

SOME HISTORICAL NOTES RELATING TO THE COURTHOUSE OF JEFFERSON COUNTY, KENTUCKY

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Read at the New Year's Meeting of The Filson Club

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Almost everyone interested in the public buildings of Kentucky is aware that the Courthouse of Jefferson County was originally planned to be, by a few changes, a future Statehouse; the opinion among the influential men in the early thirties was that Louisville would become eventually the capital of the State instead of Frankfort. There were good reasons for this prevalent forecast, to which I shall not allude more than to remind you of its existence. You can also easily accept the statement that a building planned for those who make laws will not be very convenient for those who execute them. From the beginning of the State organization, legal courts had been held in various structures located not far from the region of Sixth and Jefferson streets, and when no obstacle seemed to be in the way of a future capitol, additional land or city lots were acquired so as to make the present area available. Portions of it at the east end had been owned by private parties, whose claims were finally extinguished; and later, when Sixth Street was cut through to become a veritable highway, land owned by the county, as distinguished from the city was more obvious to the eye.

The surface of the ground between Fifth and Sixth streets was low in many places when compared with the established street grade. It was probably once the site of a pond, and much of what we now see is "made ground." According to newspaper records, rubbish as well as good earth was dumped in. The officials of that day were not destitute of foresight, and, having in mind a very large building, thought best to place also in the center of the lot a large amount of stone as filling which was brought from a quarry about three miles distant on the Bards-

town Road. In some spots they considered it necessary to excavate to a depth of 30 or 40 feet, and fill in with stone.

Such was the state of affairs about 1832, and plans for the building were the subject of much discussion even after the architect, Mr. Gideon Shryock, had been selected. The opinions of those who thought the metropolis of the State should also be its Capital finally prevailed, and Mr. Shryock made his perspective drawing of a building which, as he thought, could be easily changed to contain two deliberative bodies, and also space for the requisite subordinate offices. Just how he intended to have the interior divided, and how much of it was assigned to the State Court of Appeals and local courts, I am unable to say; nor do I understand how he expected the future legislators to ascend by steps or stairs to what is now the third floor—the second or main floor of a courthouse must be open to the public every working-day of the year. Our elevators of the present day, with their ropes of steel wire and intricate machinery to control movements, were beyond the imagination of the most visionary person in 1830. But the plans of a complete building were made, showing at the center a fair dome set above a four-sided structure, and well above the roof, so that a clock face on each side would not be hidden. A picture from a woodcut of Shryock's design can be seen in our public library.

Please understand that the new court rooms on the north side of Court Place, the tunnel connecting them with the county jail, the bronze statue of Thomas Jefferson at the front of the portico and several other more recent additions have been left out of account in this essay. For the sake of brevity my remarks will be confined almost exclusively to the oblong structure about 206 feet from east to west, 92 feet wide from north to south, and standing 72 feet from the property line on Jefferson Street.

In order to pay for a building planned on such a large scale, as it seemed at that time, the county authorities laid a special tax, from which they paid each year in accordance with what the building contractors had actually erected. Our modern custom of issuing bonds bearing semi-annual interest and ex-

tending over a long period, so as to obtain millions of dollars if necessary, had not been introduced.

The most important question to be decided before letting any contract was the kind of stone which would form the exterior of the stone walls. Nobody could recommend any of the stone quarried in Jefferson County or in any adjoining locality within hauling distance. A stone that could be dressed and finished, in what architects call ashlar, was necessary. To put up something with quarry face, known as rubble and in imitation of a castle (a style which has since become common) was out of the question. To reduce cost and to bring the stone by water was desirable, in the absence of present-day transportation by rail. Those in authority spent considerable time before coming to a conclusion. Many samples were taken from quarries along the Ohio River, from Cincinnati almost to the Mississippi. For sometime the first choice was in favor of the excellent sandstone found near Cannelton, Indiana, which was adopted for the lining of the canal locks of the Louisville and Portland Canal, then under construction. Probably the uncertainty of transportation upstream in summer, and the certainly greater expense involved, led to the rejection of stone from Cannelton. Looking at the whole question from many points of view, it was finally decided to use stone from a quarry close to the Ohio River, about 33 miles upstream, at a landing which yet goes by the name of Marble Hill, although the name is also held by a village about two miles from the river on the county road connecting Jeffersonville and Madison.

There is a good deal of erroneous opinion prevalent in our midst as to the origin of the stone in the main walls of our Courthouse. On account of its defects it is now covered with a sort of plaster, and, since everybody who worked on it is now dead, I must give you my authority for saying definitely from what source in Indiana it came. In the fifth annual report of the Geological Survey of Indiana there is a long chapter devoted to Clark County, written by W. W. Borden, an assistant to Mr. E. T. Cox, the regular State Geologist in 1873. In describing Dean's quarry, which was located near the eastern boundary of Clark County, he quotes at the bottom of page 140 from David Dale Owen, former State Geologist, who gives

seven divisions of a cliff 363 feet high. Of the first division—the upper cliff—Mr. Owen says it is “composed chiefly of magnesian limestone terminating at their base by the four-foot bed used in the construction of the Court House at Louisville, Kentucky.” The total height of the upper cliff was 93 feet. The pieces of stone sent away were from a bottom bed, and were probably let down on a rough slope about 270 feet to the water, where they were placed on barges to be floated downstream. From the Louisville wharf they were put on a wagon and hauled to the vacant land around the new building. I think you can find a sample of the same sort of stone in an old mansion on the south side of Jefferson Street between First and Brook, now known as the Union Gospel Mission; and I believe the same stone was also used in the front walls of twin houses at the corner of Sixth and Walnut, erected by the Shreve brothers but torn down in 1905 to give place to our present Armory. Please bear in mind that modern machinery, as well as special explosives for quarrying had not been invented, and that many rough blocks of stone may have come into the hands of cutters in Louisville more or less damaged. Some of the defects would not come to light until after an exposure in the finished wall for five or six years. And the contractor would need to be very conscientious if he rejected what the inspector or the architect failed to notice.

I have written at considerable length about the original stone of the Courthouse in order to put an end to some erroneous ideas that are afloat, and which are interpreted as indications of ignorance or financial corruption among those in charge of the building, basing that opinion upon the poor quality of the stone selected. With only a ledge of four feet in thickness, the stonecutters may have made the mistake of placing some pieces of “veneer” on edge, instead of adhering to the natural bed, which, as a rule, all architects of the present day observe. Permit me to say in no uncertain language that none of the stone came from the knobs back of New Albany, nor from Utica about twelve miles up the river, nor from Bethlehem landing about twenty-five miles above Louisville.

In order to check the accuracy of Mr. Borden’s statement in the Geological report of Indiana (1874) I have had access

to a small rare pamphlet written by David Dale Owen on the various stones and deposits at Marble Hill. I borrowed it from the private library of a lady living near Bethlehem, Indiana. There has been no mistake in transferring from the old pamphlet to the State Report. An investigator at the present day should, however, remember that other stone, quite different from that in the Louisville Courthouse, was quarried at Marble Hill. I would say, subject to correction, that the cut stone in the two corner buildings at Bullitt and Main, and in the old Bank of Louisville with its two fluted columns, was brought down from Marble Hill in a rough state about 1854. If anybody still has doubt, let him consider the standing which David Dale Owen enjoyed during his lifetime among educated people. A pamphlet published in 1854 must have had the manuscript of it prepared a year or more previous to that date, and it is reasonable to say that Mr. Owen could find a stonecutter or quarry man who worked on the structure we are now considering. There is not the least reason to suppose that any of them would tell him a falsehood.

But the great event which caused quite a lull in the erection of the Courthouse was the financial panic of 1837. For several years after that time the county commissioners knew that the public could afford only the running expenses of the county and state, and tax bills were reduced to a minimum. I am unable to say in what year work was resumed at a slow rate, but finally a cheap roof was put over all, window openings in the upper story covered with boards, and rainwater was conducted into the stone cornice, so that the main floor of the interior could be occupied. There were so many things requiring all the ready cash of the County Treasurer that the work of really completing the Courthouse was suspended. After about ten years, that is to say in 1851, a new state of affairs arose between the City of Louisville and the County of Jefferson. In that year the Legislature granted a new charter to the city. As a condition for enjoying new privileges, it was clearly set forth that the city should bear all the expense of completing the Courthouse. The city government was as procrastinating as the county had been, and not until seven years after obtaining their new charter did the city take proper action to finish the shabby building

which was derisively known as "Guthrie's Folly." Finally two ordinances were passed by the General Council of the City of Louisville; one June 5, 1858, and the other approved November 1, 1858. In both of them the statement appears that "the plan with the interior dome, and without the wings, submitted by Albert Fink be, and the same is hereby adopted." Mr. C. L. Stancliffe was chosen by the Council to superintend the erection.

For some reason unknown to me, Mr. Shryock, the original architect, was displaced, although he was still alive and in active business as a citizen of Louisville. It was due to Mr. James Guthrie (who became a director of the Louisville & Nashville Railroad Company soon after he left Washington as Secretary of the Treasury in 1857) that Mr. Fink was appointed to make a design for the completion of the building connected with Mr. Guthrie's name. Mr. Fink's ability in architecture as well as in bridge building had been demonstrated to all the directors of the railroad. In a somewhat lengthy paper which I prepared for our October meeting in 1920, entitled "The Life and Achievements of Albert Fink," I alluded briefly to his connection with our Courthouse. As that essay is now in the archives of The Filson Club, I will here only explain some of the methods followed in constructing the portico which is yet open to examination any day.

In 1857 Bedford stone had begun to be introduced to the people of Louisville, and, as imperfections had already appeared on the walls of the old Courthouse, there was no difference of opinion that the new entrance, no matter how it varied or agreed with what appeared on Mr. Shryock's plan, must be constructed of the newly introduced stone. It was almost pure carbonate of lime, and found special favor among stonecutters because the absence of sand or grit in it enabled them to do more in a day, for they stopped at comparatively long intervals to put a new edge on their chisels.

The Bedford stone was taken from the ground about 72 miles north of New Albany, and was carried on one of the oldest railroads in Indiana by a very crooked line to a terminal about a mile from the Ohio River. The wagon to which the block of rough stone was then transferred was let down the



ALBERT FINK

1827-1897

Engineer and Architect

*From a portrait, courtesy Louisville
and Nashville Railroad Company*

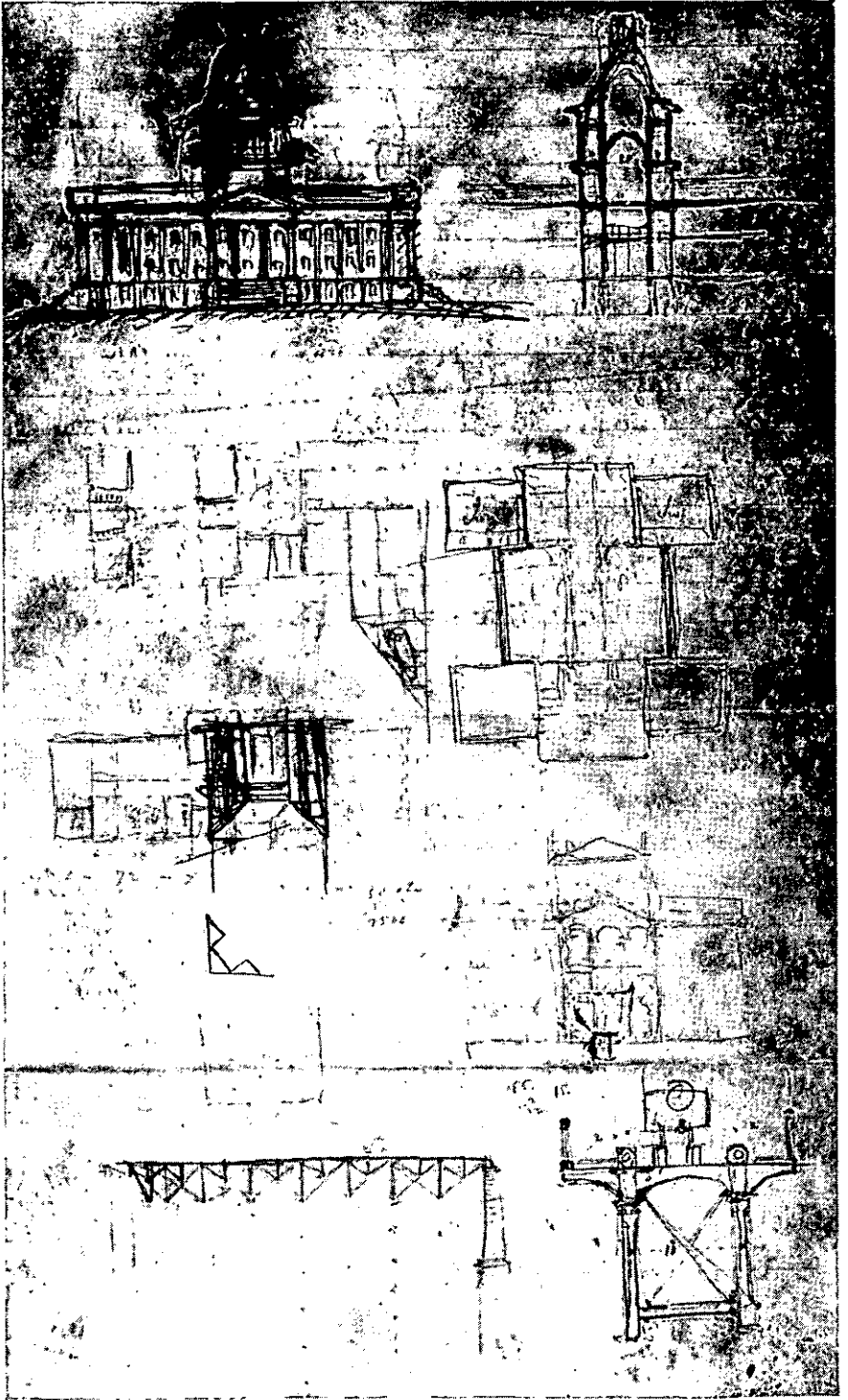


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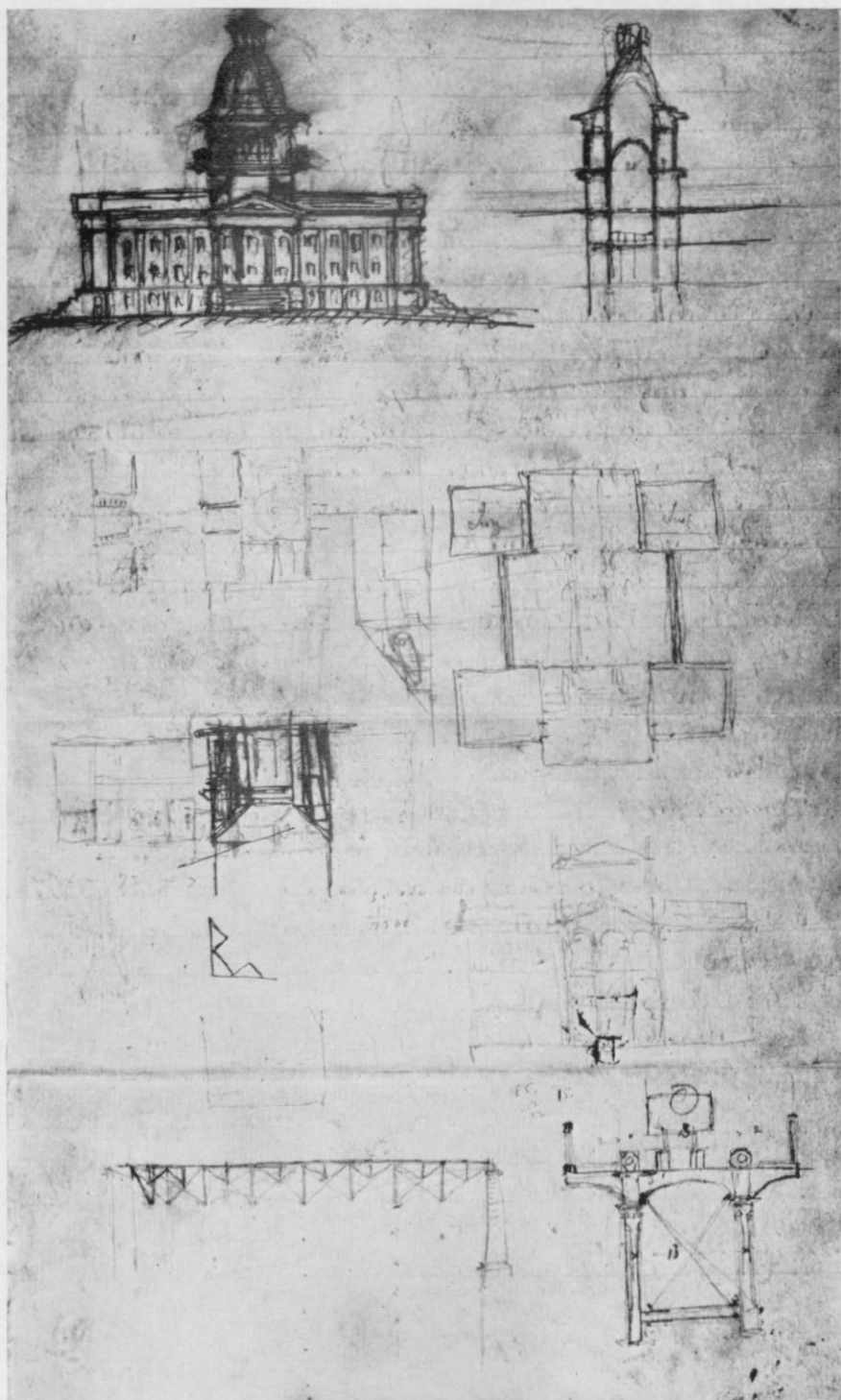
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COPY OF FINK'S ORIGINAL DRAWINGS
OF JEFFERSON COUNTY COURTHOUSE

Albert Fink Papers, Library of Congress



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river bank by brakes to a ferryboat, and after reaching the Kentucky side it was pulled up the hill again at Portland, the horses often requiring a resting spell before arriving at the top. It was a continuous labor for them as they came up Portland Avenue with the load, about three miles, many mud holes and other difficulties being encountered on the way. The block of stone as it came from the quarry was finally thrown off the wagon in the open space surrounding the Courthouse. Here it was sawed by hand and otherwise put into its final shape. The steps and ramps of the portico were not erected until the columns and pediment were up and joined to the old building. When finished in 1859, the bright color of the fresh Bedford stone made the whole structure very pleasing to the eye. Mr. John H. Harney, writing about this time in the *Louisville Democrat*, said that for years the incomplete building had no more resemblance to a real courthouse than a rag-baby has to a meat-baby. Concerning the various changes in the interior, and the new copper roof over all, I shall say almost nothing, lest my paper be too long and too technical.

Likewise, I shall confine myself to a very brief account of the fire and its consequences that occurred on the 26th of December, 1905. A good deal of money was spent the next year, not only to repair the damage of the fire, but to make the building fireproof, especially in the floors and roof trusses. Even the final covering of the roof of sheet copper, incombustible in itself, was discarded because it was fastened to wooden sheeting, rafters, and purlins. The trusses, which had been constructed under Mr. Fink's directions largely of heavy poplar timber and a small amount of iron castings, were displaced by trusses made wholly of wrought iron and steel. The floor of the attic is now of reinforced concrete covered by a sort of artificial marble in which small pebbles are the main ingredient. The elevator, in use since 1901, does not give direct access to the attic but I have been there recently, and can say there is abundant space for present and future records. To find books and papers, after they are properly arranged on shelving, good skylights are provided and portable electric flashlights will do the rest.

I may here offer a suggestion for you to follow if convenient. When walking along the street across from the Courthouse, notice what a large vertical space exists between the top of the upper windows and the cornice. This part of the wall is not broken by windows to give any interior light to the attic. From the beginning, utility and convenience have been sacrificed to looks. Mr. Shryock probably understood the rigid rule, when imitating the entablature of a Grecian Temple. The ancients did not care to put windows in their public buildings; for one reason, that the manufacture of sheet glass was unknown to them.

Allow me at this place to correct a current belief in regard to the changes made in 1906. The statement has appeared in print that a chemical wash was applied to the disintegrating stone. Captain Brinton B. Davis, who was the architect in charge, assures me that the substance covering the stone was nothing more than a plaster of sand and Portland cement made in the proportion of four to one, and that it was put on by hand. This mixture does not deserve the name of "chemical wash," which sometimes means a silicate of soda, a compound of fluorine, or a solution of paraffin such as was applied ten or more years ago to Cleopatra's Needle in Central Park of New York City. Furthermore, I should add that the appliance which now goes by the name of "the cement gun" had not been fully perfected and tested in 1906, otherwise Captain Davis would have lowered the cost by using it to coat the old walls.

There were some parts to which the plaster could not be applied with confidence. You will notice that the portion above the windows and extending to the cornice is covered with something else—probably a coat of special paint and sand. The cornice itself received very little cement or preservative. There were good reasons for this which I refrain from describing, for I know that my audience is not largely composed of students of architecture or building contractors. As a consequence of this omission, portions of the cornice continue to decay and to fall suddenly on pedestrians who may happen to stand under it.

Let me in closing deviate from the rule for papers considered at a Filson Club meeting, and ask you to look ahead

rather than backward. I am convinced that, in a future time not far away, an enlargement, or some equally radical change in the old Courthouse will be carried out. I therefore ask you, since a majority of you are younger than I, that you watch the course of events and secure in a proper way a portion of the stone in the original walls, and deposit it, properly labeled, in the Museum of The Filson Club. The east end-wall may become a partition between the new and old portions of an enlarged Courthouse. New openings in this end-wall would then be necessary, and therefore some of the original stone will be thrown away. Better than such a fragmentary piece would be the cornerstone, if not too large, with its customary box of of mementoes (probably). This, however, can be available only in case the entire east end-wall is torn down. Of course the present coating of plaster should be removed and thrown away. That the specimen, when in the Museum, will be examined with interest by future citizens is a prediction upon which we can all agree.

I do not remember to have seen during my boyhood any outward inscription to distinguish a cornerstone; but some of the printed articles in books and newspapers say that the cornerstone was laid five years before the panic of 1837, and the eastern end-wall probably still holds it.