Hollywood came to town in the summer of 1938:

Under the influence of Hollywood's magic, Pineville took on the appearance of a ripsnorting town of Missouri's outlaw years. Tons of yellow clay concealed the four paved streets; the squat, red-brick stores retired behind false fronts; and the Dixie Belle Saloon preempted a corner of the courthouse square. The town assumed daily the activity and character that heretofore had been reserved for court day; the streets were alive with horses and vehicles, the sidewalks and courthouse lawn packed with people. When hillman met hillman, he no longer spoke of weather, crops, or politics, but of how a man wearing shiny brown boots and new khaki pants had driven up to his cabin door and offered him \$20 to let Jesse James be chased by a posse across his field, or of how he had been signed to act in the picture and told to grow a beard. At the completion of the film, workmen removed the clay from the streets and restored the town to something of its former appearance (*WPA Guide* 507-508).

So Liberty's loss was Pineville's and McDonald County's gain, but there may have been a bit of confusion about the streets. It is unclear as to whether they were dirt or paved when Pineville was selected over Liberty—presumably in part because its streets were unpaved—for the film's location. There is a local perception that with Hollywood stars and the entire production crew of supporting actors, cameramen, technicians and directors about to descend on Pineville, the McDonald countians—obviously not fully understanding exactly why Pineville had been selected over other potential locations for the movie—decided to spruce up their town by paving the four main streets before any shooting occurred. Alternately, the streets may have been paved in December 1937, and Pineville may have been selected over Liberty even though its streets were no longer dirt. If the local perception is correct, what various individuals associated with Twentieth Century Fox had to say upon discovering the town's spiffy new look apparently was unrecorded, but in any case dirt was hauled in and the concrete streets were covered with it. Boards were nailed over the square's concrete sidewalks. A Pineville councilman's comment was, "I'm sorry we put concrete in. It makes the city too damn hot" (Bradley 36).

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Section number 8 Page 11

Old McDonald County Courthouse
McDonald County, Missouri

Most people liked the movie, and of course it was a big hit for Twentieth Century Fox. Invited to a premiere showing of *Jesse James* in Tulsa, a contingent from Pineville and Noel definitely liked it. Interviewed afterward for a radio broadcast,

They knew whose face was under which bonnet in Mrs. Samuel's front yard and whose hand waved good-bye to someone on the train and whose rooster crowed in Mr. Howard's barnyard. Even if one's neighbor merely swished by in a ruffled skirt or dashed through on a horse half a block from the camera, said neighbor was a member of the cast and "did just fine" (Bradley *Jesse James* 91).

Later after the motion picture stars and crew had returned to Hollywood and the movie was declared a wrap, the town square soon regained its normal appearance and Pineville resumed its sleepy ways in a scenic corner of the Missouri Ozarks. Once out of the national spotlight, McDonald County may have become more "provincial" than previously, rather than less so. Most locals today are proud of the heritage of Jesse James and may even brag about the lack of change in the area. McDonald County, specifically Pineville, hasn't grown at all. Pineville's population remained relatively stable from decade to decade through about 1990, when it reached 580. It increased to 916 by the 2010 census (more than double the 1930 population of 422), but this was apparently a result of rezoning and the annexation of a couple of housing developments.

Long after the excitement had died down, however, *Jesse James* was still having an impact on the built environment of Pineville. In 1977, when McDonald County received a \$145,000 grant for a new courthouse from the Local Public Works Capital Development and Investment Act, as amended by the Public Works Employment Act of 1977, under the U.S. Department of Commerce, the county purchased a construction site a few blocks north of the Old McDonald County Courthouse. Although demolishing the old courthouse was considered by the county commissioners at the time, it was apparently spared because of its historic associations plus the fact that it could still serve the county:

As McDonald Countians began to plan their new courthouse they debated about what to do with the historical courthouse, a modest structure without architectural merit or pretension. After prolonged discussion they selected a new site north of the old public square and adapted the historical courthouse for other use (Ohman *Missouri's* 38).

According to Ohman, although other Missouri counties such as Adair, Clay, Howell and Platte considered building their new courthouses in different, off-the-square locations, McDonald County was the only one that actually (at least as of 1983) followed through and did so—a one-story, 5,500-square-foot masonry building a few blocks north of the nominated property, a site for which the county paid \$10,000. Had it not been for the legend of Jesse James and the local perception that the movie put their town "on the map," Ohman suggests that this may not have happened—instead, the old courthouse would have been razed and a new one erected on the same site. While it is true that other Missouri county seats (such as Warrensburg in Johnson County) have built replacement courthouses elsewhere without tearing down earlier courthouses, preservation of the old courthouse for posterity was hardly a factor. In Warrensburg's case, the town center had shifted several blocks for greater proximity to a railroad line and their old (1838) courthouse simply became a private residence—although it was later "rescued" and restored by the Johnson County Historical Society. Johnson County's old courthouse was preserved for posterity but it was abandoned first.

Although most of *Jesse James* was filmed in the Pineville-Noel area of McDonald County, one controversial sequence was shot at the Lake of the Ozarks in Miller County, Missouri. It involved a stunt that went horribly awry, but it led directly to greater protection for the animals used in the production of subsequent films made in the U.S. The stunt had been moved to the Lake of the Ozarks (between mile

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Old McDonald County Courthouse
McDonald County, Missouri

markers 21 and 22) because the local Elk River was considered too shallow to even attempt it. Basically, the James brothers had robbed a bank and were supposedly riding full tilt to avoid capture when they came to the edge of a precipice over a mountain stream, and just kept going into the water. The horse, with a stuntman in the saddle, was fatally injured after being deliberately shuttled over the cliff from a tilting platform. Most of the scene was edited out of the final cut of the movie, but enough people viewed the complete footage and were outraged that it enabled the American Humane Association, an organization concerned with the welfare of children and animals, to open a film and television unit in Hollywood in 1940 and begin monitoring the safety and comfort of animal actors. The end credit statement that "No animals were harmed during filming" is a direct result (Gillespie). Miller County historians have confirmed that, much to their chagrin, none of the stars came to their corner of the Ozarks for the sequence—just production crew members and stunt doubles (Weaver).

Pineville merchants spearheaded the early "Jesse James Days" celebrations. The first such event was scheduled in 1946 as a reunion remembrance for the making of the movie and for the boon to the County's economy during the summer of 1938 (Phillip's Files). Upon its establishment in 1974, the Pineville Chamber of Commerce began organizing the annual event which that year included appearances by Henry King, who directed the movie, and Forrester Barr, a grandson of Jesse James. Currently the celebrations are organized primarily by Pineville officials and the city's volunteer fire department, with all proceeds going to the fire department for equipment maintenance and other operating expenses (Jesse James Days Pineville City). Other events and activities ranging from a farmer's market in the summer to an Oktoberfest celebration in the fall still take place on or near the public square, but in terms of size and enthusiasm, nothing quite compares with "Jesse James Days." Many photographs of past celebrations are on display at City Hall and the Pineville Grill, while a photograph of movie star Tyrone Power reportedly still hangs in a courthouse corridor.

In November 2010, the Old McDonald County Courthouse was leased to the McDonald County Historical Society with an automatic renewal option. Established in 1963, the not-for-profit organization is in the process of restoring the building for use as a museum to educate, disseminate and preserve McDonald County's rich and varied history. Attorney/historian J. A. Sturges, who came to McDonald County in 1881, might have been summarizing the Society's thoughts when he wrote (in 1897):

Almost any McDonald county farmer, along in the fifties could raise a hundred dollars any day, and real estate mortgages were unknown. People were honest in their dealings and paid their debts, and the latch string to every cabin hung on the outside. People were hospitable, extremely so. Partly because it was born and bred in them, partly because, being isolated, and the settlements scarce and far between, it was regarded as a treat to have a neighbor or stranger stop to dinner or over night...Those are days to be remembered with pleasure; a bright period in the history of our county (Sturges 30).

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Old McDonald County Courthouse
McDonald County, Missouri

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Old McDonald County Courthouse
McDonald County, Missouri

VERBAL BOUNDARY DESCRIPTION

The Old McDonald County Courthouse is located in Block 41 (Lots 1, 2, 3 and 4) of the Original Town of Pineville in McDonald County, Missouri.

BOUNDARY JUSTIFICATION

The present boundary is the same as the historic boundary of the Old McDonald County Courthouse.

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- Figure 1: First Floor Plan
- Figure 2: Second Floor Plan
- Figure 3: Top (Half) story Floor Plan
- Figure 4: Early Plat Map of Pineville
- Figure 5: Courthouse Square Site Plan
- Figure 6: McDonald County Courthouse, circa 1905
- Figure 7: McDonald County Courthouse during filming of *Jesse James*, 1938
- Figure 8: McDonald County Courthouse, 1942 prior to addition and application of stucco
- Figure 9: Cornet Band east of courtyard, circa 1910

PHOTO LOG

Old McDonald County Courthouse
McDonald County, Missouri
Photographer: M. Raylene Lamb/McDonald County Historical Society
Date of photography: 2011

1. Primary (west) elevation
2. South elevation with 1943 addition in foreground
3. North elevation with bandstand in foreground
4. View from northeast
5. Looking northwest from southwest corner
6. Main hallway looking east
7. Stairway looking down from second floor
8. Courtroom view, second floor
9. Courtroom, jury box detail
10. Finished room in attic
11. Finished room in attic (with dormer)
12. View of rafters in unfinished part of attic

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Old McDonald County Courthouse
McDonald County, Missouri

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Old McDonald County Courthouse
McDonald County, Missouri

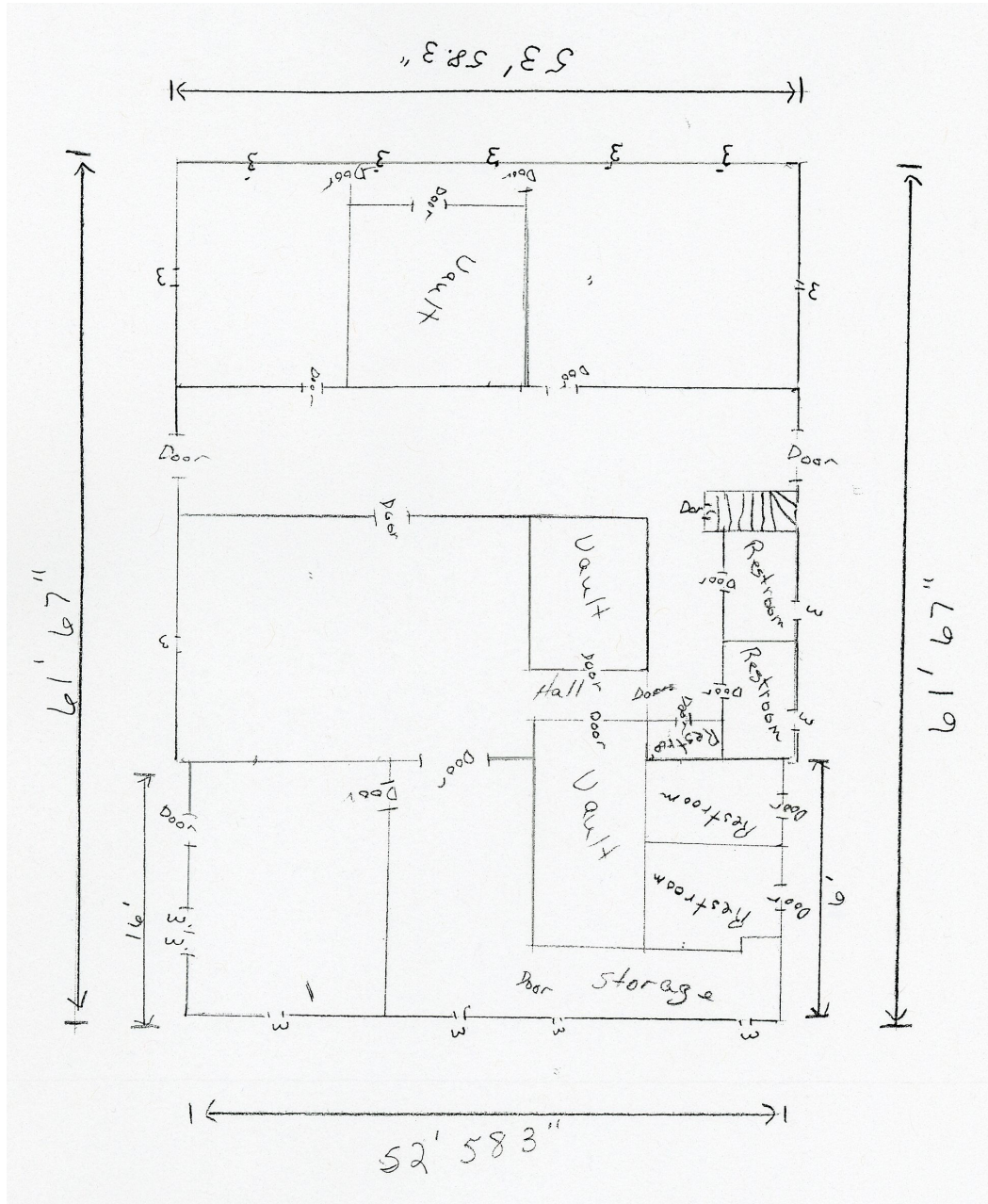


Figure 1: First Floor Plan

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McDonald County, Missouri

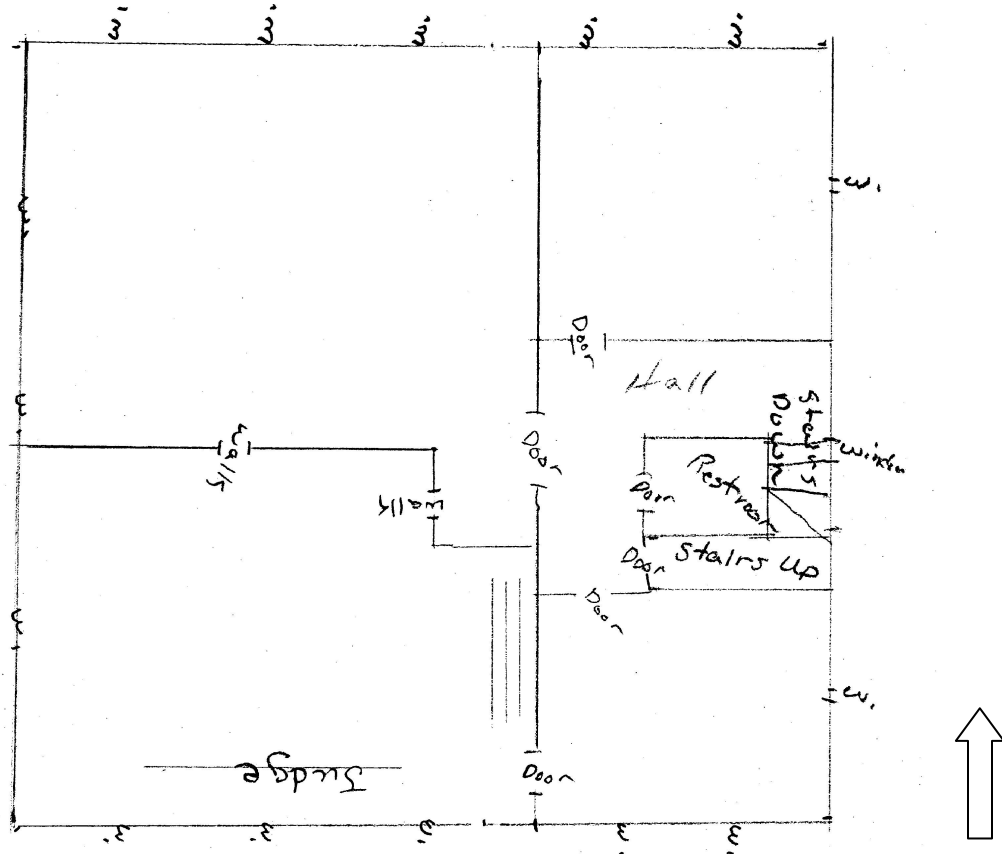


Figure 2: Second Floor Plan

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Old McDonald County Courthouse
McDonald County, Missouri

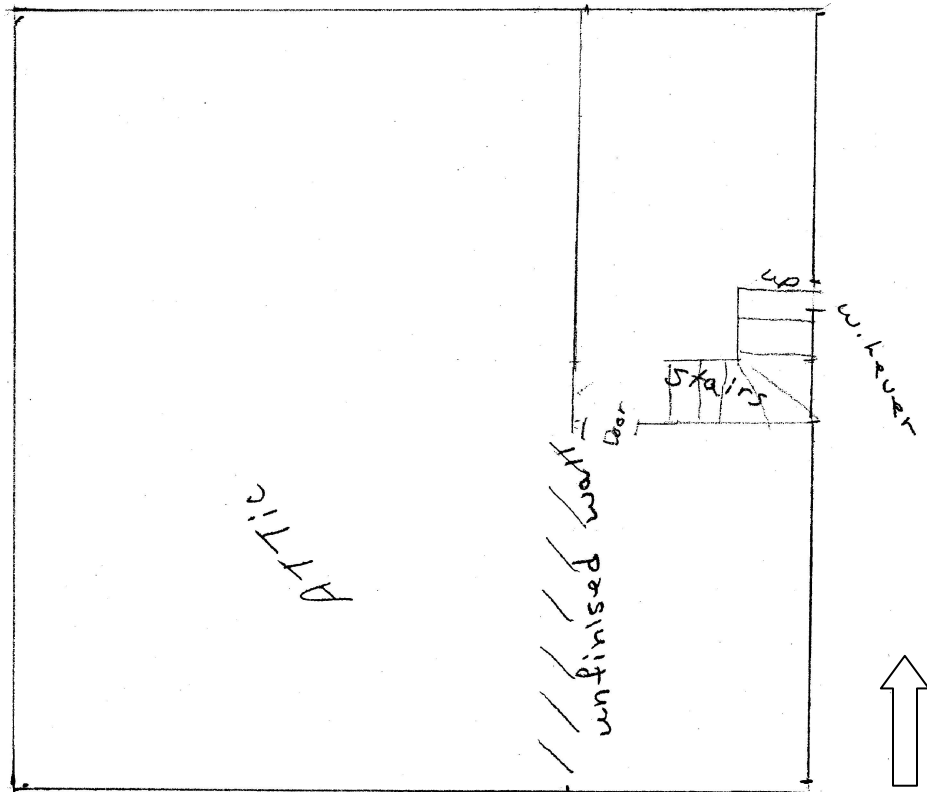


Figure 3: Top (Half) story Floor Plan

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Old McDonald County Courthouse
McDonald County, Missouri

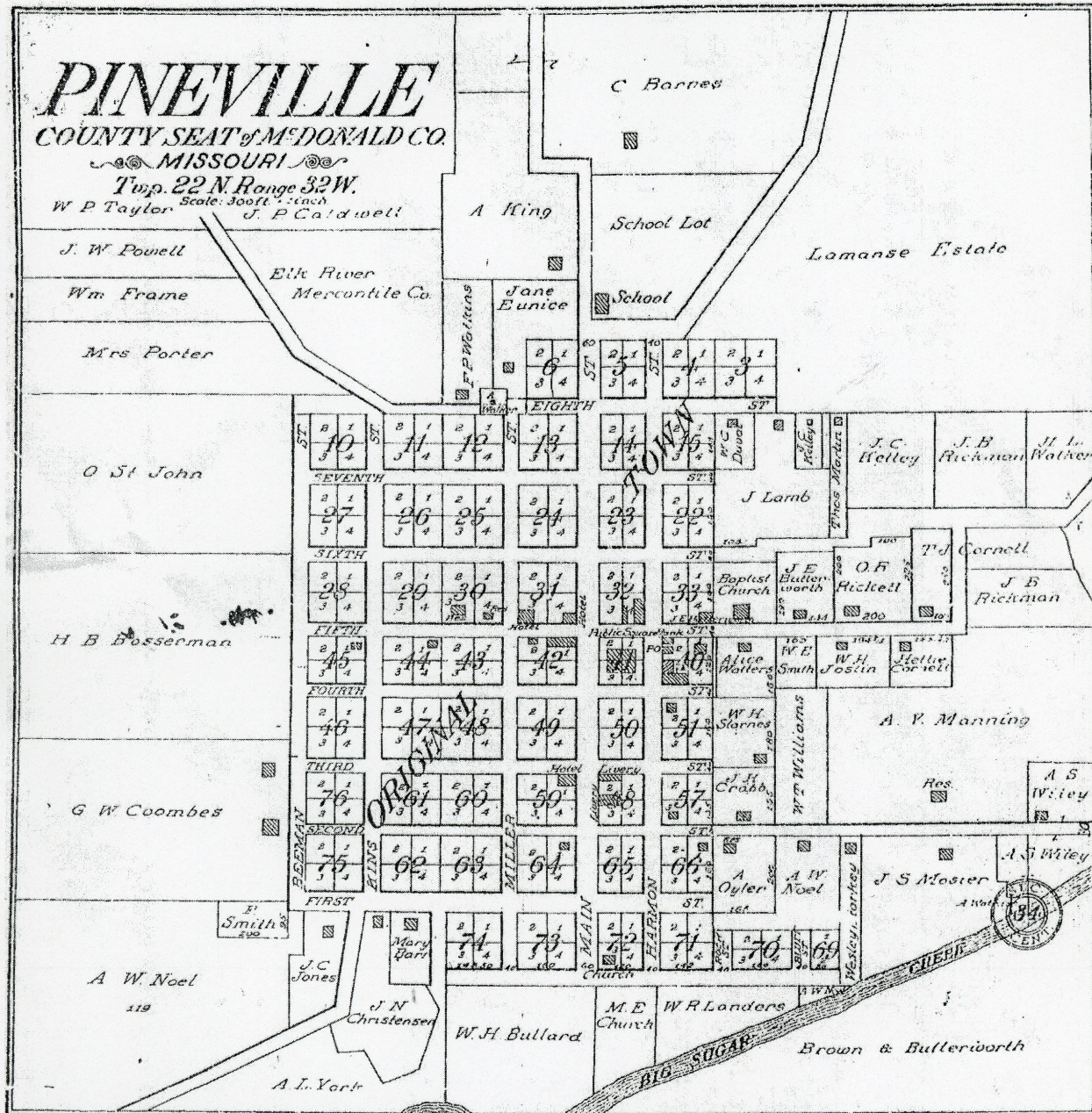


Figure 4: Early Plat Map of Pineville

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Old McDonald County Courthouse
McDonald County, Missouri

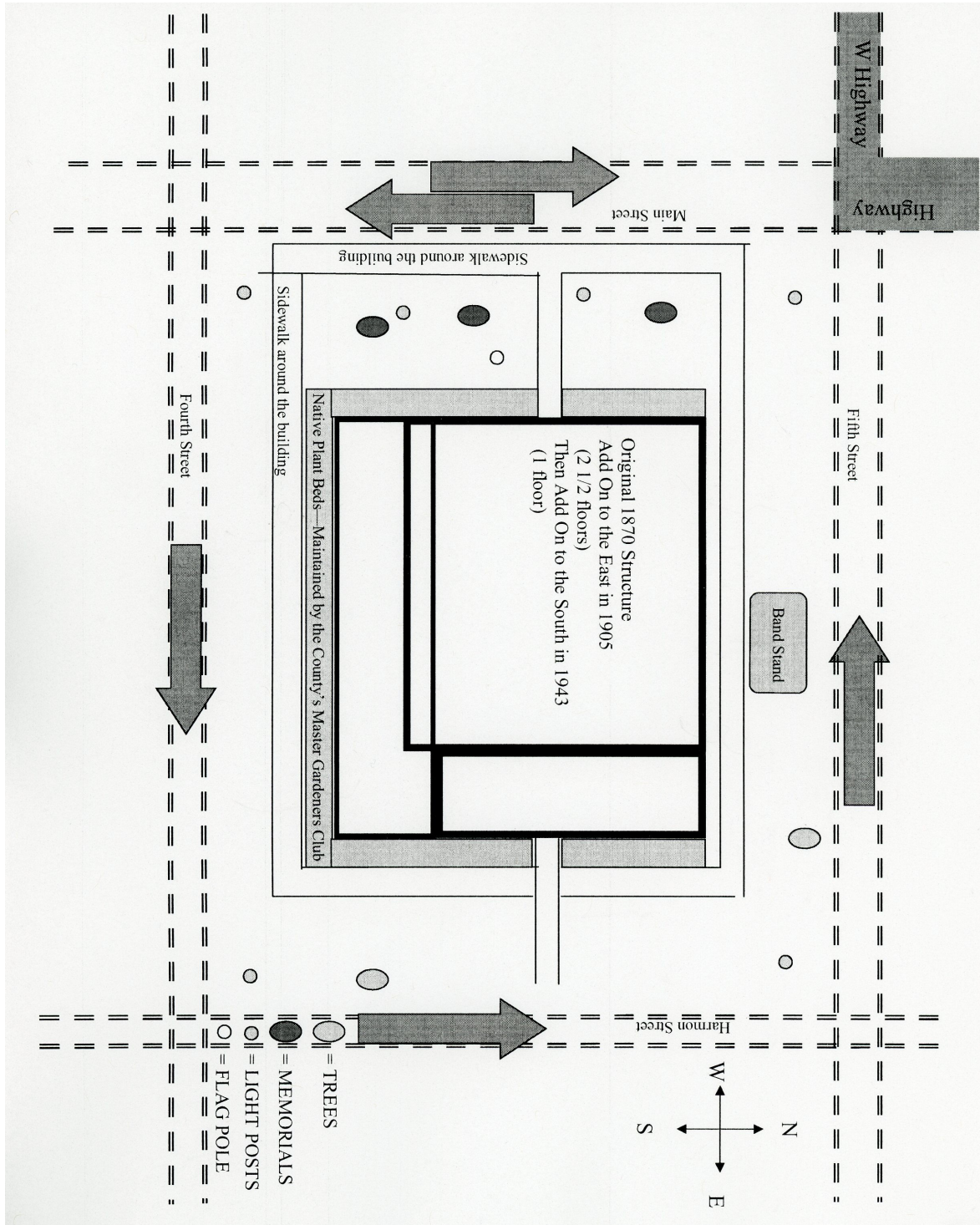


Figure 5: Courthouse Square Site Plan

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Old McDonald County Courthouse
McDonald County, Missouri



Figure 6: Courthouse circa 1905



Figure 7: Courthouse 1938 during filming of movie

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Old McDonald County Courthouse
McDonald County, Missouri

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Old McDonald County Courthouse
McDonald County, Missouri



Figure 8: Courthouse Ca.1942 (prior to addition & stucco)



Figure 9: Cornet Band Ca. 1910 (in street east of courtyard)

NOEL QUADRANGLE
MISSOURI—MC DONALD CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

373

25'

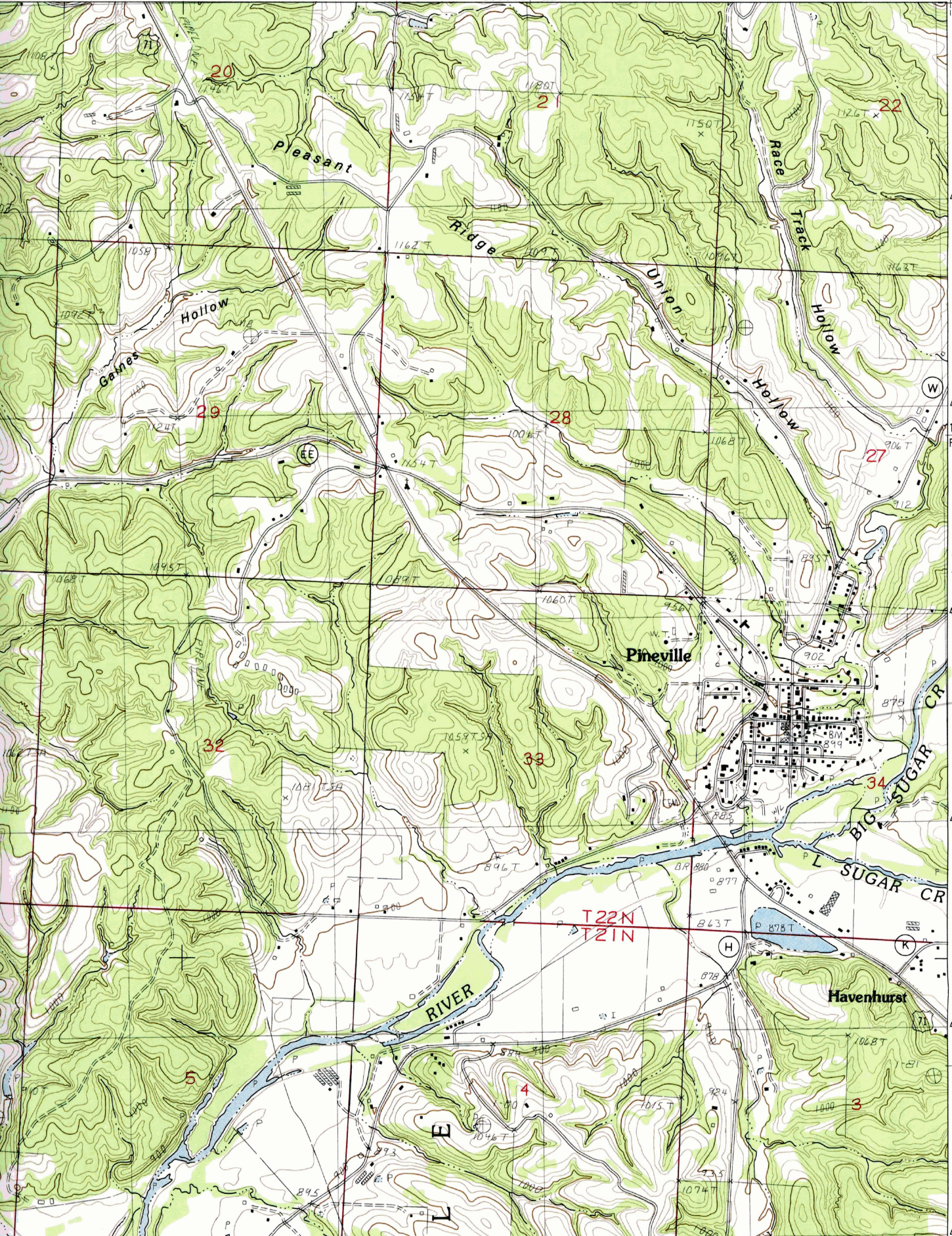
374

530000 FEET

376

94° 22' 30"

36° 37' 30"



4053

4052

160 000
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4051

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35'

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4048

OLD
McDONALD
COUNTY
COURTHOUSE

PINEVILLE,
McDONALD
COUNTY,
MISSOURI

UTM REFS:
15/376280
4050470

Havenhurst

Pineville

Pleasant
Ridge

Ganes
Hollow

Race
Track
Hollow

Union
Hollow

Pine
River

PL
SUGAR
CR

BIG
SUGAR
CR

29

28

22

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21

32

33

34

5

4

3



OLD
MCDONALD COUNTY
COURTHOUSE







Pineville/Jane
Area
Chamber of Commerce
Built by
Pineville Area Chamber of Commerce

LAW

CHAMBER
OF COMMERCE



DO NOT
ENTER



STOP

NO
LEFT
TURN

Schwans













