

38th Michigan Legal Milestone

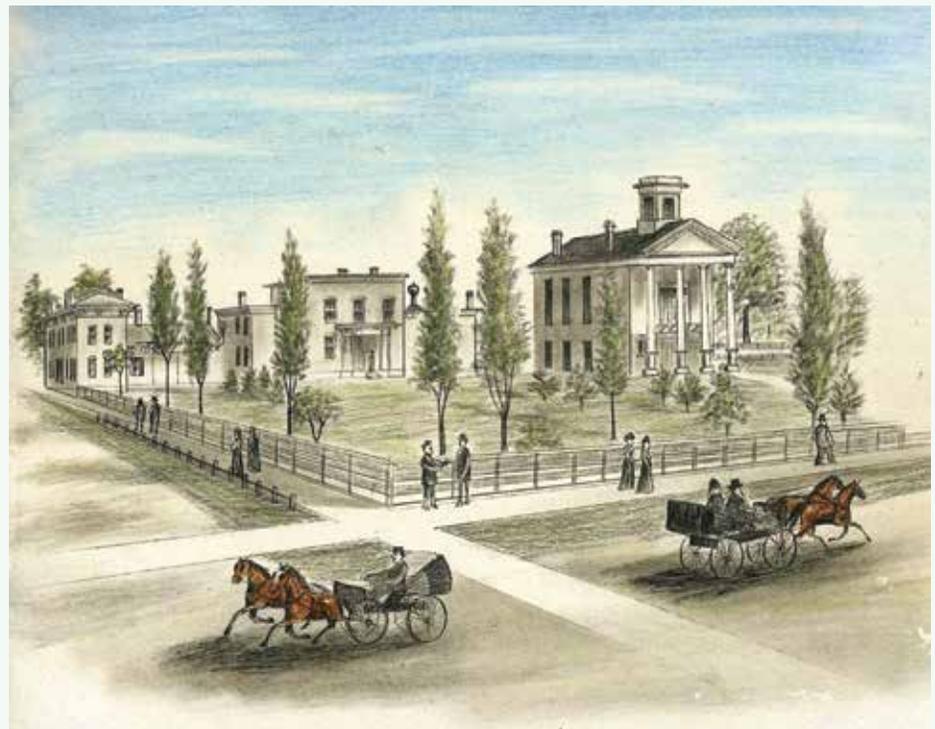
The 1839 Berrien County Courthouse

An Iconic Symbol of American Law and Culture

By Aaron K. Bowron

With a stroke of his pen on January 26, 1837, President Andrew Jackson signed legislation ushering Michigan into the Union as the 26th state, catapulting it to the forefront of the nation's evolving experiment with federalism. In the wake of statehood, Michigan strove to shed the provincialism of its territorial past by building an infrastructure both aesthetically worthy of its new legal and political stature and physically capable of supporting its future growth. The success and durability of those initial building efforts were assured, in part, by the construction of county courthouses, which tangibly represented law and justice in the state's new political climate. Within these county courthouses originated cases in which the state's earliest caselaw is rooted, forming the legal bedrock of Michigan jurisprudence. Boldly styled and projecting a regal bearing, these courthouses architecturally transformed many communities' rustic landscape and have since become iconic symbols of—and synonymous with—American law and culture. An enduring legacy and example of that construction effort is the 1839 Berrien County Courthouse, located in Berrien Springs, Michigan. It is the state's oldest existing courthouse and the focus of the 38th Michigan Legal Milestone.

Situated in the extreme southwest corner of the state and bordered by the shores of Lake Michigan on its western flank, Berrien County boasts a population of more than 156,000 residents.¹ In 1837, however, it was a rural outpost, at least by today's standards, with a population of only 4,863.² At that time, the village of Berrien Springs, located in the



An unknown artist copied the illustration published in the book *History of Berrien and Van Buren Counties, Michigan*, adding color, carriages, and pedestrians to the view.

center of the county, was the county seat.³ In the spring of 1837, the Berrien County Board of Supervisors acquired four lots in Berrien Springs for the construction of county buildings, upon which the courthouse and the first county jail were eventually built.⁴

Designed by architect Gilbert B. Avery and constructed by local builder James Lewis, the Berrien County Courthouse was completed in 1839.⁵ Despite the optimism heralded by the dawn of a new legal and political era in Michigan, the county looked to the distant past for the courthouse's architecture, adopting the Greek Revival style.

This building style, distinguished by the use of symmetrical fluted Doric or Ionic columns like those found in Thomas Jefferson's home in Monticello and the Capitol building in Washington, D.C., was popular in early America. The Greek Revival style lent gravitas, if only architecturally, to the buildings into which it was incorporated—a gravitas that the republic, still in its fragile political infancy, was too young to have domestically acquired. The two-story, wood-framed courthouse measured 41 feet wide by 61 feet long and was constructed out of hand-hewn timbers that rested upon a red

brick basement.⁶ Ten 15-foot, multi-paned windows provided ambient light.⁷ At 26 feet tall, the courthouse boasted a 16-foot belfry and four Doric columns along the front portico.⁸

Between 1839 and 1894, the building fulfilled its intended mission as a courthouse and also served as a community and cultural hub, hosting political parties, temperance lectures, theatrical shows, and civic meetings.⁹ By 1863, however, the courthouse had fallen into disrepair—the building's wooden sills were apparently ravaged by ground moisture—and required structural renovation that included replacing much of the foundation and raising it, which necessitated reconfiguring the front portico.¹⁰

The courthouse was orphaned in 1894 when the county seat moved from Berrien Springs to St. Joseph.¹¹ It was subsequently conveyed to private parties and experienced an identity crisis of sorts, serving as, among other things, an armory, community center, library, and assembly hall for Emmanuel Missionary College, the forerunner of the present-day Andrews University,¹² which remains anchored in Berrien Springs. Between 1922 and 1966, the courthouse served

as a Seventh-Day Adventist church.¹³ During this time, it experienced a number of structural alterations, including removal of an interior stairway and installation of balconies along the courtroom walls.¹⁴

In 1967, the Berrien County Historical Association was formed and undertook a nearly decade-long restoration effort to return the courthouse to its former glory for use as a historical museum.¹⁵ The exhaustive renovations included removing modern alterations and replacing destroyed architectural features.¹⁶ Although the courthouse is owned by Berrien County, it is subject to a long-term lease with the historical association, which is responsible for its preservation, renovation, and maintenance.¹⁷ It is arguably the star attraction among the surrounding county buildings—the 1830 Log House, 1870 Sheriff's House, and 1860/1873 County Records and Office Building—leased and operated by the historical association that collectively comprise “[t]he Midwest's oldest surviving county government complex,”¹⁸ which is open year round, admission-free.

Given its longevity, the Berrien County Courthouse's historical significance is well recognized. In 1968, it was listed on both the State Register of Historic Sites¹⁹ and the National Register of Historic Places,²⁰ and in 1970 became part of the Michigan Mile Marker program.²¹ Although no longer an active courthouse in the traditional sense, circuit judges or the county board of commissioners may, at their discretion, press it into service as authorized by state law:

The courthouse in Berrien Springs may be used for the naturalization of new citizens and for ceremonies of an educational nature at the discretion of the circuit judges or for other purposes when the county board of commissioners considers it advisable.²²

Since this law's enactment, the courthouse has hosted several trials.²³

The county courthouses constructed in the early days of Michigan's statehood, including the 1839 Berrien County Courthouse celebrated as the 38th Michigan Legal Milestone, are substantively and symbolically

important. The very foundation of Michigan jurisprudence rests on caselaw with origins rooted in these early courthouses. With classical Greek-inspired architecture designed to inspire confidence in the integrity of the state's new legal system, these courthouses transformed Michigan's frontier landscape and today stand as enduring monuments to the state's legal, political, and cultural development and progress. ■



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ENDNOTES

1. Specific county data can be found at US Census Bureau <<http://www.census.gov/popfinder/>>. All websites cited in this article were accessed May 14, 2013.
2. Berrien County Government <<http://www.berriencounty.org/VisitorInformation/aboutus>>.
3. Oronoko Charter Township <<http://www.oronokotownship.org/>>.
4. House & Myers, *The Berrien County Courthouse Square: A Sesquicentennial History*, Michigan History, November/December 1986, pp 21–22.
5. Historic Sites Online, *Berrien County Courthouse* <<http://www.mcgi.state.mi.us/hso/sites/3130.htm>>.
6. *Id.*
7. *Id.*
8. House & Myers, n 4 *supra* at 22.
9. *Id.*
10. *Id.* at 23.
11. Historic Sites Online, n 5 *supra*.
12. *Id.*
13. *Id.*
14. House & Myers, n 4 *supra* at 26.
15. The History Center at Courthouse Square, *The Berrien County Historical Association* <<http://www.berrienhistory.org/abou.html>>.
16. House & Myers, n 4 *supra* at 26.
17. History Center at Courthouse Square, n 15 *supra*.
18. *Id.*
19. Historic Sites Online, n 5 *supra*.
20. *Id.*
21. *Id.*
22. MCL 600.1515(3).
23. House & Myers, n 4 *supra* at 26.



From the Collection of the History Center at Courthouse Square

Courthouse architect Gilbert B. Avery