

# The History and Acquisition of the Original Temple Lot Property in Independence, Jackson County, Missouri

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*"Wherefore, this is the land of promise, and the place for the city of Zion . . . the place which is now called Independence is the center place; and a spot for the temple is lying westward, upon a lot which is not far from the court-house."  
(LDS D&C 57:2-3; RLDS D&C 57:1b.-d.)<sup>1</sup>*

## Introduction

The early history of what was to become Jackson County, Missouri, and its importance to the 1831 purchase of the Temple Lot property is an important story rarely discussed in early Missouri Mormon history. Likewise, the particulars of the preparation and August 3, 1831, dedication ceremony of

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1. Doctrine and Covenants, The Church of Jesus Christ of Latter-day Saints (Salt Lake City: The Church of Jesus Christ of Latter-day Saints, 1967); Doctrine and Covenants, Reorganized Church of Jesus Christ of Latter Day Saints (now known as Community of Christ) (Independence, MO: Herald House, 1958). The compiled revelations of Joseph Smith Jr. (referred to as "sections") are recorded in a publication known as the Doctrine and Covenants (beginning in 1835). The LDS and RLDS versions of the Doctrine and Covenants have different arrangements of sections and numbering systems. Therefore both churches' publications

the millennial temple site has heretofore been a story only partly told and often misconstrued or misunderstood. These histories are informed by the relationship between land and political power. The history of the land in Missouri, including Jackson County, is shaped by the various legal forms of land acquisition and use designation that developed during America's early expansion; these laws had a direct effect on how the Saints interacted with and used the land in Jackson County in the early 1830s.

This article will, first, review certain key historical events that brought about the eventual state of Missouri. Second, the article will examine the public domain land policies of the United States as they applied to individual pioneers or "squatters" and the creation of the Missouri Territory and the subsequent state of Missouri. This discussion will include an explanation of the designation "seminary land" (often confused with "school land") and how that designation impacted Missouri and, in particular, Jackson County. Third, the creation of Jackson County and the founding of the village of Independence will be considered. Fourth, I will argue why I believe an arranged meeting between Joseph Smith and Edward Partridge and local Independence tradesman Jones H. Flourney occurred prior to the dedication of the temple site. Fifth, I will discuss the several structures built by church members on the Temple Lot property (1832–33) and other uses of the acquired acreage and the virtually unknown fact that a two-story brick building was already in existence (ca. 1826) on the property purchased by Partridge in December 1831 and, therefore, became the first utilized building or real estate asset of the early church.

## **Important Key Events Leading to the Settlement of Missouri and Jackson County**

### *The Santa Fe Trail and the Louisiana Purchase*

For centuries before Europeans' discovery of North America, Native Americans of the central and southwest areas of the continent had traded goods or merchandise.<sup>2</sup> What later became known as the Santa Fe Trail

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will be cited, as shown here, throughout this article. Although the Reorganized Church was renamed Community of Christ, I have used the abbreviation "RLDS" because during the period covered by this article, the church was known as the Reorganized Church of Jesus Christ of Latter Day Saints.

initially followed the trace or trail left behind by these early travelers.<sup>3</sup> Beginning at Old Franklin, Missouri, the trail headed west and then southwest through present-day Independence, Jackson County, Missouri. It then continued diagonally across Kansas, the western reaches of the Oklahoma panhandle, and into northwest New Mexico, terminating at the village of Santa Fe. Historian David Dary conjectured that Coronado in 1541 “traveled over portions of the route that more than two centuries later would become the Santa Fe Trail between New Mexico and Missouri.”<sup>4</sup>

In 1803, President Thomas Jefferson acquired from France its claim to what became known as the “Louisiana Purchase” for the expanding United States of America.<sup>5</sup> Without waiting for Senate approval, Jefferson set in motion the Corps of Discovery, which was organized to explore the upper reaches and source of the Missouri River and beyond to the Pacific. This expedition was headed by Captains Meriwether Lewis and William Clark and is most often referred to as the Lewis and Clark Expedition.<sup>6</sup> Their initial travel took them up the Missouri River and across what was soon termed the territory of Missouri. Likewise, the corps’s return trip took them back through Missouri in 1806, again via the Missouri River.<sup>7</sup>

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2. David Dary, *The Santa Fe Trail* (New York: Alfred A. Knoff, 2001), 24–26, 35, 57, 61, 78. In referring to the Santa Fe trade of the 1600s, 1700s, and 1800s, the following terms are used interchangeably: trade goods, commercial goods, trading goods, imported goods, and trading merchandise.

3. Dary, *Santa Fe Trail*, 20, 22. In 1601, newly appointed governor Juan de Onate took an expedition of seventy men, with mules and oxen pulling eight wooden carts loaded with supplies, from San Gabriel, New Spain, into what is now Kansas. Dary writes, “As far as is known, these were the first wheeled vehicles on what would be a portion of the Santa Fe Trail.” Later, de Onate was able to persuade some of the Spanish colonists living in San Gabriel to move to an unoccupied, arable, and more defensible valley about twenty miles south, which he called “Santa Fe.” In 1610 the capital of New Spain was officially located here.

4. Dary, *Santa Fe Trail*, 17.

5. Jon Meacham, *Thomas Jefferson: The Art of Power* (New York: Random House, 2012), 387–89; Dary, *Santa Fe Trail*, 46–48. The Louisiana Purchase Treaty was signed on April 30, 1803, in Paris, France. The purchase price was fifteen million dollars. The treaty was ratified by the US Senate on October 20, 1803.

6. Al Brendenbergh, *The Expedition of the Corps of Discovery: An Overview of the Lewis and Clark Expedition* (n.p.: Smith Institution and EdGate.com, 2000), 1–2, accessed December 2, 2017, <https://edgate.com/lewisandclark/expedition.html>; Meacham, *Thomas Jefferson: The Art of Power*, 388.

7. Brendenbergh, *Expedition of the Corps of Discovery*, 4.

Later that same year (1806) Lieutenant Zebulon M. Pike,<sup>8</sup> stationed at Fort Bellefontaine near St. Louis, received unique and intriguing orders from General James Wilkinson, commander of the Western Department, US Army, and governor of Louisiana (above the thirty-third parallel).<sup>9</sup> Pike was specifically directed to locate the headwaters of the Arkansas River, map the geographical and topographical features of the region, and explore the western and southern areas of the Louisiana Purchase and beyond to the southwest, not unlike the instructions given to Lewis and Clark by President Thomas Jefferson in 1803. Wilkinson's orders to Pike, however, were not authorized by Jefferson, though they were later retroactively approved.<sup>10</sup> The exploration part of this assignment—beyond the western boundaries of the Louisiana Purchase—was not without risk since Spain controlled the southwest area of North America.<sup>11</sup>

Pike left Fort Bellefontaine on July 15, 1806, with approximately twenty men; they made their way across what later became the state of Missouri.<sup>12</sup> In late February 1807, Pike's company was apprehended at their makeshift fort (near present-day Alamosa, Colorado) by a large contingent of Spanish soldiers on the charge of illegally entering Nuevo Mexico. Pike and his men were then escorted under guard to Santa Fe. Here, they were interrogated by Governor Joaquin del Real Alencaster and then sent south to Los Coabos, the capital of Chihuahua, where they were questioned by Commandant Nemesio Salcedo. Although Pike and his men were placed under house arrest, they were generally treated well.<sup>13</sup> After nearly five months of military

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8. Bob Moore, *Zebulon Pike: Hard-Luck Explorer* (Conifer, CO: Pike National Trail Association, n.d.), 1–3, accessed December 2, 2017, <https://www.zebulonpike.org/pike-hard-luck-explorer.html>.

9. *Encyclopaedia Britannica*, s.v. “James Wilkinson,” accessed December 2, 2017, <https://www.Britannica.com/biography/James-Wilkinson>; Moore, *Zebulon Pike: Hard-Luck Explorer*, 2.

10. *Encyclopaedia Britannica*, s.v. “James Wilkinson”; Moore, *Zebulon Pike: Hard-Luck Explorer*, 2.

11. Dary, *Santa Fe Trail*, 51–52.

12. Moore, *Zebulon Pike: Hard-Luck Explorer*, 1–2, 53–54. Incidental to his assignment and while exploring the eastern slope of the Rocky Mountains in present-day Colorado, Pike became intrigued with a “blue peak” to the west of his party's current location. With three others, he attempted to climb this peak. Their effort failed because of a lack of food and proper clothing. The peak was later named “Pike's Peak” in his honor.

13. “Zebulon Pike: Biography, Facts & Timeline,” 3, Study.com, accessed February 4, 2017, <https://study-com/academy/lesson/zebulon-pike-biography-facts-timeline.html>.

confinement, Pike and his men were escorted out of the territory claimed by Spain and returned to US territory at Natchitoches, in southern Louisiana, where they were released on June 30, 1807.<sup>14</sup> When Pike's "poorly organized report of his journey" was published in 1810, it was the first account in English to describe a possible route to Santa Fe.<sup>15</sup> Fourteen years later (on August 24, 1821), a revolution of Mexican citizens against Spanish rule concluded with a treaty, and Santa Fe became Mexican territory.<sup>16</sup>

Without having heard that a more favorable Mexican government was now in control of New Mexico, a group of men led by William Becknell of Franklin, Missouri Territory, left home on September 1, 1821, bound for Santa Fe.<sup>17</sup> Though traveling into what they thought was Spanish territory was a risky endeavor for these men, the trip was a desperate attempt to rectify their financial straits brought on by a financial depression in Missouri, still lingering in 1821.<sup>18</sup> Becknell and associates headed southwest with whatever they felt they could trade or sale to the local population in Santa Fe. Upon reaching their destination on November 16, 1821, they were greeted kindly and were able to meet with Governor Facundo Melgares. In fact, they were encouraged to return and bring more goods into New Mexico. As a result of this hoped for but unexpected positive reception, the Becknell party "turned a handsome profit" for their daring effort. Others quickly followed Becknell's lead,<sup>19</sup> and thus, the Santa Fe trade route was officially born,<sup>20</sup> bringing prosperity to many and leading to the official creation of Jackson County and the village of Independence within the next few years.<sup>21</sup>

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14. Dary, *Santa Fe Trail*, 51–52; Moore, *Zebulon Pike: Hard-Luck Explorer*, 2.

15. Dary, *Santa Fe Trail*, 54.

16. Dary, *Santa Fe Trail*, 68–73.

17. Dary, *Santa Fe Trail*, 56–57. Some accounts state four other men accompanied Becknell, while others suggest twenty-one men went with him.

18. Dary, *Santa Fe Trail*, 68.

19. Dary, *Santa Fe Trail*, 73–76. John McKnight and Thomas James arrived in Santa Fe on December 1, 1821, only two weeks after the Becknell party. Becknell also returned the following year. In 1822 several additional parties also traveled to Santa Fe to trade.

20. Harry C. Meyers, "A History of the Santa Fe Trail," ed. Joanne VanCoevern, 3, Santa Fe Trail Association, accessed February 3, 2017, <https://www.santafetrail.org/the-trail/index.html>.

21. Bernd Foerster, *Independence, Missouri* (Independence, MO: Independence Press, 1978), 13.

*The Osage Treaties of 1808 and 1825*

As important as the development of the Santa Fe trade was under the friendly auspices of the Mexican governor, the first official result of the Lewis and Clark Expedition that impacted the future state of Missouri (and Jackson County) was the establishment of Fort Clark. On or about September 5, 1808, General William Clark and a group of eighty men arrived at a strategic spot on the Missouri River that had previously been noted by Clark in 1804 when the Corps of Discovery had headed west up the Missouri River.<sup>22</sup> The location lies thirteen miles to the northeast of present-day Independence and is situated on the south bank of the Missouri River.<sup>23</sup> The inhabitants of this particular area in the early 1800s were Native Americans, primarily of the Great (Grand) and Little (Lesser) Osage Nations. Their extensive territorial claims included nearly all of what became the territory of Missouri and later the state of Missouri.<sup>24</sup>

Within days of his arrival, Clark sent messengers to the various chiefs of the Osage Nations and summoned them to a conference to be held at Fort Clark, which was under construction. On September 14, 1808, Clark—with the blessing of his friend and fellow adventurer Governor Meriwether Lewis—negotiated a treaty with the Osage tribes, securing for the United States all Osage lands west of the Mississippi River and south of the Missouri River.<sup>25</sup> However, Clark was soon visited by other chiefs of the Osage, who complained that they had not been present at the September 14 signing and, therefore, considered the agreement previously negotiated to be invalid. As a result Clark deemed it prudent to renegotiate a new or replacement treaty. When Clark advised Lewis of this new development, however, Lewis insisted that the Osages agree to also relinquish their lands north of the Missouri River, which they did. The Osages nevertheless retained a “strip of [land] twenty-four miles wide lying eastward from the western boundary of the

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22. Kate L. Gregg, “The History of Fort Osage,” *Missouri Historical Review* 34, no. 4 (July 1940): 441–42.

23. There is a partial reconstruction of this historic site maintained by the Jackson County Parks and Recreation Department. It is also noted as a National Historic Landmark. “Fort Osage National Historic Landmark,” Missouri Division of Tourism, accessed December 3, 2017, <https://www.visitmo.com/fort-osage-national-historic-landmark.aspx>.

24. “Missouri History Not Found in Textbooks,” *Missouri Historical Review* 19, no. 4 (July 1925): 501.

25. Gregg, “History of Fort Osage,” 442–44. It would be several years before either the Missouri (1812) or Arkansas (1819) territories would be created by Congress.

[projected] Territory of Missouri and extending from the Missouri River south into the [projected] Territory of Arkansas.” The “replacement” Osage Treaty was subsequently signed on November 10, 1808.<sup>26</sup>

With the extinguishing of Indian land claims, the US Congress proceeded to establish the territory of Missouri on June 4, 1812.<sup>27</sup> This new territory covered the land west of the Mississippi River to the western boundary outlined in the 1808 treaty with the Osage Nations.<sup>28</sup>

Over the next thirteen years, various issues developed between the Osage and other tribes and with white settlers pushing for land further west. To resolve current and potentially future issues regarding Osage boundary lines in western Missouri, William Clark, now Superintendent of Indian Affairs, once again summoned the various chiefs of the Great and Little Osage tribes to a council meeting held at St. Louis, Missouri. Reluctantly, the numerous chiefs of the Osage tribes agreed to and signed the Osage Treaty of 1825 on June 2, ceding the twenty-four-mile strip of land they still held in western Missouri to the United States.<sup>29</sup>

*The Establishment of US Public Land Policy and Squatter’s, or Preemptive, Rights*  
The Land Ordinance of 1785 was enacted by the Continental Congress on May 20, 1785,<sup>30</sup> and carried forward by the US Congress after the ratification of the US Constitution in 1789. The ordinance laid the foundation of federal land policy until the Homestead Act of 1862 was passed. Aply named the “Public Land Survey System,” or “PLSS,”<sup>31</sup> it detailed precisely how “the land ceded by the thirteen original States”<sup>32</sup> was to be surveyed, divided, and numbered. In particular, townships were to be six miles square,

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26. Gregg, “History of Fort Osage,” 442–44.

27. *Acts of the Twelfth Congress of the United States*, First Session, chapter 95, June 4, 1812. This citation and subsequent citations for other acts of congress are taken from Richard Peters, ed., *Public Statutes at Large of the United States of America* (Boston: Charles C. Little and James Brown, 1850).

28. Jonas Vilas, *A History of Missouri* (New York: Macmillan Company, 1935), 41.

29. John Joseph Mathews, *The Osages: Children of the Middle Waters* (Norman: University of Oklahoma Press, 1961), 519–20.

30. John D. Hicks, *The Federal Union: A History of the United States to 1877*, 3rd ed. (Berkeley, CA: Houghton Mifflin, 1957), 170–71.

31. “The Public Land Survey System (PLSS),” 1–4, US Department of the Interior and US Geological Survey, last modified January 8, 2018, [http://nationalatlas.gov/articles/boundaries/a\\_plss.html](http://nationalatlas.gov/articles/boundaries/a_plss.html).

32. “The Public Land Survey System (PLSS).”

and townships “marked by subdivisions into lots [designated as ‘sections’] of one mile square or 640 acres” were to be numbered “from 1 to 36.”<sup>33</sup> All surveys were completed by the US government under the definitions prescribed in the law.

The westward expansion and settlement of the United States, Missouri, and Jackson County—and Independence in particular—were directly impacted by what is referred to as “squatter’s,” or “preemptive,” rights.<sup>34</sup> In simple terms, a squatter was an individual who selected a piece of public land in an area of the United States (often referred to as the Public Domain) and then settled on it. The squatter anticipated being able to legally purchase his “squatted” land from the US government at some future time.<sup>35</sup> Individual settlement by squatters was a common land-acquisition practice during the early years of the republic; however, it was not without some risk. Before 1814, squatting was at times illegal, but the law was rarely enforced.<sup>36</sup> Furthermore, exceptions were routinely made (on a state-by-state or territory-by-territory basis), allowing “preemption” regardless of prior or existing laws prohibiting the practice.<sup>37</sup>

There was, however, no public sale of land and therefore no legal means of acquiring land ownership in the public domain until an official US government survey<sup>38</sup> within the newly created territory or state had been

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33. “Land Ordinance of 1785,” 4, Indiana Historical Bureau, accessed October 25, 2018, <https://www.in.gov/history/2478.html>.

34. James Muhn, “Preemption 1814–1841,” in *A Brief History of the Disposition and Administration of the Public Domain of Arkansas to 1908* (Denver, CO: US Department of Interior, Bureau of Land Management, 1997), 27–35.

35. Payson J. Treat, *The National Land System (1785–1820)* (New York: E. B. Treat & Company, 1910), 162–63.

36. Benjamin H. Hibbard, “Land Act of 1820,” in *A History of the Public Land Policies* (New York: Peter Smith, 1939), 151, <https://www.revolvy.com/page/Land-Act-of-1820>; “Land Act of 1820,” Ohio History Central, accessed July 22, 2016, [www.ohiohistorycentral.org/w/Land\\_Act\\_of\\_1820](http://www.ohiohistorycentral.org/w/Land_Act_of_1820).

37. S. Lyle Johnson, “The Fight for the Pre-Emption Law of 1841,” *Journal of the Arkansas Academy of Sciences* 4, article 25 (1951): 166; Hibbard, “Land Act of 1820,” 151. After 1807, preemptions were allowed in state after state for one reason or another. Between 1804 and 1830, Congress passed sixteen acts granting preemption rights in limited forms to certain groups in territories and states.

38. C. Albert White, *A History of the Rectangular Survey System* (Washington, DC: US Government Printing Office, 1991), 11–12. This history was prepared and published under the direction of the Bureau of Land Management, US Department of the Interior. A “section”



completed.<sup>39</sup> A squatter's legal ownership of property, therefore, was often accomplished only after waiting many years. Once a survey had been finished, the US government would advertise that certain large tracts of land would be available for sale to the general public.<sup>40</sup> Beginning on a preannounced date, the designated surveyed land would be sold at only specified US government "land offices."

An act of Congress dated April 12, 1814,<sup>41</sup> specifically gave squatters in the state of Louisiana and the territory of Missouri "who actually inhabited and cultivated" a parcel of public land the right to "preempt" that land; however, a maximum "preemption was limited to 160 acres."<sup>42</sup> The price per acre was \$2.00. Squatters, generally, were given the first opportunity to purchase their land claim before any other individuals or land speculators could bid on the designated acreage.<sup>43</sup> The squatter was required to enter his land claim "at the appropriate local land office at least 2 weeks before the public sale [and establish proof of his claim], otherwise, their 'squatter's' right would be forfeited."<sup>44</sup> The prospective landowner would then appear at the designated land office within the given "opening dates" of the sale and pay for his land. The Land Act of 1820 reduced both the minimum price (from \$2.00 to \$1.25/acre) and the size of a standard tract of land (from 160 to 80 acres). At the same time, this law also made provision for "the preemption of [up to] a quarter section [160 acres] by a settler who had occupied and cultivated it during the preceding year."<sup>45</sup> Purchasing land on credit was disallowed, and showing some proof of improvement to the property was required at the time and place of sale.<sup>46</sup>

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consisting of 640 acres could be divided into half sections, quarter sections, quarter-quarter sections, and so forth. The Public Land Survey System (PLSS)," 1–4.

39. As Treat explains, "Before 1820, three steps were necessary before any of the public land could be purchased. First, the Indian title had to be extinguished; second, the surveys had to be completed; third, the lands had to be declared on sale." Treat, *National Land System*, 162.

40. Treat, *National Land System*, 162–63.

41. *Acts of the Thirteenth Congress of the United States*, Second Session, chapter 52, April 12, 1814.

42. Muhn, "Preemption 1814–1841," 28.

43. Muhn, "Preemption 1814–1841," 28; *Encyclopaedia Britannica*, s.v. "Preemption," accessed July 22, 2016, <https://www.britannica.com/topic/preemption>.

44. Muhn, "Preemption 1814–1841," 28.

45. Hibbard, "Land Act of 1820," 153.

46. Hibbard, "Land Act of 1820," 150; O. B. Eakin and Joanne Chiles Eakin, *Record of Original Entries to Lands in Jackson County Missouri* (Independence, MO: n.p., 1985), 21.

## School Land and Seminary Land

The sale of land in the public domain by the US government did not include, however, “school land” or “seminary land.” These two terms are often confused; they are specifically separate government designations for land exempted from a future public land sale.<sup>47</sup> For both school and seminary land, the US Department of the Treasury granted (transferred) ownership of the prescribed or designated sections to the newly created state after certain requirements were met.

### *School Land*

The Land Ordinance of 1785 designated that “Section 16” in each surveyed township in the public domain “shall be reserved . . . for the maintenance of public schools.”<sup>48</sup> After section 16—that is, “school land”—had been officially transferred by the US government and the state owned the section, the state (not the federal government) could hold the land, lease it, or auction it to the public at the state’s discretion at a future time. The state could also determine the minimum price per acre at which the land could be acquired.<sup>49</sup>

Initially, the lease or sale of any section 16 (or a substitute section<sup>50</sup> where requested or required) was decided upon by the citizens of the township. The recording and reporting of the transactions would be handled at the county seat where the township holding section 16 was located.<sup>51</sup> A commissioner was appointed by each county to be responsible for reporting to the state auditor the details of the land leased or sold. The proceeds of the entire 640

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47. Gerrit J. Dirkmaat and others, eds., *Documents, Volume 3: February 1833–March 1834*, vol. 3 of the Documents series of *The Joseph Smith Papers*, ed. Ronald K. Esplin and Matthew J. Grow (Salt Lake City: Church Historian’s Press, 2014), 69n79. In this citing, it appears that the two designations—school land and seminary land—are combined.

48. Alexandra Usher, *Public Schools and the Original Federal Land Grant Program* (Washington, DC: Center on Educational Policy, 2011), 7, accessed July 9, 2018, <https://www.lincolndinst.edu/subcenters/managing-state-trust-lands/publications/trustlands-history.pdf>; Treat, *National Land System*, 264, 270, 277.

49. Treat, *National Land System*, 277.

50. Treat, *National Land System*, 277. The following are the predominant reasons why a substitute section could be allowed by request of the state to the US government: (1) if the original section had been previously claimed/sold; (2) if it was designated as an Indian reservation; (3) because of previous land grants with a foreign government; or (4) if it was of questionable value/use because of its geography or topography (such as a swampland, a river or lake, rocky mountainous terrain, and so on).

51. Usher, *Public Schools and the Original Federal Land Grant Program*, 10.

acres in each section were federally mandated to be used by the township within the county for the support of public schools. This policy changed over time, and the individual state versus the counties and townships within the state handled the disposition of section 16.<sup>52</sup> Section 36 was also granted to the individual state, beginning with California in 1853.<sup>53</sup> When Utah was granted statehood in 1896, sections 2 and 32 were also included<sup>54</sup> in the land grant for public schools, bringing the total to four sections in every township within the state.

### *Seminary Land*

Beginning in 1816, “Enabling Acts” passed by the US Congress for the eventual admission of any new state, required a grant of land of one township (thirty-six sections) within the proposed state boundaries for a “seminary of learning” (meaning a public or state administered college or university); this land grant was called “seminary land.”<sup>55</sup> Beginning with the admission of Missouri to the Union, newly created states were allowed to distribute the thirty-six sections separately in any county anywhere within the state.<sup>56</sup>

These designated seminary sections were granted (transferred) from the US government to the state in the same manner as school land—that is, after certain requirements were met by the state and to the satisfaction of the US Secretary of the Treasury.<sup>57</sup> The state was then allowed to hold the land for an unspecified period in the hopes of driving up the price per

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52. Usher, *Public Schools and the Original Federal Land Grant Program*, 10.

53. *Acts of the Thirty-Second Congress of the United States*, Second Session, chapter 145, March 3, 1863. Section 36 was also set aside by the US government for support of the public schools. California was admitted into the Union on September 9, 1850. Section 36, therefore, was included after the fact by about two and one-half years. Usher, *Public Schools and the Original Federal Land Grant Program*, 24.

54. *Acts of the Fifty-Third Congress of the United States*, Second Session, chapter 138, July 16, 1894. This inclusion of sections 2 and 36 preceded Utah’s admission on January 4, 1896, by a year and one-half. Usher, *Public Schools and the Original Federal Land Grant Program*, 25.

55. *Acts of the Fourteenth Congress of the United States*, First Session, chapter 57, April 19, 1816. This particular Enabling Act to create the state of Indiana was the first to include a specific provision for a township, or thirty-six sections of land, for the purpose of creating a “seminary of learning.”

56. Frank F. Stephens, *A History of the University of Missouri* (Columbia, MO: University of Missouri Press, 1962), 5–6, 19.

57. William F. Switzer, *History of Boone County* (St. Louis, MO: Western Historical Company, 1882), 249–51. I selected this particular county history for references on this topic

acre at a future sale or public auction.<sup>58</sup> Furthermore, the state was allowed to set the price per acre at the time the seminary land was offered for sale. For example, the Illinois legislature set the price at \$1.25/acre in January 1829<sup>59</sup> while Missouri's legislature set the minimum price at \$2.00/acre in December 1830.<sup>60</sup>

### **Missouri Land Survey, the Organization of Jackson County, and the Creation of the Town of Independence**

The territory of Missouri was created by an act of Congress on June 4, 1812.<sup>61</sup> By 1818, nine million acres of the Louisiana Purchase had been surveyed.<sup>62</sup> While certainly not the first public land sold by the US government, this acreage became the first public land sale within the 1803 Louisiana Purchase. This survey included approximately half of what would eventually become the state of Missouri.<sup>63</sup>

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because of its excellent treatment of the seminary land provisions granted to the territory of Missouri and subsequently to the state of Missouri by the US Congress in 1818, 1820, and 1827.

58. The provisions of the various acts of Congress dealing with the granting of a township, or thirty-six sections, of land for a "seminary of learning" did not set any specific guidelines for when the land was to be sold by the state.

59. *The Revised Code of Laws of Illinois* (Shawneetown, IL: Alexander F. Grant, 1829), 158–62, [www.wiu.edu/libraries/govpubs/illinois\\_laws/1818\\_1839.php](http://www.wiu.edu/libraries/govpubs/illinois_laws/1818_1839.php). Illinois was granted one township for "a seminary of learning" as part of the Enabling Act to gain statehood. Illinois was admitted to the Union on December 3, 1818. *Acts of the Fifteenth Congress of the United States*, First Session, chapter 67, April 18, 1818.

60. *Missouri Session Laws, Vol. 2: 1824–1836* (Columbia, MO: Missouri General Assembly, 1839), chapter 155, December 31, 1830, [cdm.sos.mo.gov/cdm/ref/collection/molaws/id/42050](http://cdm.sos.mo.gov/cdm/ref/collection/molaws/id/42050); Stephens, *History of the University of Missouri*, 6.

61. *Acts of the Twelfth Congress*, First Session, chapter 95, June 4, 1812. President James Madison officially appointed on July 1, 1813, William Clark as the first territorial governor of Missouri. On March 2, 1819, the territory of Arkansas was carved from the territory of Missouri, comprising all of the land south of the 36°30' parallel. "Lewis & Clark," The State Historical Society for Missouri, accessed January 20, 2017, <https://Shamir.org/historicmissourians/name/lewisclark>; *Acts of the Fifteenth Congress*, Second Session, chapter 49, March 2, 1819.

62. Trent, *National Land System*, 177.

63. John Gardiner, "Map of the Northern Part of Missouri Territory," Donald A. Heald Rare Books, <https://www.donaldheald.com/.../john-gardiner...map-of-the-northern-part-of-missouri>. Gardiner was the chief clerk of the General Land Office. The map is dated 1818. The state of Missouri was admitted to the Union on August 10, 1821. See also *Encyclopaedia Britannica*, s.v. "Missouri-Compromise," accessed January 20, 2017, <https://www.britannica.com/topic/preemption>.

To accommodate the expected “rush to purchase this newly announced available land,” as well as the anticipated demands on the existing land office in St. Louis (1816), the US government, opened three new land offices in Missouri Territory. These additional offices were located in Franklin, Jackson, and Palmyra.<sup>64</sup> However, the completed survey did not include the acreage that, at a future date, would comprise Jackson County, due in part to the then-existing Osage Treaty of 1808.<sup>65</sup>

After the ratification of the Osage Treaty of 1825,<sup>66</sup> which included the ceding of the twenty-four mile western strip of land,<sup>67</sup> and with the majority of the land within its proposed boundaries having been surveyed by December 1826,<sup>68</sup> the Missouri legislature organized Jackson County<sup>69</sup> on December 15, 1826.<sup>70</sup> Jackson County was carved from Lafayette County.<sup>71</sup> However, the recently surveyed land within Jackson County was

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64. Walter A. Schroeder, *Opening the Ozarks* (Columbia, MO: University of Missouri Press, 2002), 180; Vilas, *History of Missouri*, 45.

65. Vilas, *History of Missouri*, 41; Mathews, *The Osages: Children of the Middle Waters*, 519–20.

66. Mathews, *The Osages: Children of the Middle Waters*, 519, 521–22.

67. Gregg, “History of Fort Osage,” 442–44. This twenty-four-mile strip of land had been retained by the Osage Nations as part of the Osage Treaty of 1808.

68. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 22–23. The remaining unsurveyed townships, 48 and 51, or portions thereof, were completed in March and May of 1827. However, portions of Townships 47 and 48 were still not surveyed until 1843.

69. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 23. After its creation in 1827, Jackson County encompassed most of present-day Cass and Bates Counties located to the south of the present Jackson County line. Jackson County was named for General Andrew Jackson, “a hero to the people after the Battle of New Orleans.” The next year, 1828, Jackson was nominated and elected the seventh president of the United States. After his election the pioneers of Jackson County “rejoiced over the fortuitous selection of the name.” Pearl Wilcox, *Jackson County Pioneers* (Independence, MO: n.p., 1975), 36.

70. Jackson County Missouri Court minutes, book 1: 1827–1833, entry no. 80007, March 20, 1827, Jackson County Historical Society, Independence, MO. This entry and date records the Act of Organization of Jackson County on December 15, 1826, by the state of Missouri. This historic volume is available at the Jackson County Historical Society, Independence, Missouri. I was granted permission to photo the original pages. I acknowledge the able assistance of Catilin Eckard, operations manager and archivist, Jackson County Historical Society.

71. *The History of Jackson County, Missouri: A History of the County, Its Cities, Towns, Etc.* (Kansas City, MO: Union Historical Company; Birdsall, Williams & Co., 1881), 117.

not made available for sale until November 6, 1828. An additional US land office was established at Lexington, coinciding with this date.<sup>72</sup>

Preceding the sale of public land within the established boundaries of Jackson County, however, a small but growing frontier village, located at the departure point of the trade-lucrative Santa Fe Trail (in the west central part of the county), was officially selected by the newly appointed county judges<sup>73</sup> as the “seat of justice on March 29, 1827.”<sup>74</sup> The village was officially named Independence<sup>75</sup> and entered into the Jackson County Court minute book on May 22, 1827.<sup>76</sup> After the land survey and the formal organization of Jackson County (both completed in December 1826), a one-quarter section of land (or 160 acres) was set aside for the town.<sup>77</sup> George W. Rhodes was assigned by the judges to plat the one-quarter section, and Samuel Newton was appointed to number the lots.<sup>78</sup>

Rhodes and Newton did not have an easy assignment. The initial layout suggested “earlier illegal settlements” and that “officials who had either social or political connections to the squatters platted and sold property to accommodate those already on the site.”<sup>79</sup> The plat was subsequently adopted by the county judges, and “Samuel C. Owens, Garrett M. Hensley, John R. Swaengen, and Judge John Smith were appointed commissioners to sell

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Lafayette County was previously named Lillard County.

72. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

73. *History of Jackson County* (1881), 178. Often the title “county commissioner” and “county judge” are used interchangeably. The first Jackson County judges (commissioners) appointed were Richard Fristoe, Abraham McClellan, and Henry Burriss. Samuel C. Owens was appointed county clerk. They were sworn in on May 21, 1827.

74. Jackson County Court minutes, book 1, entry no. 80008, March 29, 1827.

75. The romantic tradition of the name “Independence” comes from the McCray family. As conveyed, this naming was the result of a military episode in early western Missouri. The garrisoned US Army personnel, after a fourteen-day siege, were ordered to abandon Fort Osage, retreat to Fort Cooper, and clear the way of any opposition. “Toward evening the main army arrived at the top of the high, broad plateau on which would rise Independence.” On being advised that the Indians had fled, McCray’s wife announced, “We have won our independence.” General McCray then proclaimed, “Very well, then, this shall be called Camp Independence.” Wilcox, *Jackson County Pioneers*, 128–29.

76. Jackson County Court minutes, book 1, entry no. 80019, May 22, 1827.

77. Jackson County Court minutes, book 1, entry no. 80019, May 22, 1827; Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 23.

78. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 23.

79. William Patrick O’Brian, *Merchants of Independence: International Trade on the Santa Fe Trail, 1827–1860* (Kirksville, MO: Truman State University Press, 2014), 39.

the lots.”<sup>80</sup> There were 143 numbered lots offered for sale on July 9–11, 1827. Smaller lots were priced at the minimum of \$10.00 each, and the larger lots were available for purchase at up to \$49.72.<sup>81</sup> However, only 85 of the 143 lots were sold during the first weeks of the sale. This was regarded as a “disappointment” by town officials.<sup>82</sup> Furthermore, the sale generated only \$374.57 in cash collected,<sup>83</sup> with an additional \$1,122.77 due in future payments. Total sales amounted to \$1,497.34.<sup>84</sup> The official size of the town of Independence was increased by the Missouri legislature on January 17, 1831, with an additional quarter-quarter section of land adjoining the northern boundary.<sup>85</sup> The lots were numbered and made available for sale the first week of December 1831, coinciding with the previously scheduled sale of Jackson County seminary land.<sup>86</sup>

### Seminary Land Designation in Jackson County

Recognizing the importance of the seminary land designation and its application to Missouri and particularly Jackson County is essential to understanding the land ownership situation at the time Joseph Smith and his party arrived in Independence in July 1831.

By an act of Congress on February 17, 1818, two townships were set aside in the territory of Missouri for seminary land.<sup>87</sup> One township was to be located “on the waters of the Missouri River,” and a second township “on the waters of the Arkansas River.”<sup>88</sup> In 1821, with the admission of Missouri to the Union, and in compliance with the Enabling Acts, the federal government stipulated that one township, or thirty-six sections, of land be granted

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80. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

81. Annette W. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents* (Independence, MO: Two Trails Publishing, 1999), 43–52.

82. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

83. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

84. O’Brian, *Merchants of Independence*, 41.

85. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 196, January 17, 1831. The Missouri legislature added eighty acres to the town of Independence from the seminary land section already designated. In an effort to stimulate the sale of these newly platted lots, the minimum price for larger lots was reduced.

86. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 196, January 17, 1831.

87. *Acts of the Fifteenth Congress, First Session*, chapter 12, February 17, 1818.

88. *Acts of the Fifteenth Congress, First Session*, chapter 12, February 17, 1818; Switzler, *History of Boone County*, 234.

(transferred) to the state of Missouri and “reserved for the use of a seminary of learning” after certain requirements were met.<sup>89</sup>

These overlapping acts of Congress (1818 and 1821) caused considerable confusion regarding how much seminary land was to be transferred to the state of Missouri—one, two, or three townships.<sup>90</sup> After waiting an unexplainable six years, state officials eventually sought clarification from the US Congress. To resolve this matter, a subsequent act of Congress was approved on January 24, 1827.<sup>91</sup> This congressional action transferred the township “to be located on the waters of the Arkansas River” to Arkansas Territory,<sup>92</sup> which then left two townships (seventy-two sections), instead of the traditional one township, designated as seminary land within the state of Missouri.<sup>93</sup> After the act’s passage, a formal request was prepared by Richard Rush, US Secretary of the Treasury, and directed to Missouri Governor John Miller, urging compliance with the provisions of the 1827 act. This request would have specifically asked for a detailed list of the seventy-two selected sections (by county, township, and section number) designated as seminary land.<sup>94</sup>

Yet, it took nearly a year (March 25, 1828) before Miller returned the required enumeration to the Secretary of the Treasury.<sup>95</sup> His delayed response included only nine of the thirty counties<sup>96</sup> within the state with designated seminary sections. Of the nine, six of these counties bordered the Mississippi

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89. *Acts of the Sixteenth Congress of the United States*, First Session, chapter 22, March 6, 1820.

90. Switzler, *History of Boone County*, 233.

91. *Acts of the Nineteenth Congress of the United States*, Second Session, chapter 5, January 24, 1827.

92. *Acts of the Nineteenth Congress*, Second Session, chapter 5, January 24, 1827.

93. Switzler, *History of Boone County*, 234–35. The first township was from the 1818 grant to the territory of Missouri (“on the waters of the Missouri River”), and the second township was provided for in the act of Congress of March 2, 1820, which created the state of Missouri the following year. *Acts of the Fifteenth Congress*, First Session, chapter 12, February 17, 1818; *Acts of the Sixteenth Congress*, First Session, chapter 22, March 6, 1820.

94. Switzler, *History of Boone County*, 251.

95. Switzler, *History of Boone County*, 251. The total of acres shown in the listing provided by Governor Miller was 45,299.15. This left 780.85 acres that should have been requested at that time to bring the total to 72 sections, or 46,080 acres. It was several more years (1837) before this omission was addressed by the Missouri legislature and brought to the attention of the US Treasury by Governor Lilburn W. Boggs.

96. Today there are 114 counties and one independent city (St. Louis) in the state of Missouri. In 1833, Cass County was carved out of Jackson County, and in 1841, Bates County was created from part of Cass County.



River on the state's east boundary, and the combined total of selected seminary sections accounted for only eighteen of the necessary seventy-two. Lafayette and Ray Counties, in western Missouri, were also designated but with only twelve sections selected between them. This left forty-two sections to be set aside within Jackson County—58.3 percent of the total seventy-two sections designated.<sup>97</sup> The submitted enumeration was approved by Secretary Rush on June 6, 1828.<sup>98</sup> Finally, after almost three years (and by yet another act of Congress, dated March 3, 1831<sup>99</sup>), Congress authorized the “Legislature of Missouri to sell the Seminary lands” that had been submitted for approval.<sup>100</sup> The eventual sale of Missouri's seminary land provided funds for the creation of the University of Missouri.<sup>101</sup>

The rationale for this disproportionate allocation to Jackson County, according to Missouri historian Annette Curtis, was “because the sections chosen were predominantly near the Missouri River, and, therefore, theoretically more valuable.” She added that in her opinion “the state designated these choice lands ‘seminary’ so as to eventually garner more money at their eventual sale to build a state university than the \$2.00/acre minimum price set by the state of Missouri when these lands were finally sold at a later date.”<sup>102</sup> Her reasoning is substantiated by William F. Switzler, who in 1882 stated in his *History of Boone County*, that the sections designated in Jackson County were among the most fertile and valuable lands in the state.<sup>103</sup>

Author Stephens, in his *History of the University of Missouri*, stated that these seminary sections were also held back from public sale for a period of several years because “the [state] legislature failed for nearly ten years to recognize its responsibility” in complying with the US Congress requirements regarding the selection and designation of the individual seventy-two sections and notifying the federal government accordingly.<sup>104</sup> I propose an

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97. Switzler, *History of Boone County*, 250–51.

98. Switzler, *History of Boone County*, 250–51.

99. *Acts of the Twenty-First Congress of the United States*, Second Session, chapter 116, March 3, 1831.

100. Switzler, *History of Boone County*, 249.

101. Switzler, *History of Boone County*, 247; Stephens, *History of the University of Missouri*, 5, 13, 23.

102. Annette W. Curtis, interview with author at Curtis home in Independence, Missouri, June 4, 2016.

103. Switzler, *History of Boone County*, 249.

104. Stephens, *History of the University of Missouri*, 4.

additional theory or explanation beyond the supposition of the potential of excellent farming: there was simply more available land in Jackson County not yet purchased or claimed from which the Missouri legislature could choose its seminary sections.

Regardless, the disproportionate number of seminary sections assigned to Jackson County had a significant and negative effect on many of the original settlers. This was particularly true for those squatters living and farming in the area near to the newly platted small town of Independence. (Independence was surrounded by these seminary land sections.<sup>105</sup>) Why surrounding Independence with seminary sections was allowed remains unclear since the immediate area is not much different topographically than other sections in the central and western regions of Jackson County. O. B. and Joanne C. Eakin point out in their *Record of Original Entries to Lands in Jackson County* that as a result of this questionable decision, “the growth of Independence was retarded for several years.”<sup>106</sup>

Because of the recent designation of these seminary sections in Jackson County, they were not included in the US public domain sale of the recently surveyed county land scheduled for November 1828. The original settlers of Jackson County, upon learning that their squatters’ land claims (dating to 1820 or before) were not included in the upcoming public land sale, were understandably disappointed and frustrated. These squatters would now have to wait, possibly several more years, for the chance to obtain a legal title for their property. Many of these early squatters included individuals who would play a role in the 1831–33 settlement of the Mormons in and around the town of Independence and throughout Jackson County.<sup>107</sup>

Without waiting for an official notification that the submitted listing of seminary sections had been approved by the US Secretary of the Treasury, the Missouri legislature moved ahead with enactments regarding the designated seminary land. First, expressing concern about preserving these “choice” sections, the legislature passed a law on January 23, 1829, “which provided for the prosecution, fine, and imprisonment of trespassers on Seminary

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105. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

106. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 23.

107. A partial list of squatters on seminary land surrounding the town of Independence includes Samuel C. Owens, William J. Baugh, Samuel D. Lucas, Lilburn W. Boggs, Solomon G. Flournoy, and Jones H. Flournoy. These names would become all too familiar to the members of the early church in Missouri.

Land.”<sup>108</sup> This was a very short-sighted action since any serious investigation would have found frustrated squatters occupying claims within many of these seminary sections in the nine selected counties. Most squatters would have cleared their land and commenced farming or made other improvements to their claims, and many would have already built a home or cabin, put up a barn, or otherwise added facilities to meet their needs. This ill-conceived law was never enforced. Second, the Missouri legislature made a provision on December 31, 1830, for the future “sale of seminary lands in late 1831.”<sup>109</sup> When the lands were eventually sold, the minimum required sale price would be \$2.00/acre instead of the \$1.25/acre price squatters had planned to pay at a US public land sale—a 60 percent increase in cost.<sup>110</sup>

An article within the same legislation appointed John B. Swearingen as “register” and Samuel C. Owens as “receiver” for the “purpose of superintending the [seminary] lands” to be sold by the state “in the United States Western district” (predominately Jackson County).<sup>111</sup> Swearingen was responsible for recording and reporting the details of the individual sale. He would also provide the purchaser an immediate receipt and a document of record. Owens was charged with collecting and depositing the proceeds with the state treasurer.<sup>112</sup> The eventual sale and recording of these transactions (no specific maximum or minimum acreage requirements were cited in the law)<sup>113</sup> were to

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108. Switzler, *History of Boone County*, 239.

109. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830; Switzler, *History of Boone County*, 249–51.

110. Alabama set its minimum price for the federally granted land for a “seminary” at \$17/acre in December 1819, three days after becoming a state. “University of Alabama Is as Old as the State,” *Alabama Pioneers*, accessed October 27, 2018, <https://www.alabamapioneers.com>. For Alabama and its granted land, one township was a whole block of land that had to be located in one county; it could not be divided into individual sections and located in various counties. Alabama first selected a township and then chose sections within the township for the physical location of their “seminary of higher learning.” After determining several adjoining sections, the state offered for sale at a public auction the remaining sections surrounding the future college.

111. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830.

112. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830.

113. This legislation was subsequently amended to allow for the sale of half-quarter (eighty acres) and quarter-quarter (forty acres) sections. *Missouri Session Laws, Vol. 2, 1824–1836*, 1833, chapter 281, January 29, 1833. Two years later, the legislature again amended and clarified its desire to sell the remaining seminary land by reducing the minimum price charged to \$1.25/acre, matching the US government’s public domain land price per acre. *Missouri Session Laws, Vol. 2, 1824–1836*, March 17, 1835.

be held at specified locations selected by the state (not the US government). Independence<sup>114</sup> (not Lexington) was designated as the location for the sale of seminary land within the Western District, commencing “the first Monday in December, in the year one thousand eight hundred and thirty-one.”<sup>115</sup>

Another provision of this “Session Act” of the Missouri legislature also required the governor, “after giving six months previous notice thereof in the several newspapers published in the State to cause the lands granted to the State for seminary purposes to be offered at public sale to the highest bidder . . . that the same shall not be sold for less than two dollars per acre.”<sup>116</sup> In compliance with the required six months’ notice, the local population would have been officially informed in June 1831 that the seminary land located in Jackson County was finally available for purchase the following December.<sup>117</sup> This announcement preceded the arrival of the Joseph Smith party by only one month<sup>118</sup> and would be a significant factor in the land-acquisition plans of other soon-to-be-arriving Mormon pioneers.

In spite of the theory behind the seminary land designation—that is, that the eventual auction or sale would drive up land prices in these choice sections above the \$2.00/acre minimum bid—it wasn’t to be, at least not in the area around Independence. In reality, squatters’ rights prevailed even within the designated seminary land sections, meaning no auction would

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114. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830. The sale/purchase of seminary land has been historically erroneously reported in various articles and books as having taken place in Lexington, Missouri. Lexington was the nearest US public land office. As discussed, since this seminary acreage was sold as state land, the state of Missouri established three offices to handle these sales. Independence, Jackson County, was selected as the seminary land office for the Western District of Missouri.

115. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830.

116. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830.

117. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830. Section 4 of this statute also sets the time and place for the sale as the “first Monday in December” 1831. Therefore, technically, this law provided nearly eleven months of notice regarding the seminary land sale in Jackson County. Notably, there was no published newspaper in Jackson County in 1831.

118. Joseph Smith Jr., *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 7 vols., 2nd ed. (1951; repr., Salt Lake City: Deseret News, 1970), 1:188 (hereafter cited as *History of the LDS Church*); Joseph Smith III and Heman C. Smith, eds., *History of the Reorganized Church of Jesus Christ of Latter Day Saints, 1805–1890*, vols. 1–4; history continued by F. Henry Edwards, ed., *The History of the Reorganized Church of Jesus Christ of Latter Day Saints, 1890–1946*, vols. 5–8 (1897; repr., Independence, MO: Herald Publishing House, 1976), 1:201–2 (hereafter cited as *History of the RLDS Church*).

effect a price increase over the minimum of \$2.00/acre for original claims of the early pioneers in Jackson County.

According to a report prepared by the auditor for the state of Missouri, "At the time of sale [of 'seminary' land in Jackson County] much of the land was worth from five to ten dollars per acre, but the settlers threatened violence to any person who paid more than the government minimum price, even proposing to jail the circuit judge if he interfered. Thus, the Seminary Fund was cheated out of tens of thousands of dollars, and the University was injured for all time."<sup>119</sup> Historian and author William F. Switzler recorded additional detail regarding the seminary land sales in Jackson County and the action taken by the Jackson County squatters:

Previous to the [seminary] land sales . . . combinations among the settlers were made not only to prevent non-residents or speculators from purchasing them, but to prevent them from bringing anything above the Government price; these combinations, by threats and by force, effected their object and in so doing deprived the Seminary fund of at least \$50,000.

A gentleman from Virginia by the name of West attended the sales with a large sum of money to invest in the lands, learning which, the home and ring forcibly put him in jail . . . threatening his life if he bid at the sales. Mr. West sought redress of John R. Ryland, Judge of the Circuit Court, and he [Ryland] was disposed to grant it to the extent of his authority, but the land mob threatened to confine him with West if he attempted to do anything in the premises. The combination thus overawed all outside bidders and the civil authorities, and procured titles to the richest land in the State at thousands and tens of thousands of dollars less than their value.<sup>120</sup>

## **Early Settlers of Independence**

James Shepherd, a cousin of General William Clark, had heard from Clark and others "glowing accounts of the territory west of the Mississippi."<sup>121</sup> Adventurous like his cousin, Shepherd assembled a group of family and

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119. Stephens, *History of the University of Missouri*, 19n5.

120. Switzler, *History of Boone County*, 249.

121. Wilcox, *Jackson County Pioneers*, 121–23.

close friends in Virginia and journeyed west via Kentucky to the territory of Missouri perhaps as early as 1821.<sup>122</sup> This group included the family of Dr. Lawrence Flournoy, a cousin of Shepherd.<sup>123</sup> Lawrence and his wife, Theodoshea Hoy, were the parents of five sons: Hoy, Rowland, Solomon, Jones H., and Lawrence. These sons were all adults at the time of the trip west. It is probable that the Flournoys joined the Shepherd party as they traveled through Kentucky en route to western Missouri since the available family records indicate that the boys were all born in Kentucky.<sup>124</sup> The Shepherd group continued their travel southwest, obtained passage on a steamboat at St. Louis, disembarked at Fort Osage, and continued along the Osage Trace to the Big Spring area, which had been recommended to them by William Clark.<sup>125</sup> This chosen location soon became the eventual town site of Independence.

As historian Pearl Wilcox points out in *Jackson County Pioneers*, the Shepherds, Flournoys, and the others of their party soon “began felling sycamore trees” for their homes and preparing the land for farming.<sup>126</sup> They, like thousands of fellow pioneers, decided where they wanted to build and cultivate, claimed the land as squatters, and moved ahead. Additionally, some of these newcomers, including members of the Flournoy family, opened shops or businesses along the route of the Santa Fe Trail near Big Spring.<sup>127</sup>

### **Jones H. Flournoy’s Jackson County Land Claims and the Sale of Independence Town Lots**

Lawrence and Theodocia Flournoy’s fourth son, Jones Hoy Flournoy, was or became a gunsmith, a harness repairer, a farmer, and by the late 1820s, a well-known supplier and trader for the Santa Fe traffic, which was beginning

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122. Wilcox, *Jackson County Pioneers*, 116, 121–23.

123. Wilcox, *Jackson County Pioneers*, 116, 121–23.

124. Frances Duggins, “My Most Interesting Ancestor Who Lived in Jackson County: Dr. Lawrence Flournoy,” A24, 1F10, Jackson County Historical Society, Independence, MO, photocopy in author’s possession. This is a three-page typed document. Duggins states that the Flournoy brothers “all came to Jackson County in 1826.” Wilcox states that the Flournoy family, including at least Lawrence and Solomon, arrived with their cousin James Shepherd in 1821. However, she later states that “the Flournoy brothers, Jones H., Hoy B., and Solomon, all came to Jackson county in 1826, first living in the eastern part of the county.” Wilcox, *Jackson County Pioneers*, 122, 152.

125. Wilcox, *Jackson County Pioneers*, 121.

126. Wilcox, *Jackson County Pioneers*, 122–23.

127. Wilcox, *Jackson County Pioneers*, 122–23.

to flourish in Independence.<sup>128</sup> By the time the town of Independence was officially platted and lots offered for sale, Jones H. Flournoy, his extensive family, and many others who had migrated to the area had already unofficially established a town.<sup>129</sup>

While the Shepherd party apparently arrived (ca. 1821) in the Big Spring area, certain of the Flournoy brothers, including Jones H., may have first settled in the eastern part of the county (pre-Jackson County) before settling in the Big Spring area in 1826.<sup>130</sup> Here, the twenty-eight-year-old Flournoy, like his brothers and cousins, staked out his land claims (160 acres and more)<sup>131</sup> in the immediate area and proceeded to clear land, farm, and trade. Soon thereafter, Jones built a brick house on the western edge of the budding village of what would soon become Independence.<sup>132</sup> He presumably believed his small but comfortable home was on his squatter's, or preemptive, land claim.<sup>133</sup> Jones's home was also constructed close to his original place of business—a trading post—which was built at or about the same time. The trading post was a simple brick building erected along the south side of the Santa Fe Trail, which was safely within his squatter's claim as it exited the small community to the southwest.<sup>134</sup> (The

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128. Wilcox, *Jackson County Pioneers*, 122–23. Jones Hoy Flournoy was born in December 12, 1798, in Madison County, Kentucky. He was the son of Lawrence (Lorance) Flournoy and Theodoshea Hoy. He married Clara Hickman in 1828. He died August 29, 1842, at Franklin, Howard County, Missouri. Flournoy family research compiled by Annette W. Curtis; photocopy in author's possession.

129. Wilcox, *Jackson County Pioneers*, 128–29.

130. Wilcox, *Jackson County Pioneers*, 152–53; Duggins, “My Most Interesting Ancestor Who Lived in Jackson County.”

131. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 21, 24.

132. William J. Curtis, “Historian Tells Story of House That Had Vital Role in the Past,” *Jackson County Historical Society* (Spring 1968): 4–7.

133. Because the US government survey was not completed for the majority of Jackson County (including township 49, range 32) until December 1826, and lacking any family or other documentation, it is only assumed that Flournoy estimated that his squatter's property was far enough removed from the village to be outside of the future platting of the town (and the layout of lots) to ensure that his home was on his squatter's property claim. It is reasonable that he would have certainly hoped so. His squatter's claim was later determined by survey to be located in the southeast quarter of section 3, township 49, range 32. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

134. Albert Ruger, “1868 Bird's Eye View of the City of Independence,” photographic reproduction, copy of original in author's possession. “Bird's Eye” views were particularly

Santa Fe Trail was later known as the Westport Road and, finally, Lexington Avenue.) The dimensions of this small structure were approximately sixteen-feet wide and twenty-feet deep. It was apparently two-stories high and was built into the slope of the terrain, which provided access at both levels,<sup>135</sup> and faced north northwest.<sup>136</sup> The bricks used in the construction of both the home and the trading post were handmade by slaves from native clay, using cherry-wood brick molds brought with the Shepherd company from Virginia.<sup>137</sup>

After the US government survey and the platting of the town of Independence (in early summer of 1827) were completed, Flournoy quickly realized that his residence was not on his squatter's claim as he had certainly believed. In fact, his home was located on a "for sale" lot (lot 92), at the extreme western edge but within the platted boundaries of the village of Independence.<sup>138</sup> Flournoy, of course, bought the property to protect his home soon after the town lots were offered for sale in the summer of 1827, for which he paid \$21.72 on August 6, 1827.<sup>139</sup> His brother Solomon bought lot 93, a much larger lot adjoining to the south, for \$49.72 on the same day.<sup>140</sup> Also on August 6, Jones and his brother Lawrence purchased lots 64 and 65, respectively. Lot 64 faced the newly platted public square at

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popular in the post-Civil War period and throughout the later years of the nineteenth century. A photographer would ascend in a tethered air balloon and take photographs of the town or community, and then an artist would enhance the photos with sketches of various homes, businesses, and points of interest. In turn, this unique production was mass produced as "for sale" copies to the local population and other interested parties.

135. Fanny Fristoe Twyman, "Autobiography of Fanny Fristoe Twyman" (unpublished, handwritten original manuscript), 1–2, Document ID66F12, Jackson County Historical Society, Independence, MO, photocopy in author's possession. The full quote describing this building is discussed in detail later in this essay.

136. This is an estimate based on a photo of the reconstructed home made from the bricks (ca. 1971; photo by William J. Curtis, in author's possession); photograph is discussed in further detail later in this essay.

137. Wilcox, *Jackson County Pioneers*, 122.

138. Curtis, "Historian Tells Story of House That Had Vital Role in the Past," 4–7; Kenneth Mays, "Picturing History: Jones Flournoy Home in Missouri," *Deseret News* (Salt Lake City), January 12, 2012.

139. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 50; Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 29.

140. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 50; Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 29.



the corner of Lexington Avenue and Main Street.<sup>141</sup> The Flournoy brothers purchased several additional lots that summer.<sup>142</sup>

Jones most likely moved his trading post business to his newly acquired lot 64 as soon as he could construct a new building at this new location. Between the summer of 1827 and the summer of 1834, he also acquired ownership (or an interest therein) of lots 65 (with his brother) and 66.<sup>143</sup> These purchases provided Flournoy with a commanding presence in the growing community since all three lots (64, 65, and 66) were contiguous and faced the town square. Such a prominent location would certainly have been advantageously situated for travelers coming into town from the northeast on the existing Santa Fe Trail. Flournoy's new business location also denoted Flournoy as a significant merchant in the growing community.

### **The Arrival of the Mormons in Jackson County in 1831**

On April 6, 1830, Joseph Smith Jr. and a group of his early adherents met together and formed the Church of Christ in upstate New York.<sup>144</sup> From this early nineteenth-century beginning, the missionaries of the church preached a restored gospel heavily punctuated with a millenarian spirit—they taught that the end of times was near and that the prophesied return of Christ to

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141. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 6, 21. The map is titled “Plat of the Town of Independence. The Seat of Justice of the County of Jackson.” It was copied by Curtis “from the Jackson County Recorder of Deeds records in the courthouse in Independence, Missouri, about 1964.” Lot 64 faced the “set aside” town square, looking north at the corner of Lexington and Main Streets.

142. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 43, 56. The four brothers (Lawrence, Rowland, Solomon, and Jones) initially purchased eleven lots when they were offered for sale beginning July 9, 1827. Over the next few years the Flournoy brothers bought and sold several Independence city lots, some of them from and to each other.

143. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 48.

144. The name of the original church founded by Joseph Smith Jr. on April 6, 1830, at Fayette, New York, was recorded as the “Church of Christ.” *History of the LDS Church*, 1:75–80; *History of the RLDS Church*, 1:77. The name of the church later became the Church of the Latter Day Saints in 1834. *History of the LDS Church*, 2:62–63; *History of the RLDS Church*, 1:452. It was not until 1838 when Joseph Smith was living at Far West, Missouri, that the name was formalized as the Church of Jesus Christ of Latter-day Saints (or Latter Day Saints). LDS D&C 115:3–4.

the earth and the commencement of his millennial reign were imminent.<sup>145</sup> New Testament (Revelations 3:12; 21:2) and Book of Mormon (Ether 13:4) references to Zion and a New Jerusalem were common themes and subjects the converted readily accepted.<sup>146</sup>

In answer to further prayerful inquiry by Smith regarding where the New Jerusalem or city of Zion was to be located, the Lord responded in September 1830: “No man knoweth where the city of Zion shall be built, but it shall be given hereafter . . . it shall be on the borders by the Lamanites” (LDS D&C 28:9; RLDS D&C 27:3d.).<sup>147</sup> This geographical description was generally understood by the new adherents of Smith’s church to mean the vast reaches of the American continent west of the state of Missouri, where US President Andrew Jackson was “strongly encouraging” Indian tribes of the eastern and southeastern areas of the United States be relocated.<sup>148</sup> Oliver Cowdrey and three other missionaries were subsequently designated by revelation to preach to the Indians, and they began their journey west, to the “borders of the “Lamanites,” in late October on foot (LDS D&C 28:8; 31:5; 32:1–3; RLDS D&C 27:3a.; 28:2a.; 31:1a.–c.).<sup>149</sup>

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145. See Grant Underwood, *The Millenarian World of Early Mormonism* (Urbana: University of Illinois, 1999). This text is an excellent read on this subject. Sample chapters include “The Eschatological Background of Early Mormonism,” “Mormons and Millenarians,” and “The Bible, the Mormons, and Millenarianism.”

146. *Messenger and Advocate* 2 (July 1836): 342–46; *Messenger and Advocate* 3 (November 1836): 401–4. *The Latter Day Saints’ Messenger and Advocate* was published in Kirtland, Ohio. The first issue was printed in October 1834, and the last issue in September 1837. Daniel H. Ludlow, ed., *Encyclopedia of Mormonism*, 4 vols. (New York: Macmillan Publishing, 1992), 2:477, 892.

147. Michael H. MacKay and others, eds., *Documents, Volume 1: July 1828–June 1831*, vol. 1 of the Documents series of *The Joseph Smith Papers*, ed. Dean C. Jesse and others (Salt Lake City: Church Historian’s Press, 2013), 183–85.

148. The Indian Removal Act was signed into law by President Andrew Jackson on May 28, 1830. The tribes primarily affected were the Five Civilized Tribes: Cherokee, Chickasaw, Choctaw, Creek, and Seminole. Other tribes affected and removed included the Wyandot, Potawatomi, Shawnee, and Lenape. “Indian Treaties and the Removal Act of 1830,” Office of the Historian, US Department of State, accessed October 31, 2018, <https://history.state.gov/milestones/1830-1860/indian-treaties>; *Encyclopaedia Britannica*, s.v. “Indian Removal Act, (May 28, 1830),” <https://www.britannica.com/topic/Indian-Removal-Act>.

149. Parley P. Pratt, *Autobiography of Parley P. Pratt*, ed. Parley P. Pratt (his son) (Salt Lake City: Deseret Book, 1938), 47. The four missionaries called to Missouri were Oliver Cowdrey, Peter Whitmer Jr., Ziba Peterson, and Parley P. Pratt.

En route to the western border of Missouri, the missionaries stopped for a short period and preached in and around Kirtland, Ohio, where missionary Parley P. Pratt had friends and contacts.<sup>150</sup> A local convert, Fredrick G. Williams, joined the four missionaries on their continued westward trek.<sup>151</sup> After surviving a most difficult winter's journey through Ohio, Indiana, Illinois, and Missouri, the five missionaries arrived in Independence, the westernmost village in the United States and the seat for Jackson County, in mid-January 1831.<sup>152</sup>

As a result of the missionaries' tremendous conversion successes experienced during the three-week stay in the Kirtland area (they baptized 127 individuals and doubled the size of the church),<sup>153</sup> the church relocated its headquarters from Fayette, New York, to Kirtland, Ohio, in the winter and spring of 1831.<sup>154</sup> Following the June 3–6, 1831, conference of the church in Kirtland, additional missionary calls were given by revelation (LDS D&C 52; RLDS D&C 52).<sup>155</sup> Those called, which included Joseph Smith, were to go to western Missouri, and there, they believed, the Lord would reveal to them where the “city of the New Jerusalem” would be located.<sup>156</sup>

Smith's party left Kirtland on June 19 and reached Independence in mid-July 1831.<sup>157</sup> In addition to Smith and the seven individuals who were traveling with him, twenty-four missionaries were soon en route to Missouri

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150. P. Pratt, *Autobiography*, 47–48.

151. Frederick G. Williams, *The Life of Dr. Frederick G. Williams: Counselor to the Prophet Joseph Smith* (Provo, UT: BYU Studies, 2012), 93.

152. P. Pratt, *Autobiography*, 51–52.

153. P. Pratt, *Autobiography*, 48; James B. Allen and Glen M. Leonard, *The Story of the Latter-day Saints* (Salt Lake City: Deseret Book, 1976), 54.

154. *History of the LDS Church*, 1:145–46; *History of the RLDS Church*, 1:168–69.

155. MacKay and others, *Documents, Volume 1*, 317–27; *History of the LDS Church*, 1:175–77; *History of the RLDS Church*, 1:192–94. There is some discrepancy as to the actual date(s) of the conference—that is, June 3, June 4, or June 6.

156. MacKay and others, *Documents, Volume 1*, 317–27; *History of the LDS Church*, 175–77; *History of the RLDS Church*, 1:192–94.

157. *History of the LDS Church*, 1:188; *History of the RLDS Church*, 1:201. The Smith party left Kirtland on June 19 and included Joseph Smith, Sidney Rigdon, Edward Partridge, Martin Harris, Joseph Coe, Sidney Gilbert, Elizabeth Van Benthusen Gilbert (Sidney's wife), and, newly arrived and converted, William W. Phelps. Smith, Harris, Partridge, Phelps, and Coe arrived on July 14, 1831. Rigdon and the Gilberts arrived the following week. Matthew C. Godfrey and others, eds., *Documents, Volume 2: July 1831–January 1833*, vol. 2 of the *Documents* series of *The Joseph Smith Papers*, ed. Dean C. Jesse, Ronald K. Esplin, Richard L. Bushman, and Matthew J. Grow (Salt Lake City: Church Historian's Press, 2013), 5–12.

(LDS D&C 52; RLDS D&C 52).<sup>158</sup> Another significant group of about sixty close-knit members, known as the Colesville branch, was also soon underway to “the borders of the Lamanites.”<sup>159</sup> They had only recently arrived in the Kirtland area from New York, and after a very brief resettlement, they left for western Missouri on June 28, 1831 (LDS D&C 55:7–8; RLDS D&C 54:2a.b.), under the leadership of Newel Knight.<sup>160</sup> They arrived in Independence on July 25 or 26, 1831.<sup>161</sup>

On July 20, 1831, soon after Smith’s arrival in Independence, he received a revelation that designated the small village of Independence as the “center place” of what was to be the future “city of Zion” (LDS D&C 57; RLDS D&C 57).<sup>162</sup> The 1831 population of the village is estimated to have been between two hundred and three hundred individuals.<sup>163</sup> Church missionary Ezra Booth

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158. MacKay and others, *Documents, Volume 1*, 327–32.

159. William G. Hartley, *Stand by My Servant Joseph: The Story of the Joseph Knight Family and the Restoration* (Provo, UT: Joseph Fielding Smith Institute for Latter-day Saint History; Salt Lake City: Deseret Book, 2003), 91, 108; Ludlow, *Encyclopedia of Mormonism*, 1:289–90. The Fayette, New York, congregation was considered the headquarters of the church, and the Colesville congregation was considered the first “branch” of the church. Membership estimate of the Colesville branch was sixty to seventy individuals. The Colesville branch numbered sixty-seven when it arrived in Kirtland; when this group of travelers arrived in Missouri, the number cited is “about 60 men, women, and children.” Joseph Smith Jr. had contact with the Joseph Knight Sr. family as early as 1826. Hartley, *Stand by My Servant Joseph*, 5. Colesville is located in south central New York.

160. MacKay and others, *Documents, Volume 1*, 336–39; “Extra,” *The Evening and the Morning Star*, February 1834, reprinted in Peter Crawley, “Two Rare Documents,” *BYU Studies* 14 (Summer 1974): 505–15; Hartley, *Stand by My Servant Joseph*, 120. *The Evening and the Morning Star* was the first newspaper of the church. It was published in Independence, Missouri, from June 1832 to July 1833, when the press was destroyed by a mob. The printing shop was located on the upper floor of the home occupied by William W. Phelps, Sally Phelps, and their family. Ludlow, *Encyclopedia of Mormonism*, 2:477. The periodical was revived in Kirtland, Ohio, in December 1833 and ran monthly through September 1834.

161. Newel Knight, “Newel Knight’s Journal,” unpublished typescript, 14, copy in author’s possession. Knight records that the Colesville branch arrived on “the twenty-five of June.” He obviously meant July 25 or made an error in the transcription. The date given by Hartley is July 26, 1831. Hartley, *Stand by My Servant Joseph*, 121.

162. Godfrey and others, *Documents, Volume 2*, 5–12. The “city of Zion” is also referred to as the “city of New Jerusalem.” See LDS D&C 28, 49, 84; and RLDS D&C 27, 83.

163. MacKay and others, *Documents, Volume 1*, 451; Eber D. Howe, *Mormonism Unveiled* (1832; repr., Salt Lake City: Signature Books, 2015), 285. The estimate of 300 is given in the geographical dictionary of this volume under the entry for “Independence, Blue Township, Jackson County, Missouri.” Assuming that Booth’s estimate of twenty houses in Independence in 1831 is reasonably accurate, then the number 300 seems high. I have used 200. This number

(who had arrived in Independence in the later part of July 1831), upon his return to Kirtland and his disassociation with the church, wrote a letter to the editor of a local newspaper in which he described Independence as “a new town, containing a court-house built of brick, two or three merchant’s stores, and 15 or 20 dwelling houses.”<sup>164</sup> There was also at least one licensed tavern, owned by Solomon G. Flournoy.<sup>165</sup>

The July 20 revelation further specified that “a spot for the temple is lying westward, upon a lot which is not far from the court-house.”<sup>166</sup> The courthouse referenced here was the second structure to be so named (1831) and constructed on the unnumbered lot designated as the “public square” when the town of Independence was platted. This second courthouse replaced the original two-room log cabin, which was located on a nearby block near the center of Independence.<sup>167</sup>

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is based on an estimate of 8 individuals per household, or 160 plus an additional 40 people living outside of the immediate town but within close proximity.

164. Howe, *Mormonism Unveiled*, 285. This reproduction of the original book has a preface by Dan Vogel. The specific information quoted in the text is from “Letter 6,” fall 1831. This is one of nine letters written by Ezra Booth to the *Ohio Star* and published in the October–December 1831 issues, 255–312.

165. Jackson County Court minutes, book 1, entry no. 80199, February 2, 1829.

166. Pearl Wilcox, “Early Independence in Retrospect: Part II,” *Saints’ Herald* 106, no. 2 (January 12, 1959): 10–12. The *Saints’ Herald* was first published in Cincinnati, Ohio, in January 1860, and was initially titled *The True Latter Day Saints’ Herald*. Publication moved to Plano, Illinois, beginning April 1863, and then transferred to Lamoni, Iowa, in October 1881. The plant and offices were again moved to RLDS church headquarters in Independence, Missouri. The first issue published at the new facility is dated May 24, 1921. Beginning in 1860, this publication was the official periodical of the Reorganized Church of Jesus Christ of Latter Day Saints. The publication’s name was changed to the *Saints’ Herald* in January 1877. Isleta L. Pement and Paul M. Edwards, *A Herald to the Saints: History of Herald Publishing House* (Independence, MO: Herald Publishing House, 1992), 42, 55, 69, 78, 136; Inez Smith Davis, *The Story of the Church* (Independence, MO: Herald Publishing House, 1942), 393; *History of the RLDS Church* 3:238–41. In April 2001 the name was officially shortened to the *Herald*. Mark A. Scherer, *The Journey of a People: The Era of Worldwide Community, 1946 to 2015* (Independence, MO: Community of Christ Seminary Press, 2016), 520. This is an excellent three-volume set covering different periods of the history of Community of Christ.

167. Wilcox, “Early Independence in Retrospect: Part II,” 10–12; Wilcox, *Jackson County Pioneers*, 136–38; Howe, *Mormonism Unveiled*, 285. This replacement courthouse was specifically the courthouse that Booth said was “built of brick,” rather than the original log structure. The brick courthouse was erected between 1828 and June of 1831. However, it was shoddily built and subsequently ordered “razed” in December 1836. It was replaced with the structure presently on the square in Independence (it was substantially added to and remodeled several times over the next one hundred plus years). Today there are only limited county



**Figure 2.** *Courthouse in Independence, Jackson County, Missouri, 1830s.* Engraving by *Eigenthum D. Verleger*. Courtesy *Bill and Annette Curtis*.

This revelation was, indeed, a momentous announcement for Smith and his followers. Not only had they been told that they were in the “center place” of the future “city of New Jerusalem,” but they also now knew where “the Temple” was to be built. It was to this temple, they believed, that the Savior would return to usher in the long-awaited millennium.<sup>168</sup> These were the two key objectives—building the New Jerusalem and constructing a temple—that had been keenly anticipated before the first westward missionaries made their journey in the fall of 1830. They were also the objectives of Smith and his followers in June 1831, of the twelve sets of recently called missionaries, and of other members of the church who were now en route to Missouri.

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offices housed in the building. The offices and collections of the Jackson County Historical Society are located there.

168. Orson Pratt, in *Journal of Discourses*, 26 vols. (Liverpool: F. D. Richards, 1855–86), 21:153–54 (Logan, Utah Territory, November 1, 1879). See also N. B. Lundwall, *Temples of the Most High* (Salt Lake City: Bookcraft, n.d.), 246–61. Chapter 16 is titled “The Independence Temple Site” and contains several lectures delivered by Orson Pratt, B. H. Roberts, Brigham Young, and Lorenzo Snow.

## The Dedication and Subsequent Purchase of the Temple Lot Property

### *Plans and Preparation*

The church intended to acquire land for settlement even before the July 20 revelation had been received.<sup>169</sup> With the earlier expectations regarding the city of Zion—that it was to be located somewhere in the Jackson County/Independence area—Smith, Partridge, and certainly other, soon-to-be-arriving, church members were obviously interested in land acquisitions. In particular, the impending arrival of the Colesville branch, with its some sixty individuals,<sup>170</sup> and the reality of settling this large group on land nearby would have been on Smith's and Partridge's minds. In fact, only six days later, on July 26, Partridge, having traveled to the US land office in Lexington, purchased four parcels of land, totaling 356 acres, for which he paid approximately \$445.00<sup>171</sup> at \$1.25/acre.<sup>172</sup>

Advising Smith on the availability of land ownership in Jackson County would likely have been the responsibility of Oliver Cowdrey, the “Second Elder” in the church's hierarchy. Presumably he would have already briefed Smith and Partridge shortly after their arrival on the unavailability of land in the immediate and surrounding Independence area because of the seminary land designation.<sup>173</sup> The adverse impact of the land policies on the local early settlers would certainly have been conveyed as well—specifically the long delay in acquiring their squatters' claims and the significant price increase from \$1.25 to \$2.00/acre dictated by the state of Missouri.<sup>174</sup> Furthermore, they would have been told that the long-awaited sale of seminary land had

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169. LDS D&C 57; RLDS D&C 57; Godfrey and others, *Documents, Volume 2*, 5–12.

170. Godfrey and others, *Documents, Volume 2*, 24n129; Hartley, *Stand by My Servant Joseph*, 121.

171. Edward Partridge purchased four land parcels in Kaw Township, totaling 356 acres. Although the land was purchased in the name of Edward Partridge, members of the church understood that Partridge acquired property “for and in behalf of the Church.” These purchases were from the public domain land that the US government sold for \$1.25/acre. Alexander L. Baugh, “Purchasing Zion: Mormon Land Acquisition in Jackson County, Missouri, 1831–1833” (unpublished article), table 1, in Baugh's possession.

172. Hibbard, “Land Act of 1820,” 150.

173. Switzler, *History of Boone County*, 254; Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24.

174. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830.

finally been announced by the state and was slated for the first week of December 1831.<sup>175</sup> Partridge confirmed his understanding of this information in a letter he wrote to his wife on August 5, 1831.<sup>176</sup>

It is my contention that once Smith and Partridge recognized where the “spot for the temple” was to be approximately located (as detailed in the July 20 revelation), they would have sought out Jones H. Flournoy.<sup>177</sup> That Flournoy was the rightful claimant to the land they wanted for the temple, I believe, would have been relatively easy to ascertain, given the realities of a rural, small-town environment. Once assured that it was Flournoy’s squatter’s claim, Smith and Partridge would likely have asked Cowdrey or any of the original missionaries to introduce them to Flournoy.<sup>178</sup> Of course, they may have already met Flournoy when they arrived in town since he operated a store across the road from the public square and because he was the newly appointed postmaster for the town of Independence.<sup>179</sup>

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175. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830.

176. Edward Partridge to “My Dear Wife,” August 5, 1831, MS 23154, Partridge Letters, Church History Library, The Church of Jesus Christ of Latter-day Saints, Salt Lake City (hereafter cited as Church History Library). I am indebted to H. Michael Marquardt for alerting me to this material.

177. Wilcox, *Jackson County Pioneers*, 152–53.

178. Four of the original five missionaries (Cowdrey, Whitmer, Peterson, and Williams) had been living, working, and proselyting in the Independence, Jackson County, area for five months when Smith’s party arrived in mid-July. (Pratt had returned to Kirtland). These men would have become acquainted with key figures in the town and county and certainly would have been aware of the announced sale of the surrounding seminary land scheduled for early December 1831. Most likely, any one of four missionaries could have been instrumental in advising Smith of the individual seminary land claims of many of the town’s original squatters. Since Oliver Cowdrey was the Second Elder in the church, he most likely would have been responsible for advising Smith of the overall setting and situation (personalities, political doings, etc.) of the Jackson County community and of Independence in particular.

179. “Mayors and Postmasters of Independence, Missouri,” Political Graveyard.com, accessed December 30, 2018, <https://www.politicalgraveyard.com/geo/MO/ofc/independence.html>; *Record of Appointment of Postmasters: 1832–September 30, 1971* (series m-841), Missouri, Jackson through Montgomery Counties, roll 72, first handwritten page, first line, National Archives, Washington DC; Richard G. Schultz, *Missouri Post Offices 1804–1981* (St. Louis, MO: American Philatelic Society, 1982); William G. Hartley, “Letters and Mail between Kirtland and Independence: A Mormon Postal History, 1831–33,” *Journal of Mormon History* 35, no. 3 (Summer 2009): 163–89. Jones H. Flournoy was appointed postmaster, effective June 14, 1831. He served in this capacity for five years. He replaced Independence’s first postmaster, Lilburn W. Boggs.





**Figure 3.** View of the Temple Lot property to the south. This photograph was probably taken from a window in the RLDS Stone Church, located to the north of the Temple Lot, ca. 1890s. Courtesy Community of Christ Library and Archives.

On August 2, 1831, one day prior to the dedication of the Temple Lot, Smith organized a gathering of church members in Kaw Township, located to the west of Independence and where the Knight family and the Colesville branch of the church had only a few days before located.<sup>180</sup> The purpose of this meeting was to lay the log of the first house to be built by the Saints “as a foundation of Zion” and to dedicate the land of Zion. Accordingly, as instructed by revelation, Sidney Rigdon proceeded to dedicate the “land of Zion.”<sup>181</sup> Certainly Smith would have announced to those present at the August 2nd ceremony that on the following day, the temple site in Independence would be dedicated.

#### *The Dedication—August 3, 1831*

On August 3rd, those privileged to be part of this dedicatory ceremony assembled and proceeded to the squatter’s claim of Jones H. Flournoy. The

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180. When the Colesville branch arrived in Independence on July 25 or 26, they were directed west about ten to twelve miles to Kaw Township, and there they established their community. Hartley, *Stand by My Servant Joseph*, 21, 25–26; Baugh, “Purchasing Zion.”

181. *History of the LDS Church*, 1:196.

Smith party apparently worked their way through the brush and trees to the highest spot on the property. This location was approximately two blocks west of Flournoy's home (lot 92) and was located about one-half block southwest of his unoccupied trading post on the Santa Fe Trail.<sup>182</sup> Orson Pratt recalled: "It was then a wilderness, with large trees on the temple block."<sup>183</sup> His brother Parley P. Pratt remembered that the location was "a beautiful rise of ground about a half a mile west of Independence . . . it was a noble forest."<sup>184</sup> And William L. McLellin recollected what he had been told: "Joseph cut his way in through this growth of trees, brush and saplings, to reach the site of the dedication for the proposed Millennial Temple."<sup>185</sup>

There are at least five recorded accounts from those who participated in the dedication of the Temple Lot on August 3, 1831, and based on these records, it appears that at least thirteen (rather than the traditionally reported eight) men attended this momentous occasion.<sup>186</sup> Smith states in the "History of Joseph Smith," published in the March 1, 1844, issue of *Times and Seasons*, "On the third day of August, the spot for the Temple, a little west of Independence, was dedicated in the presence of eight men, among whom were myself, Sidney Rigdon, Edward Partridge, W. W. Phelps, Oliver Cowdrey, Martin Harris, and Joseph Coe. The 87th Psalm was read, and the scene was solemn and impressive."<sup>187</sup> This recitation was later included in

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182. *An Illustrated Historical Atlas Map* (1877; repr., Independence, MO: Lew Printing, 2007), 45, 73. This reprint was done under the direction of the Jackson County Historical Society; *Atlas of Jackson County, Missouri* (Kansas City, MO: Gallup Map & Supply, 1931), section 3, township 49, range 32.

183. O. Pratt, in *Journal of Discourses*, 24:24 (Salt Lake City, October 26, 1879).

184. P. Pratt, *Autobiography*, 195.

185. William L. McLellin, "Letter from Elder W. H. Kelley," *Saints' Herald* 29, no. 5 (March 1, 1882): 67. Certainly McLellin would have been shown the exact spot by Partridge (or others who had participated in the dedication) and told of the details surrounding this extraordinary event soon after his arrival in Independence.

186. Four of the five individuals who reported or recorded this event in their histories or correspondence indicated, by name, eight individuals being present at the dedication, but each listing has a different mix. Interestingly, Ziba Peterson, one of the five original missionaries, is not mentioned. Peterson's absence might be due to concerns expressed regarding Peterson in a revelation received on August 1, 1831, prior to the dedication event. LDS D&C 58:60; RLDS D&C 58:14.b.

187. "History of Joseph Smith," *Times and Seasons* 5, no. 5 (March 1, 1844): 450. This is a continuation of the "History of Joseph Smith" begun in volume 3, number 10, dated March 15, 1842. Note that Smith lists only seven men after stating eight men were present. The *Times*

the *History of the Church of Jesus Christ of Latter-day Saints* and the *History of the Reorganized Church of Jesus Christ of Latter Day Saints*.<sup>188</sup>

John Whitmer, in his early history of the church,<sup>189</sup> also listed eight men in attendance at the event. However, not having been in Missouri at this time, he relied on information provided to him by participant Oliver Cowdrey.<sup>190</sup> In Cowdrey's listing, Smith and Rigdon are, of course, included, but Partridge is omitted—certainly an oversight. Cowdrey then adds himself, Phelps, Harris, and Coe (just like in the Joseph Smith listing) and also includes Peter Whitmer Jr. and Frederick G. Williams.<sup>191</sup> Cowdrey also commented: "Sidney Rigdon dedicated the ground where the city [of the New Jerusalem] is to Stand: and Joseph Smith, Jr. laid a stone at the Northeast corner of the contemplated Temple in the name of the Lord Jesus of Nazareth."<sup>192</sup>

Newel Knight, who had arrived the previous week, also attended the dedication. In his journal (dating unknown), he reported that "the spot for the temple . . . was dedicated in the presence of Joseph Smith." He then lists Cowdrey, Rigdon, Partridge, Harris, Phelps, Coe, and himself as being in attendance.<sup>193</sup> Ezra Booth reported the event in "Letter 6," published in the *Ohio Star* in the fall of 1831, soon after he had returned home from

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*and Seasons* was published at Nauvoo, Illinois, between November 1839 and February 1846 as the "fourth major semiofficial newspaper by the Church." It was initially edited by Don Carlos Smith and Ebenezer Robinson and later by Wilford Woodruff and John Taylor. Taylor was its sole editor beginning in May 1844. Ludlow, *Encyclopedia of Mormonism*, 4:1479–80.

188. *History of the LDS Church* 1:199; *History of the RLDS Church* 1:209; see also Joseph Smith Jr., *The Journal of Joseph Smith: The Personal Diary of a Modern Prophet*, comp. Leland R. Nelson (Provo, UT: Council Press, 1979), 38.

189. Karen Lynn Davidson, Richard L. Jensen, and David J. Whittaker, eds., *Histories, Volume 2: 1831–1847*, vol. 2 of the Histories series of *The Joseph Smith Papers*, eds., Dean C. Jesse, Ronald K. Esplin, and Richard Lyman Bushman (Salt Lake City: Church Historian's Press, 2012), 12n36. Whitmer titled his history "The Book of John, (Whitmer kept by Comma[n]d)."

190. Davidson, Jensen, and Whittaker, *Histories, Volume 2*, 45n131.

191. Davidson, Jensen, and Whittaker, *Histories, Volume 2*, 45; Bruce N. Westergren, ed., *From Historian to Dissident: The Book of John Whitmer* (Salt Lake City: Signature Books, 1995), 86; F. Mark McKiernan and Roger D. Launius, eds., *An Early Latter Day Saint History: The Book of John Whitmer* (Independence, MO: Herald Publishing House, 1980), 79–80.

192. Davidson, Jensen, and Whittaker, *Histories, Volume 2*, 12; McKiernan and Launius, *Early Latter Day Saint History: The Book of John Whitmer*, 80; H. Michael Marquardt, "The Independence Temple of Zion," *Restoration Studies* 5, no. 4 (October 1986): 13–17.

193. Knight, "Newel Knight's Journal," 14.



*Figure 4.* Sidewalk marker placed by Missouri Mormon Frontier Foundation (May 2000) on south sidewalk of the Temple Lot. The marker depicts Joseph Smith Jr. and others participating in the dedication of the Temple Lot on August 3, 1831. Photograph by R. Jean Addams.



*Figure 5.* Commemorative marker in Independence, Missouri, of the temple site. Photograph by Alexander L. Baugh.

Missouri and rejected Joseph Smith. Booth mentions the dedication event but does not list any of the attendees. However, from the detail provided, he certainly counted himself among those who attended the dedication.<sup>194</sup>

William W. Phelps also recounted the ceremony some thirty years later in a brief autobiography.<sup>195</sup> Interestingly, in his recounting of the particulars of the event, he omits Rigdon as a participant (certainly an oversight) and includes Harris, Partridge, Coe, Cowdrey, and himself and adds Sidney Gilbert and “brother Hocume” (possibly Azariah Holcomb).<sup>196</sup> Phelps also recorded that the attendees “planted a stone at the southeast corner.”<sup>197</sup> His recollection of the stone marker being placed at the southeast corner is noteworthy because others who kept a record of this event mention the northeast corner.

According to the recorded remarks of both William E. McLellin<sup>198</sup> and Ezra Booth,<sup>199</sup> a tree near the northeast corner was also “blazed.” The blazing of a tree<sup>200</sup> by Joseph Smith continues to be used by some historians and others who argue that, by so doing, Smith legally laid claim to the Temple

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194. Howe, *Mormonism Unveiled*, 285.

195. William W. Phelps, “Short History of W. W. Phelps Stay in Missouri,” 1, MS 6017, folder 7, Church History Library.

196. Azariah Holcomb (1800–1866) was an early settler in the Independence area by at least 1830. He was a carpenter and blacksmith by trade. In November 1830 he acquired three lots in Independence, all facing Lexington Street. The following month he purchased four contiguous lots (half of a block) facing Liberty Street, between Kansas and Walnut Streets. Two years later, in December 1832, he sold these lots to W. W. Phelps & Co. (Phelps, Cowdrey, and Whitmer) for \$160. Kathy Duncan, “Azariah Holcomb,” *Porch Swings, Fireflies, and Jelly Jars* (blog), accessed January 8, 2018, [kdduncan.blogspot.com/2017/06/azariah-ho-combs-silings.html](http://kdduncan.blogspot.com/2017/06/azariah-ho-combs-silings.html).

197. Phelps, “Short History of W. W. Phelps Stay in Missouri,” 1; Howe, *Mormonism Unveiled*, 285.

198. William E. McLellin was converted by missionaries as they traveled west in 1831; he followed them to Missouri. McLellin arrived in Independence a short time after the dedication ceremony and was baptized soon thereafter. He “became one of the leaders in the Church in Jackson County and worked closely with Bishop Partridge. From Brother Partridge . . . he learned where the Temple Site was, and saw for himself the stone marker and the blaze that Joseph had placed upon the tree.” *Saints’ Herald* 29, no. 5 (March 1, 1882): 67.

199. Howe, *Mormonism Unveiled*, 285.

200. “Blazing” is a rudimentary means of marking a tree for a distinct purpose. This is done by removing a section of the outer bark with a hatchet or axe and thus exposing the inner bark of a much lighter color, which can be seen at a distance. This scar distinguishes the designated tree from surrounding trees. Trails were marked in the same way as property claims, since these marks tended to be permanent.

Lot property. In particular, Richard and Pamela Price, in their book *The Temple of the Lord*, refer to the fact that the land was not available for sale until December 1831; they state that the church, or more precisely, Joseph Smith and Edward Partridge “did have the right to lay claim to it—which they did, they made their claim in a manner acceptable at the time”—that is, by blazing a tree at the site of the dedication.<sup>201</sup> Interestingly, in McLellin’s recital of the event, he notes the blazing but makes no comment regarding Smith making a legal claim to the land.<sup>202</sup>

LaMar C. Berrett and Max H Parkin, in volume 4 of *Sacred Places*, suggest that there are two possible scenarios through which the church members could have gained access to the property for the dedication ceremony: (1) they asked for and received permission from Jones H. Flournoy, or (2) they did not ask anyone for permission for access but proceeded to the “spot” of their own volition.<sup>203</sup> Berrett and Parkin then expand on the second scenario and repeat much of what the Prices wrote—that is, “that Joseph made a legal claim to the land by marking the lot, according to custom, with tree marks or blazes.” They continue: “Joseph may have intended to claim the land by that means and to purchase it from the government when it was placed on the market.” And in a final note, Berrett and Parkin add: “Flournoy’s sale [of 63.27 acres to Partridge] may have been influenced by a prior claim to the property by Joseph Smith.”<sup>204</sup>

As previously stated, by combining the various recitals, the number of participants at the dedication of the Temple Lot was at least thirteen.<sup>205</sup> The number of attendees is not surprising given the significance of this historic event to all those early Saints who had traveled to and arrived in Jackson

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201. Richard Price and Pamela Price, *The Temple of the Lord* (Independence, MO: Price Publishing, 1982), 23, 29. There are several assumptions made by the Prices in their discussion of the acquisition of the Temple Lot that are questionable; readers should be cautious; in particular, see chapters 3 and 4.

202. *Saints’ Herald* 29, no. 5 (March 1, 1882): 67.

203. LaMar C. Berrett, ed., *Sacred Places: A Comprehensive Guide to Early LDS Historical Sites*, vol. 4, *Missouri*, ed. Max H. Parkin (Salt Lake City: Publishers Printing, 2004), 37–38.

204. Berrett, *Sacred Places*, 38.

205. The thirteen names are extracted from the five sources used in this essay and include the following (the number of times the individuals appear in the separate listings follow in parentheses): Joseph Smith (4), Sidney Rigdon (3), Martin Harris (4), Edward Partridge (3), William W. Phelps (4), Joseph Coe (4), Oliver Cowdrey (4), Newel Knight (1), Peter Whitmer Jr. (1), Fredrick G. Williams (2), Ezra Booth (1), Sidney Gilbert (1), and “brother Hocume” (1).

County by the first of August 1831. The knowledge that the millennial temple was to be built in Independence at this time would have been a compelling reason alone to want to participate at this historic event. Finally, if a “brother Hocume” (likely the local Independence area resident Azariah Holcomb<sup>206</sup> and possibly an early convert) did, in fact, attend the dedication, it is likely that others in the community, not just a close circle of Mormon elders, knew of this planned event. If this assumption is correct, then it would have been absolutely necessary for Smith and Partridge to have obtained permission from Flournoy previous to accessing his squatter’s land claim for the dedication ceremony on August 3, 1831.

This dedicatory service at this westernmost outpost of the United States was the culminating event for which the Smith party had traveled nine hundred miles. And they made this historic trek without knowing exactly what the Lord had in mind for them to do when they left Kirtland six weeks previous, other than that the future city of the New Jerusalem was to be near “the borders of the Lamanites.” (LDS D&C 28:9; RLDS D&C 27:3d.).

*The Purchase of the Temple Lot Property—December 19, 1831*

On August 9, Joseph Smith, Oliver Cowdrey, Sidney Rigdon, William W. Phelps, and party departed Independence for the return trip to Kirtland, as directed by revelation.<sup>207</sup> They arrived back in Kirtland on August 27.<sup>208</sup> This same revelation instructed Bishop Edward Partridge to preside over the church in Jackson County and to reside in Independence.<sup>209</sup> As an additional priority, he was counseled by Smith to complete the legal acquisition of the Temple Lot property. This fact is clearly stated in the letter to his wife penned on August 5, 1831, wherein he notes that “brothers Gilbert or I must be here to attend the sales in December and not knowing that he can get back by that time[,] I have thought it advisable to stay here.”<sup>210</sup>

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206. Duncan, “Azariah Holcomb.”

207. LDS D&C 58:58, 60:6; RLDS D&C 58:13b., 60:2e.; Godfrey and others, *Documents, Volume 2*, 12–13.

208. See revised 2013 heading to LDS D&C 63, where the date of August 27, 1831, is noted as the date Smith, Rigdon, and Cowdrey returned from Missouri to Kirtland, Ohio. Also, this section heading now gives the precise date of the revelation as August 30, 1831, rather than August 1831.

209. LDS D&C 58:14, 24, 62; RLDS D&C 58:4a., 6a., 15b.; Godfrey and others, *Documents, Volume 2*, 12–13.

210. Edward Partridge to “My Dear Wife,” August 5, 1831.

I argue that the future sale of 63.27 acres of Flournoy's 160-acre property claim to Edward Partridge was the culmination of an oral contract reached in late July or early August 1831. The agreement, again, would certainly have included Joseph Smith. This undocumented event may have occurred before or after the August 3 dedication but certainly prior to Smith's departure.

A visual of the general location of the temple site, looking south on the Santa Fe Trail,<sup>211</sup> would certainly have been undertaken prior to any arranged meeting with Flournoy. However, since the precise "spot" for the future temple had not physically been determined before the dedication, it is doubtful that the amount of acreage would have been decided upon at the first arranged July meeting with Flournoy. An estimate of how much land was needed for the temple site, as well as for cabins and other needs, may not have been contemplated by Partridge until after the Smith party had departed in August.

As planned, Jones H. Flournoy acquired his squatters's claim when it became available for purchase from the state in early December.<sup>212</sup> His deed shows that he bought his property on December 12, 1831, in section 3, township 49, range 32; the land consisted of two 80-acre parcels (a total of 160 acres) and was purchased for \$320.00.<sup>213</sup> (Section 3 had been designated as seminary land.) The very next day, December 13, Flournoy sold 10 acres of his newly acquired property to local townsman Lewis Jones.<sup>214</sup> One week later, on December 19, 1831, he sold an additional 20 of his 160 acres to another local resident of Independence, namely, Garnet M. Hensley.<sup>215</sup>

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211. The Santa Fe Trail bisected Jones H. Flournoy's squatter's claim in a southwesterly direction.

212. Curtis, *Jackson County, Missouri Land Patents Which Are Not US Government Land Patents*, 56.

213. A Missouri state patent (certificate or deed) for seminary land was issued to Flournoy on May 28, 1833. "Many times in early days a piece of property was sold before the original land purchaser had a patent (deed) himself." Annette W. Curtis, "Mormon Land Ownership in Section 3 Twp 49 R 32," *Missouri Mormon Frontier*, no. 40 (February–June 2007): 3. In the case of the seminary land sales by the state of Missouri, the purchaser would have been issued a receipt by the state's appointed "receiver" at the time of the sale. It was on the basis of this receipt that the county recorder would recognize a legitimate sale of a person's recently acquired seminary land to another individual and record the same in the official property record of the appropriate county.

214. Jackson County, Missouri, Property Records, Book A, 168, Jackson County Property Records Office, historic courthouse, Independence, MO.

215. Jackson County, Missouri, Property Records, Book A, 212.



Also on that same day, Edward Partridge acquired from Flournoy a 63.27-acre parcel, which encompassed the dedicated temple site. Partridge paid Flournoy the sum of \$130.00, or \$2.055/acre.<sup>216</sup> Flournoy netted a profit of \$3.48. The temple site and the surrounding property, thereafter, came to be known as the “Temple Lot,” the “Temple Plot,” the “Temple Block,” or the “Temple Property” by church members and locals alike.<sup>217</sup>

The Prices again weigh in to explain the quick resale (seven days after the initial purchase) of 63.27 acres by Flournoy to Partridge. Their argument returns to Smith’s “blazing” of the tree on August 3, as a prelude to or part of the dedication ceremony. This action by Smith, they argue, established his “first right of claim” to the property. Using this logic, the Prices state:

It is surprising the Flournoy’s held the Temple site for only one week—and then sold it to Bishop Partridge for the same amount that they paid for it [approximately]—two dollars per acre. What is more surprising

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216. Jackson County, Missouri, Property Records, Book B, 1.

217. While there is a difference between the much smaller site of dedication and the 63.27 acres purchased, the names noted here are generally interchangeable. There are numerous references to this property in what is known as the Temple Lot Suit or Temple Lot Case by those who testified (of which there are many) between 1891 (filing) and 1896 (conclusion), when the US Supreme Court was required to intervene. The suit itself was over rightful ownership of the smaller portion of the 63.27 acres, or more specifically, the dedication site itself, consisting of 2½ acres then owned by the Church of Christ and contested by the RLDS church. The Supreme Court declined to hear the case and remanded the case back to the US Court of Appeals, which had overturned the US District Court’s initial ruling in favor of the RLDS church. The end result was that there was no ownership change from what was in 1891; in other words, the courts decided that the property was rightly owned by the Church of Christ. For more information, see the following: R. Jean Addams, “An Introduction to the Temple Lot Case,” Signature Books Library, 2010, <http://www.signaturebookslibrary.org/essays/templelot.htm>; Ronald E. Romig, “The Temple Lot Suit After 100 Years,” *John Whitmer Historical Association Journal* 12 (1992): 3–15; Paul E. Reimann, *The Reorganized Church and the Civil Courts* (Salt Lake City: Utah Printing Company, 1961), 149–64; and R. Jean Addams, “The Church of Christ (Temple Lot) and the Reorganized Church of Jesus Christ of Latter Day Saints: 130 Years of Crossroads and Controversies,” *Journal of Mormon History* 36, no. 2 (Spring 2010): 77–79; typescript copies of the Temple Lot Case can be researched at various locations, including the Community of Christ Library and Archives, Independence, Missouri; Kansas City (Missouri) Public Library; and Church History Library, Salt Lake City; copy of the Temple Lot Case in author’s possession. (This drawn out and complicated legal suit will be cited by the legal name of the first suit filed—Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96—with the name of the person providing testimony and the page number in the official case documentation).

is that they sold 63.27 acres to the bishop out of the very heart of their new 160 acre tract [though not if one considers that the Santa Fe Trail bisected his newly acquired property]. These two facts lend the strongest evidence to the belief that Joseph and the elders did lay claim to the Temple Site on the day they dedicated it. In other words, it appears that the Flournoys “jumped the claim” of the Church for the Temple Site and that they were very willing to sell a large part of their new tract for the same amount in order to keep peace. . . . This sudden sale to Partridge is evidence that the Church was the first owner of the Temple Site, by virtue of having staked a valid claim on the day of dedication.<sup>218</sup>

Without acknowledging that there is a much more reasonable explanation for Smith’s blazing of the tree and laying a marking stone at the proposed temple site, the Prices assert that Flournoy was a “claim jumper.” Accusing someone of such a nefarious deed was a very serious charge.<sup>219</sup> In this time, place, and circumstance, a claim jumper was someone who purchased land from the authorized government land office before the original squatter or claimant of the land could do so. If Flournoy had “claim jumped,” he would have made certain that he was the first to file, ahead of Partridge, with the authorized selling agent in Independence. Flournoy would have filed on December 5, 1831, the first day of the semi-annual land sale in Independence,<sup>220</sup> not a week later on December 12, when he acquired his land.<sup>221</sup>

Furthermore, the assertion made by the Prices that Jones H. Flournoy was a claim jumper is simply irrational. First, the Flournoy family was an integral part of the Independence community. They had been established settlers for about nine or ten years, with homes built and businesses operating years before the Mormons arrived. One of the Flournoy brothers, Solomon, was the duly appointed constable of the Blue Township,<sup>222</sup> a political subdi-

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218. Price and Price, *Temple of the Lord*, 35.

219. Vocabulary.com, s.v. “claim jumper,” accessed October 27, 2018, <https://www.vocabulary.com/dictionary/claim+jumper>. A “claim jumper” is defined as one who illegally occupies property to which another has a legal claim.

220. *Missouri Session Laws, Vol. 2, 1824–1836*, chapter 155, December 31, 1830. Section 4 of this statute sets the time for the sale as the “first Monday in December” 1831.

221. Curtis, “Mormon Land Ownership in Section 3 Twp 49 R 32,” 3.

222. *History of Jackson County* (1881), 129. Solomon Flournoy was appointed the constable of Blue Township by the county court on May 31, 1828, effective July 8, 1828.

vision of Jackson County, in which Independence was located, and Jones H. Flournoy was the newly federally appointed postmaster for Independence.<sup>223</sup> To accuse any one of the Flournoy brothers of such a misdeed would have been consequential to the welfare of Partridge and other Mormon settlers, especially in a western frontier town of the early nineteenth century. If that group of men, all newcomers of approximately two weeks, who of necessity would have relied on the local community for supplies and lodging, had made such a claim, they would have been ostracized by the small town in a most adverse way.

And finally, those in charge of the seminary land sale were known associates of Flournoy (and had been for several years) and were politically well connected, as was Flournoy himself.<sup>224</sup> After all, Jones H. Flournoy had been living on his squatter's claim as early as 1821 and would have bought it three years earlier if it had been part of the public domain sale.<sup>225</sup> Flournoy, or any of his friends or associates in town, would have condemned such a bold intrusion by Partridge and perhaps would have taken care of the situation through extralegal means.

It is also apparent, however, that some general understanding of the approximate amount of acreage and price<sup>226</sup> for the Temple Lot property would have been negotiated in meetings between Partridge and Flournoy following the August 3 dedication, in the months following Smith's departure to Kirtland. This assumption is based on the complicated and technical language used to describe the sale to Partridge in a Jackson County deed book on December 19, 1831.<sup>227</sup> The terminology used in the deed needed to be precise and detailed because of the irregular shape of the 63.27 acres being purchased. Furthermore, the specific references to the two other parcels sold by Flournoy, in the immediate days and hours preceding this purchase,

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223. "Mayors and Postmasters of Independence, Missouri."

224. License to Solomon Flournoy to operate a ferry, in Jackson County Court minutes, book 1, entry no. 80696, November 4, 1833. Jones H. Flournoy was appointed "an overseer of road commencing at the west side of the public square to Rock Creek." Jackson County Court minutes, book 1, entry no. 80224, May 1829.

225. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 21.

226. It is also possible that Partridge advanced funds and agreed on a price per acre without specifying an exact acreage before Flournoy bought his 160 acres from the state on December 12, 1831.

227. Jackson County, Missouri, Property Records, Book B, 1.

are used in the Partridge deed and would have already been determined.<sup>228</sup> This descriptive detail would have required, I believe, a professional survey that, most likely, would have been accomplished sometime in the late summer or early fall of 1831. (The onset of winter weather in November or December could have complicated or possibly prohibited the survey from being completed in time for this detail to have been included in the deed filed with the county recorder.)

#### *Source of the Funds Used to Purchase the Property*

Where did the funds that Partridge used to purchase the Temple Lot property and other land parcels in Jackson County come from? Certainly Martin Harris would have been a major contributor to a land-acquisition fund; however, many others may have provided funds for the purchase of land in Zion. In the revelation of August 1, 1831, two days prior to the dedication of the Temple Lot, Martin Harris was specifically told to impart “his moneys before the bishop of the church” (LDS D&C 58:35; RLDS D&C 58:7b).<sup>229</sup> Orson Pratt, in a discourse given in July 1875, stated that “Martin Harris was the first man that the Lord called by name to consecrate his money, and to lay the same at the feet of the Bishop in Jackson County. . . . And he willing did so.”<sup>230</sup> RLDS Historian F. Henry Edwards further adds, but without a citation, that “Martin Harris paid Bishop Partridge the sum of \$1,200 . . . as his consecration.”<sup>231</sup> Also, in John Taylor’s (not to be confused with the third president of the LDS church) “Temple Lot Suit” testimony, he states that Partridge “had a lot of money there, but who contributed it I can’t say.”

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228. Another point regarding the necessity of a professional, more exacting survey having been completed prior to the actual sale of the Temple Lot property to Partridge is the deed itself. The complicated language of the deed, describing the boundaries of the property sold by Flournoy to Partridge, details the specific references of corner points of the land sold by Flournoy to Lewis Jones on December 13, 1831, and to Garnett M. Hensley on December 19, only hours before the Flournoy-to-Partridge sale. This is also why Jones and Hensley would have legally needed to close their property transactions with Flournoy and file their deeds ahead of Partridge. Jackson County, Missouri, Property Records, Book A, 168 (Jones); Book A, 212 (Hensley); Book B, 1, Independence, MO. Curtis, “Mormon Land Ownership in Section 3 Twp 49 R 32,” 10 and 3.

229. Godfrey and others, *Documents, Volume 2*, 12–21.

230. O. Pratt, in *Journal of Discourses* 18:160 (Salt Lake City, July 18, 1875).

231. F. Henry Edwards, *The Edwards Commentary on the Doctrine and Covenants* (Independence, MO: Herald Publishing House, 1986), 232. Edwards’s commentary specifically regards RLDS D&C 58.

When queried about whether he had seen the accumulated funds Partridge had in his possession, Taylor replied that “he showed me the chest he kept the money in.”<sup>232</sup>

Historian Alex Baugh, in his research of the various Jackson County land purchases by Partridge in 1831–33, has determined that the total land acquired by him in 1831 was 880 acres at a cost of \$1,210 (including the 63.27-acre Temple Lot property).<sup>233</sup> Although the specific dedicated location of “the spot for a temple” had been determined,<sup>234</sup> the dimensions of the millennial temple had not yet been announced.<sup>235</sup> Smith’s plan for an expanded temple complex was made known in the summer of 1833, and his proposed twenty-four temples would have required thirty-six acres.<sup>236</sup> The surrounding development of the “city of New Jerusalem” would have required significantly more land than the original purchase of 63.27 acres.

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232. Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–1896, Taylor testimony, 396.

233. Baugh, “Purchasing Zion,” tables 1–5, 7. Land purchases continued in Independence and Jackson County throughout 1832 and the early part of 1833. By Baugh’s calculation, at the time the Saints were expelled from Jackson County in late 1833, the estimated land holdings in Jackson County totaled over 2,316 acres, for which the sum of \$4,928 had been expended.

234. Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Weston testimony, 360; Rathbun testimony, 503.

235. A two-acre estimate is based on the dimensions of the proposed temple and a reasonable amount of surrounding land. The exterior of the proposed temple measured sixty-one by eighty-eight feet according to the sketch of the temple mailed to Partridge (in Missouri) in the summer of 1833. Gerrit J. Dirkmaat and others, eds., *Documents, Volume 3: February 1833–March 1834*, vol. 3 of the Documents series of *The Joseph Smith Papers*, ed. Ronald K. Esplin and Matthew J. Grow (Salt Lake City: Church Historian’s Press, 2014), 131.

236. On June 24, 1833, Joseph Smith Jr. released his plat for the city of Zion, showing twenty-four temples at its center and an explanation for their use. Gerrit J. Dirkmaat and others, *Documents, Volume 3*, 123, 129–30; *History of the LDS Church*, 1:357–62; B. H. Roberts, *A Comprehensive History of the Church of Jesus Christ of Latter-day Saints: Century One*, 6 vols. (Provo, UT: Church of Jesus Christ of Latter-day Saints, 1965), 1:310–13; Richard H. Jackson, “The City of Zion Plat,” in *Historical Atlas of Mormonism*, ed. S. Kent Brown, Donald Q. Cannon, and Richard H. Jackson (New York: Simon and Schuster, 1994), 44–45; Arnold K. Garr, Donald Q. Cannon, and Richard O. Cowan, eds., *Encyclopedia of Latter-day Saint History* (Salt Lake City: Deseret Book, 2000), 211. The twenty-four temple complex “will require 36 acres according to the ‘plat of the city of Zion’ prepared under the direction of the Prophet Joseph Smith which is to be the City of the New Jerusalem.” Alvin R. Dyer, *The Center Place of Zion* (Provo, UT: BYU Press, 1968), 9.

## **Buildings on and Other Uses of the Temple Lot Property<sup>237</sup>**

The number of structures that were on the Temple Lot property during the Mormon stay in Independence (1831–33) has been a subject of some historical conjecture. From a closer look at the available information, it appears that there were five separate structures on the 1831 Partridge acquisition by the summer of 1833: (1) the original Flournoy brick trading post, (2) the Partridge cabin, (3) a log schoolhouse, and (4 and 5) the Morley and Correll cabins. The Temple Lot property was also clearly used as (6) a burial ground or cemetery, (7) an outdoor “meeting place for worship,” and (8) an area designated for farming and crop storage.

### *Original Brick Trading Post and Early Church Meeting Place<sup>238</sup>*

The 63.27-acre purchase by Edward Partridge included the existing but vacated Flournoy brick trading post; however, the building is not mentioned in the deed of sale from Flournoy to Partridge.<sup>239</sup> The structure was apparently in disuse and therefore not considered a valuable asset at that time to Flournoy, or it might explain the slight premium of \$.055/acre that Partridge paid Flournoy at the time of the sale.<sup>240</sup> This abandoned structure became, I believe, the first meeting place owned by the early church and was used both for worship and for other gatherings.

A very interesting description of a building, which was referred to as a “temple,” and which was certainly not the Partridge house, was written by Fanny Fristoe Twyman, a lifelong resident of Independence and a non-Mormon. In an autobiographical sketch of her life, she stated:

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237. Documentation is compiled from (a) testimony given in the Temple Lot Suit of 1891–96, (b) letters to and from key individuals doing subsequent research regarding the Temple Lot property buildings (1831–33), and (c) various autobiographical and biographical sketches written by or about those who were among the early Mormon pioneers of Jackson County.

238. My profound thanks to Bill and Annette Curtis, ardent early Mormon and Missouri historians, for their years of kindness and countless hours of help in facilitating my research. The initial idea for this essay is the result of one of many evenings in their home in Independence, Missouri, when Bill showed me a brick he had retrieved from the original Flournoy trading post, and the additional information provided regarding this period. Annette, likewise, has provided materials, resources, and valuable insight to facilitate my ongoing research.

239. Jackson County, Missouri, Property Records, Book B, 1.

240. The sale price of the 63.27 acres was \$130.00, or approximately \$2.055/acre. The premium was, therefore, \$3.47.

My father, Richard Fristoe, moved to Independence [about 1818]. I was raised in a two-story brick house . . . at the corner of Pleasant and Lexington Streets. All the land west of this was owned by my father . . . as far west as the Temple Lot. I remember visiting the temple when I was quite young. . . . There were three or four underground rooms, walled up with bricks; a floor over this. The pulpit or alter was built on the east side of this floor. . . . The temple was built a little east of where the frame church [the Church of Christ (Temple Lot)] now stands on River Boulevard at Lexington Street. It was always a conjecture with me, what the underground rooms were for.<sup>241</sup>

Twyman's recollection is quite specific regarding the location of the building used by the early Jackson County Saints. Even more fascinating is her description of the structure she incorrectly refers to as a temple; she states that there were "underground rooms" and that the walls of the building "were built of brick." Furthermore, she states that there was a floor over these underground rooms, indicating an upper story or a two-story building. Perhaps this building was partially built into the rise in the surrounding topography; this would explain what Twyman referred to as underground rooms.

### *The Partridge Cabin*

In her autobiography, Emily D. Partridge Young (Edward Partridge's daughter) states that the family traveled to Jackson County, Missouri, in the fall of 1831 or the spring of 1832.<sup>242</sup> William W. Phelps notes his departure from Kirtland in his "short history." He stated, "When I returned I took my family to Missouri [late 1831] in company with those of Br. Isaac Morley, Edward Partridge [and Lydia Partridge and their children], A. S. Gilbert, John Coril [sic] and some thirty or forty other saints." Phelps specifically noted the day

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241. Twyman, "Autobiography of Fanny Fristoe." Fanny's father, Richard Fristoe came to what would later become Jackson County perhaps as early as 1818. Wilcox, *Jackson County Pioneers*, 36.

242. Emily Dow Partridge Young was born February 28, 1824, at Madison Ohio. Her parents were Edward Partridge and Lydia Clisbee. Emily Dow Partridge Young, "Autobiography," *Woman's Exponent* 13, no. 13 (December 1, 1884): 102-3; Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891-96, Taylor testimony, 393. *The Woman's Exponent* was owned and published by Latter-day Saint women between 1872 and 1914. It was not an official church magazine. Young died December 9, 1899, at Salt Lake City.

of his arrival in Independence as February 22, 1832.<sup>243</sup> Emily's more realistic date of arrival in Independence coincides with that of Phelps and the others as being in late February 1832. In her Temple Lot Suit deposition, she stated that she "went to Missouri" as a young girl. When asked where she lived, her reply to counsel was "We had a little cabin built right on the corner." When further queried about what corner, she replied that it was known as the "Temple lot."<sup>244</sup>

Ironically, Edward Partridge rented a cabin from Lilburn W. Boggs (forever classified by the Mormon community as the infamous governor who issued the "extermination order" of October 1838<sup>245</sup>) for his family after their arrival in Independence.<sup>246</sup> Emily, in her "Reminiscences," indicates that the family still occupied the rented Boggs cabin in the fall of 1832 and early 1833. She stated: "The next winter [1832–33], houses to rent being scarce, father took in a widow and four children into that room we were in . . . to sit by one fire . . . until father built a small log house of his own. One room on the first floor and one upstairs, and a cellar."<sup>247</sup> The recollections of Eliza, Emily's sister, differ somewhat regarding where they lived the first year after arriving in Independence. Eliza stated that the family lived in a small house "which my Father had rented" that first year after their arrival in Independence. She continues: "The next spring we moved into a house that my Father rented of Lilburn W. Boggs where we lived until my father built a house on his own land."<sup>248</sup> Therefore, I believe Edward Partridge began building his family's cabin on the Temple Lot property sometime in late 1832 or early 1833. The location Partridge chose for his cabin was near

243. Phelps, "Short History of W. W. Phelps Stay in Missouri," 2.

244. Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Emily S. P. Young testimony, 373.

245. Alexander L. Baugh, *A Call to Arms: The 1838 Mormon Defense of Northern Missouri* (Provo, UT: BYU Studies, 2000), 109. The date of Order No. 44, from Governor Lilburn W. Boggs to General John B. Clark, is October 27, 1838. In summary, this executive order authorized the forced removal of all Mormons from the state of Missouri.

246. Young, "Autobiography," *Woman's Exponent* 13, no. 13 (December 1, 1884): 102–3; and *Woman's Exponent* 13, no. 14 (December 15, 1884): 105–6.; Dean Jessee, "Steadfastness and Patient Endurance: The Legacy of Edward Partridge," *Ensign* 9, no. 6 (June 1979): 5.

247. Emily D. Partridge Young, "Reminiscences of Emily D. Partridge Young," 10–11, Bx 8670.A1a #575, Harold B. Lee Library, Special Collections, Brigham Young University, Provo, UT; Jessee, "Steadfastness and Patient Endurance: The Legacy of Edward Partridge," 5.

248. Eliza M. Partridge Lyman, "Autobiography of Eliza Marie Partridge (Smith) Lyman," 2–3, MS 9546, Church History Library.



and east of Flournoy's abandoned trading post. Both structures would have been located to the east of the temple dedication site.<sup>249</sup>

Recent convert John Taylor (previously referred to) arrived in Independence in early 1833 to be a part of the gathering to Zion. When deposed on March 15, 1892, during the proceedings of the "Temple Lot Suit," he was asked if he knew Edward Partridge and if he knew him in Independence. Taylor's response was:

I went up to Jackson County in 1833 . . . [Sunday, April 10] . . . there was a meeting held on the temple block and I saw him [Partridge] there at the meeting. . . . He came to me after the meeting was over and took me home with him to his house. He had put up a house there, and that was on Sunday . . . and on Monday morning I commenced working for him . . . quarrying rock on the temple lot the next morning . . . to build a chimney to his house.<sup>250</sup>

Taylor was then questioned: "Well where was that house standing?" He answered: "I am pretty positive that it was right there on the temple block."<sup>251</sup> Notably, based on this testimony, it appears that the Partridge house was not yet completed as it still lacked a fireplace.

Pearl Wilcox, in her *Saints of the Reorganization in Missouri*, discusses the arrival of Frederick C. Warnky and his family to Independence in 1880. He "purchased a one-half block of ground bordering Lexington, Union and Kansas streets. This ground in the early days of the church had been a part of the original Temple ground of sixty-three acres. It was the former site

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249. Ruger, "Bird's Eye View of the City of Independence." This 1868 aerial photo shows two buildings at the corner of Lexington and Union. The structure at the corner would be the approximate location of the Partridge cabin. The structure to the immediate west, with no distinguishing features, would be the location of the original trading post. See also *Historical Atlas Map*, 45, 73; *Atlas of Jackson County*, section 3, township 49, range 32. On these early maps of Independence and the surrounding area, additions or annexations to the city are named and lots are numbered. Lot 15 in the "Woodson and Maxwell" addition is the traditional spot where the Temple Lot was dedicated by Joseph Smith on August 3, 1831. Today lot 15 is part of the 2¾ acres owned by the Church of Christ (Temple Lot). There is a marker on the property designating the northeast corner of the proposed temple.

250. Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Taylor testimony, 393.

251 Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Taylor testimony, 394.

of Bishop Partridge's home and schoolhouse."<sup>252</sup> Wilcox, while not specific, seems to indicate that the "home and schoolhouse" were two separate structures.

*The Log Schoolhouse/Meetinghouse or Church*

Emily D. Partridge Young, in discussing her arrival in Independence, noted that "about the first thing the Saints did after providing shelter for their families, was to start a school for their children. The first school I remember attending was in a log cabin."<sup>253</sup> This building would have been near the Partridge home, as pointed out by Wilcox.<sup>254</sup>

W. Z. Hickman, in preparing information for his 1920 *History of Jackson County*, asked Walter W. Smith, an RLDS historian, to prepare an essay about the Mormon church in Jackson County from 1831 to the present (1920), which would be part of a chapter devoted to early churches in the county. Smith included in his article material from an interview with Frederick C. Warnky. In particular, Smith queried Warnky about his 1880s purchase of property on what would have been a portion of the Partridge acquisition of 63.27 acres. Warnky related that at the time of his acquisition, there was "a large log meeting house, located on the Westport road, within a few feet of the intersection of Union and West Lexington streets" and that a "part of this building remained standing until 1883."<sup>255</sup> Certainly the "Old Log Church" Smith referenced could have been, and most likely was, the same structure as the schoolhouse.

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252. Frederick C. Warnky (Warnkey) was born in Micklinberg, Germany, on August 28 (or 29), 1838 (or 1839). He came to the United States and eventually located in Elliott, San Joaquin, California, where he was baptized a member of the RLDS church on April 23, 1868. He died in Independence, Missouri, on December 24, 1920. Pearl Wilcox, *Saints of the Reorganization in Missouri* (Independence, MO: n.p., 1974), 247; "Frederick C. Warnky," Find a Grave Memorial, accessed April 6, 2017, <https://www.findagrave.com>.

253. Young, "Autobiography," *Woman's Exponent* 13, no. 13 (December 1, 1884): 102–3; and *Woman's Exponent* 13, no. 14 (December 15, 1884): 105–6. See also Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Rathbun testimony, 504.

254. Wilcox, *Saints of the Reorganization in Missouri*, 247.

255. Walter W. Smith, "Reorganized Church of Jesus Christ of Latter Day Saints," in W. Z. Hickman, *History of Jackson County* (Topeka, KS: Historical Publishing, 1920), 195. Hickman, in his chapter titled "Pioneer Churches," made provision for the inclusion of the "Mormon" viewpoint from both an RLDS perspective (Walter W. Smith's article) and an LDS perspective (an article written by Orson F. Whitney).

In 1945, RLDS church historians Samuel A. Burgess and Walter W. Smith corresponded regarding Smith's earlier statements in Hickman's 1920 publication. In an October letter, Smith provided additional detail of his earlier conversations with Warnky and his own feelings regarding "the location of the Partridge House and the first Church in Zion." Quoting Warnky from his conversations twenty-five years earlier, Smith stated: "He thought as many of the older people did that that particular spot [his 1880 purchase] was the site of 'the old Partridge House and Church.'"<sup>256</sup> Smith indicated that he and Warnky had, in years past, walked the property looking for any remaining indication of the structures that were once located on the property. They found nothing. Smith added, for Burgess's benefit, that "the location of the old Brick House" could be found "by digging on the property" and that the "Old Log Church would be in that way located as they occupied the same lot."<sup>257</sup>

Clearly Smith was talking about two separate buildings—one being built of brick and the other of logs. While the "old Brick House" and the "old Partridge House" pose some confusion, the reference to the "Old Log Church" is very clear. I think that the 1826 brick trading post built by Flournoy was an occupied home in the post-Mormon period.<sup>258</sup> I also believe that the old brick trading post is the structure shown in the 1868 enhanced "Bird's Eye" photograph of Independence.<sup>259</sup>

Warnky<sup>260</sup> or any others who decided to relocate to Independence in the late 1860s, 1870s, and 1880s would have known where the temple property and Partridge residence were located, but they would have been unfamiliar with what the original structures looked like in the early 1830s; thus, they may have thought that the brick structure remaining on the temple property was the Partridge home. However, both Twyman's and Young's testimonies clarify that the "old Brick House" was not the same building as the two-room Partridge log cabin.<sup>261</sup>

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256. Walter W. Smith to Samuel A. Burgess, October 15, 1945, P22, f55, Community of Christ Library and Archives, Independence, MO.

257. Smith to Burgess, October 15, 1945.

258. Twyman, "Autobiography of Fanny Fristoe."

259. Smith to Burgess, October 15, 1945, Community of Christ Library and Archives.

260. Wilcox, *Saints of the Reorganization in Missouri*, 247.

261. Twyman, "Autobiography of Fanny Fristoe"; Jessee, "Steadfastness and Patient Endurance: The Legacy of Edward Partridge," 5.

*The Corrill and Morley Cabins*

There are at least two historical accounts that mention the Morley and Corrill cabins as being close to the Partridge home. In a biography of early church member Mary Elizabeth Rollins, who traveled with her family to Independence in the fall of 1831, she is quoted as saying: “The families went to the Temple block where the Bishop [Partridge] and his first counselor, John Corrill, lived.”<sup>262</sup>

Isaac Morley, Partridge’s second counselor, apparently also had a cabin near Corrill’s. Chapman Duncan recorded in his unpublished autobiography that he arrived in Independence in 1832. He wrote: “I stopped the first night with Bishop Partridge. The next night I stopped with Isaac Morley. . . . I lived with Father [Isaac] Morley that winter.” Duncan goes on to record that Morley’s house was located near [John] Corrill’s.<sup>263</sup>

*Burial Ground or Cemetery*

In 1861, Horace Burr Owens responded to a written request from LDS apostle George A. Smith asking for information on Owen’s father’s family. Owens provided a brief synopsis of his family’s sojourn in Independence (1831–33). Regarding his siblings, he stated: “Brother John who died . . . was buried on the Temple Lot.” Owens also added that his sister “Cordelia, who died . . . was buried by the side of my Bro. John.”<sup>264</sup> It seems entirely possible that others may have been buried at this site during the early period of the Church’s presence in Independence.

*Outdoor Meeting Place for Worship*

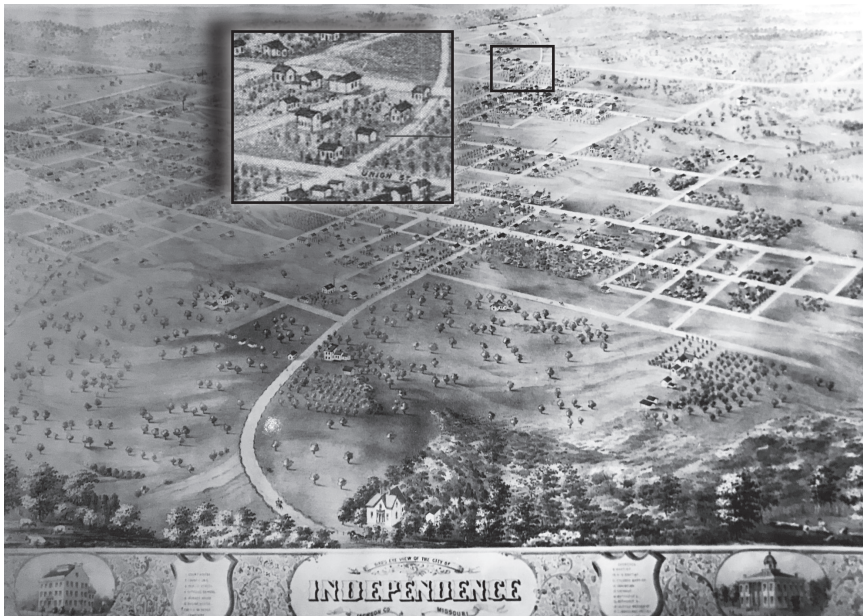
When the weather permitted, the local Independence branch of the church would gather on the Temple Lot for worship services and religious instruction. Jemima Call, in a letter written to the editor of the *Saints’ Herald* in May 1881, spoke of a meeting on the Temple Lot. She arrived in Jackson County on June 2, 1833, just a month prior to the serious difficulties that erupted in

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262. Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Emily S. P. Young testimony, 373; Elsie E. Barrett, biography of Mary Elizabeth Rollins Lightner, MS 3538, 8, Church History Library; Chapman Duncan, autobiography, 3, 5 (June 22, 1852), MS 6936, Church History Library.

263. Duncan, autobiography, 3, 5.

264. Horace Burr Owens to George A. Smith, August 3, 1861, MS 6019, f6, no. 3, Church History Library. There are no death dates provided in the letter. I thank Alexander L. Baugh for bringing this letter to my attention.



**Figure 6.** “1868 Bird’s Eye View of the City of Independence” by Albert Ruger. Photographic reproduction courtesy Bill and Annette Curtis. The photo depicts, in the upper center, the Temple Lot property, where the Westport Road makes an angular bend to the left (see inset).

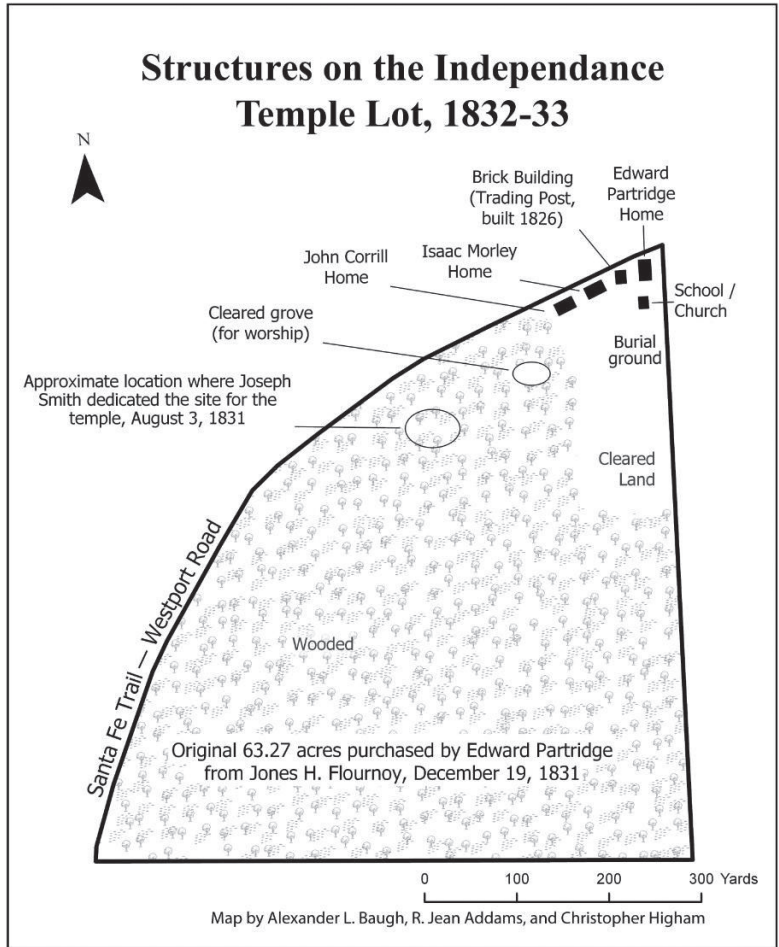
July. She related: “I shall never forget the last meeting we attended in Jackson County. It was held on the Temple Lot.”<sup>265</sup> Since she doesn’t mention the meeting being held in a building, it is probable that this meeting was held outside somewhere on the Temple Lot property. Hiram Rathbun recalled in his testimony in the Temple Lot Suit that “in pleasant weather in the summer time and the fall when they were having two-days’ meetings at a time, they had them on the Temple Lot in the woods.”<sup>266</sup>

#### *Farming and Crop Storage*

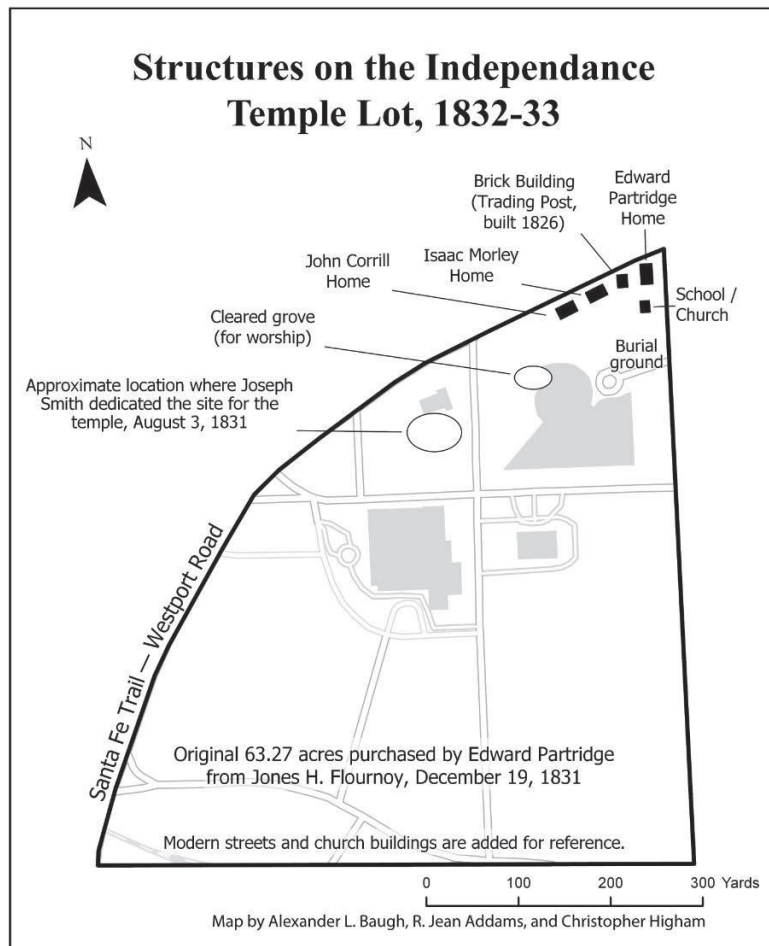
Emily D. Partridge Young acknowledged that a portion of the Temple Lot property was used for farming purposes prior to the forced exodus of the Saints from Independence in November 1833. She commented that the “mob

265. *Saints’ Herald* 28, no. 13 (July 1, 1881): 208.

266. Reorganized Church of Jesus Christ of Latter Day Saints, Complainant, vs. The Church of Christ, 1891–96, Rathbun testimony, 503.



**Figure 7.** Map of the original 63.27 acres purchased by Edward Partridge on December 19, 1831. Detail indicates approximate locations of original Flournoy trading post (1826) and homes and school/church built on Temple Lot (1832–33). Also shown are approximate locations of the dedication site, the grove used for worship, and other uses of the property by early Saints prior to the forced exodus in November 1833. Map by Alexander L. Baugh, R. Jean Addams, and Christopher Higham.



**Figure 8.** Map of the original 63.27 acres purchased by Edward Partridge on December 19, 1831. Detail shows the current structures located on the Temple Lot property, including Church of Christ (Temple Lot) chapel and headquarters (upper left, by dedication site); auditorium of the Community of Christ (lower left); the temple of the Community of Christ (upper right); and the visitors center of The Church of Jesus Christ of Latter-day Saints (lower right). Map by Alexander L. Baugh, R. Jean Addams, and Christopher Higham.

set fire to a large haystack belonging to father; it was but a short distance from our house.”<sup>267</sup> Chapman Duncan also noted in his autobiography that, after living with Father Morley during the winter of 1832–33, he “raised a crop on the temple lot for him.”<sup>268</sup>

### **The Mormon Expulsion from Jackson County in November 1833**

This essay is not intended to discuss, in detail the particulars of why the church’s effort to establish Zion in Jackson County, Missouri, was short lived;<sup>269</sup> however, a brief capsule of the major issues is mentioned here to give the reader a basic understanding of the sacrifices of these early Saints and to explain why there remains in the various expressions of the Restoration a special reverence for the Independence Temple Lot and why it is often termed “sacred space.”<sup>270</sup> Such a summary also helps explain why the later repurchase of the Temple Lot property was so important and is seen as an integral part of the physical redemption of Zion.

Beginning with the mass meeting of Jackson County residents on July 20, 1833,<sup>271</sup> it was apparent that this early Mormon sojourn in Zion was about to end.<sup>272</sup> Depravations continued against church members in the weeks that followed. William W. Phelps’s printing establishment<sup>273</sup> and

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267. Young, “Autobiography,” 102–3.

268. Duncan, autobiography, 3, 5.

269. For excellent readings covering this early Mormon settlement period (1831–33) in Jackson County, Missouri, and the expulsion of the early church from Jackson County in November 1833, see Ronald E. Romig and John H. Siebert, “First Impressions: The Independence, Missouri Printing Operation, 1832–33,” *John Whitmer Historical Association Journal* 10 (1990): 51–66; Thomas M. Spencer, “Introduction: Persecutions in the Most Odious Sense of the Word,” in *The Missouri Mormon Experience*, ed. Thomas M. Spencer (Columbia, MO: University of Missouri Press, 2010), 1–8; Ronald E. Romig and Michael S. Riggs, “The Appointed Time,” in *Missouri Mormon Experience*, ed. Thomas M. Spencer, 27–49; and Allen and Leonard, *Story of the Latter-day Saints*, 81–93.

270. R. Jean Addams, “A Contest of ‘Sacred Space,’” *John Whitmer Historical Association Journal* 31, no. 1 (Spring/Summer 2011): 44–68.

271. Dirkmaat and others, *Documents, Volume 3*, 187; Allen and Leonard, *Story of the Latter-day Saints*, 85–86.

272. *History of the RLDS Church*, 1:316; *History of the LDS Church*, 1:390–91.

273. William W. Phelps had been called by revelation (given at Independence in July 1831) to be “planted in this place, and be established as a printer unto the church.” In the fall of 1831 back in Kirtland, he was charged with purchasing a printing press (to be acquired in Cincinnati on his return to Missouri) and establishing the church’s first newspaper, *The*



home were destroyed. Bishop Edward Partridge and Charles Allen were tarred and feathered. Mobbing, harassments, and violent encounters on a large and determined scale began on October 31, 1833, and the church was literally driven en masse out of the county by early November.<sup>274</sup> Most of the members fled north across the Missouri River to Clay County.<sup>275</sup> Factors leading to the expulsion of the Mormon population from Jackson County include the following:

First, the citizens and settlers of Jackson County were unprepared for the rapid growth of the church in Independence and the surrounding area. By September 1832, 810 Saints were living in Jackson County,<sup>276</sup> and in the spring of 1833 more members and their families arrived and settled in the county. The estimated number of Saints driven out of Jackson County in November 1833 is 1,200.<sup>277</sup> The perceived “unchecked growth” of Mormon immigration became a cause of considerable concern for the local and county leaders, who worried this new religious group would have political control of the elected and appointed offices in Jackson County and Independence.<sup>278</sup>

Second, Mormon settlers were predominately, if not all, from northern states and were therefore perceived as being biased against slavery. Missouri was a slave state.<sup>279</sup>

Third, both the original missionaries and the new arrivals preached a doctrine of millennialism and had made known, directly or indirectly, their belief that the New Testament “city of New Jerusalem,” or the “City of Zion,” was to be located in the immediate vicinity of Independence.<sup>280</sup>

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*Evening and the Morning Star*. The first issue was published in July 1832. *History of the LDS Church*, 1:217, 273–84.

274. *History of the LDS Church*, 1:237.

275. Spencer, *Missouri Mormon Experience*, 11.

276. “The Gathering,” *The Evening and the Morning Star* 1, no. 6 (November 1832). The date of the letter to *The Evening and the Morning Star* is September 20, 1832. See also *Church History in the Fulness of Times* (Salt Lake City: The Church of Jesus Christ of Latter-day Saints, 1989), 111.

277. “‘Regulating’ the Mormonites,” *Niles’ Register* (Baltimore), September 14, 1833, 48.

278. Hartley, *Stand by My Servant Joseph*, 121.

279. William Berrett, *The Latter-day Saints: A Contemporary History of the Church of Jesus Christ* (Salt Lake City: Deseret Book, 1985), 112–13; George Q. Cannon, *Life of Joseph Smith*, 2nd ed. (Salt Lake City: Deseret News, 1907), 155; Allen and Leonard, *Story of the Latter-day Saints*, 83.

280. Allen and Leonard, *Story of the Latter-day Saints*, 83–84.

Other points of contention included (a) rumors of a Mormon alignment with the surrounding Indian tribes;<sup>281</sup> (b) the sale of merchandise in Independence in direct competition with Jones H. Flournoy,<sup>282</sup> Samuel Owens,<sup>283</sup> Samuel D. Lucas (and partner), and others;<sup>284</sup> (c) the perceived clannishness (caused by, for example, the practice of the law of consecration);<sup>285</sup> (d) the conversion of some of the locals; and (e) certain beliefs and expressions of faith that the general population of the county found obtrusive or annoying.<sup>286</sup> These Mormon pronouncements and practices were also of particular concern to the local ministers of various faiths, who saw the Mormons as a threat to their fledgling congregations.<sup>287</sup>

## The Redemption of Zion

### *The Need to Reclaim “Sacred Space” and the Concept of Redeeming Zion*

After the church had been driven out of Jackson County and forced to abandon the temple property, church leaders and members were greatly concerned about the recovery of that “sacred space”—the dedicated site of the millennial temple. The physical return to Independence and the reacquisition of that sixty-three-acre parcel of land has been, and continues to be a part of the ongoing history of this “sacred space.”

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281. Allen and Leonard, *Story of the Latter-day Saints*, 83; Warren Jennings, “The City in the Garden: Social Conflict in Jackson County, Missouri,” in *The Restoration Movement: Essays in Mormon History*, ed. F. Mark McKiernan, Alma R. Blair, and Paul M. Edwards (Lawrence, KS: Coronado Press, 1973), 112–13.

282. Jackson County Court minutes, book 1, entry no. 80513, May 7, 1832. In addition to the merchant license granted to Jones H. Flournoy for fifteen dollars, a merchant license was also granted to Gilbert and Whitney for twenty dollars (this was for the church store).

283. Pearl Wilcox, *The Latter Day Saints on the Missouri Frontier* (Independence, MO: n.p., 1972), 19–20.

284. Wilcox, *Latter Day Saints on the Missouri Frontier*, 19–20.

285. Jennings, “City in the Garden,” 116.

286. At the July 20, 1833, citizens meeting, a detailed document prepared for that occasion, known as the “Secret Constitution,” was read. It states that the Latter-day Saints “pretended as they did, and now do, to hold personal communication and converse face to face with the Most High God; to receive communication and revelations direct from heaven; to heal the sick by the laying on hands; and, in short, to perform all the wonder-working miracles wrought by the inspired Apostles and Prophets of old.” *History of the LDS Church*, 374–75.

287. B. H. Roberts, *The Missouri Persecutions* (Salt Lake City: Bookcraft, 1965), 73–74.

Joseph Smith would have been advised of the July troubles, persecutions, and increasing difficulties in Jackson County by Oliver Cowdrey upon his return to Kirtland in mid-August 1833.<sup>288</sup> He had been sent by “the brethren in Zion” on July 24 or 25 to inform the prophet of the serious problems facing the church and to seek advice. However, two months later, Smith dictated what must have been an unsettling revelation while he and Sidney Rigdon were on a brief mission in Perrysburg, New York.<sup>289</sup> “And now I give unto you a word concerning Zion. Zion shall be redeemed although she is chastened for a little season” (LDS D&C 100:13; RLDS D&C 97:4.a.).<sup>290</sup> The phrase “to be redeemed,” particularly as it applied to the Temple Lot and the Saints’ lost property and possessions in Jackson County, was certainly a clear message that what was once established was no more. This verse became the first latter-day scriptural use of the word *redeemed* as it pertains to Zion. Four months later, in February 1834, Parley P. Pratt and Lyman Wight arrived in Kirtland to advise Joseph Smith of the pitiful situation of his downtrodden followers who were clinging to mere existence in Clay County.<sup>291</sup>

Shortly thereafter, on February 24, 1834, Smith proclaimed that “the redemption of Zion must needs come by power” and “as your fathers were led at the first, even so shall the redemption of Zion be” (LDS D&C 103:15, 18; RLDS D&C 100:3d.–e.).<sup>292</sup> From these “warm up verses” came what has since been known as the “call for Zion’s Camp.”<sup>293</sup>

The Church responded with a recruitment effort to “redeem Zion.” The result was approximately two hundred able-bodied men who were willing

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288. *History of the LDS Church*, 1:395, 407; *Church History in the Fulness of Times*, 134; Roberts, *Comprehensive History of the Church*, 1:358–59. Cowdrey would have left shortly after a memorandum of agreement was signed by the Jackson County “citizens committee” and by church leaders in Independence on July 23, 1833.

289. *History of the LDS Church*, 1:416–21. Joseph Smith and Sidney Rigdon, in company with Freeman Nickerson, commenced a mission that would take them to Nickerson’s home in Upper Canada. Smith’s revelation occurred at “Father Nickerson’s at Perrysburg, New York.”

290. Dirkmaat and others, *Documents, Volume 3*, 320–24.

291. *History of the RLDS Church*, 1:435; *Church History in the Fulness of Times*, 141. Pratt and Lyman arrived in Kirtland on February 22, 1834.

292. Dirkmaat and others, *Documents, Volume 3*, 457–63.

293. For excellent readings on this subject, see Roger D. Launius, *Zion’s Camp* (Independence, MO: Herald Publishing House, 1984); James L. Bradley, *Zion’s Camp 1834: Prelude to the Civil War* (Salt Lake City: Publishers Press, 1990); and James L. Bradley, *The Eternal Perspective of Zion’s Camp* (Logan, UT: n.p., 2004).

leave family and home and to travel to Jackson County at the request of their prophet. They assembled at New Portage, Ohio, and departed on May 8, 1834, to redeem Zion, some nine hundred miles away.<sup>294</sup>

However, in the month following, while encamped on the banks of the Fishing River in Clay County, just north of the Missouri River and Jackson County, word was received that there would be no assistance from the governor of the state, which they had anticipated receiving to facilitate their efforts in regaining their land holdings in Independence and surrounding vicinity.<sup>295</sup> On June 22, 1834, Smith received further revelation: “Therefore, in consequences of the transgressions of my people, it is expedient in me that mine elders should wait for a little season for the redemption of Zion” (LDS D&C 105:9, 13; RLDS D&C 102:3c., f.).<sup>296</sup>

Coupled with the devastating effects of a cholera epidemic that quickly spread through the ranks of the men (the disease claimed thirteen men and one woman),<sup>297</sup> the quasimilitary body known as Zion’s Camp was officially disbanded on June 30, 1834.<sup>298</sup>

### *The Postponed Redemption of Zion*

After a four-year effort to strengthen themselves as a church in newly created Caldwell County (located in northwest Missouri), the Mormons soon found themselves again contesting with their neighbors.<sup>299</sup> With the expulsion of the

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294. *History of the LDS Church*, 2:63–65.

295. Bradley, *Zion’s Camp 1834: Prelude to the Civil War*, 286; Roberts, *Comprehensive History of the Church*, 1:358–59.

296. Matthew C. Godfrey and others, eds., *Documents, Volume 4: April 1834–September 1834*, vol. 4 of the Documents series of *The Joseph Smith Papers*, ed. Ronald K. Esplin, Matthew J. Grow, and Matthew C. Godfrey (Salt Lake City: Church Historian’s Press, 2016), 69–77.

297. Bradley, *Zion’s Camp 1834*, 207. Depending on the source, the number of those who succumbed to the disease varies from thirteen to eighteen. Some lists include church members who were living in Clay County but were not specifically members of Zion’s Camp. Fourteen (thirteen men and one woman) is the number of individuals named by Heber C. Kimball, Joseph Noble, and Elizabeth Rollins Lightner.

298. Launius, *Zion’s Camp*, 153.

299. Leland H. Gentry, *A History of Latter-day Saints in Northern Missouri* (Provo, UT: BYU Studies, 2000), 24. Recommended readings on this period include Stephen C. LeSueur, *The 1838 Mormon War in Missouri* (Columbia, MO: University of Missouri Press, 1990); and Alexander L. Baugh, *A Call to Arms: The 1838 Mormon Defense of Northern Missouri* (Provo, UT: BYU Studies, 2000).

church from Missouri in the late fall and winter of 1838–39,<sup>300</sup> the near-term hope of redeeming Zion was replaced with the delayed expectation that the church would, indeed, have to “wait for a little season, for the redemption of Zion” (LDS D&C 105:9, 13; RLDS D&C 102:3c., f.).<sup>301</sup>

### *The Redemption of Zion Begins*

The earliest church with Mormon roots to stake a claim in Independence after the Nauvoo period (1840–46) was the Church of Christ (the original name of the 1830 church), organized in 1852 in Illinois, whose adherents are historically referred to as Hedrickites, after Granville Hedrick, their first recognized leader.<sup>302</sup> In 1864, Hedrick proclaimed to his followers that he had received a vision and was instructed that the Church of Christ<sup>303</sup> was to return to Jackson County in 1867.<sup>304</sup>

The second major movement, the Reorganized Church of Jesus Christ of Latter Day Saints formally organized in 1860,<sup>305</sup> under Joseph Smith III, the oldest surviving son of Joseph and Emma Smith.<sup>306</sup> The RLDS church

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300. Baugh, *Call to Arms*, 109. The date of Order No. 44 (from Governor Lilburn W. Boggs to General John B. Clark) is October 27, 1838.

301. Dirkmaat and others, *Documents, Volume 4*, 69–77.

302. R. Jean Addams, “Reclaiming the Temple Lot in the Center Place of Zion,” *Mormon Historical Studies* 7 (Spring/Fall 2006): 7–20; R. Jean Addams, “The Church of Christ (Temple Lot): Its Emergence, Struggles, and Early Schisms,” in *Scattering of the Saints: Schism within Mormonism*, ed. Newell G. Bringhurst and John C. Hamer (Independence, MO: John Whitmer Books, 2007), 206–33; R. Jean Addams, *Upon the Temple Lot: The Church of Christ’s Quest to Build the House of the Lord* (Independence, MO: John Whitmer Books, 2010).

303. William A. Sheldon to R. Jean Addams, August 23, 2006. In his correspondence, Sheldon stated: “There never has been Church action to attach ‘Temple Lot’ to the church name of Church of Christ. It has been done parenthetically according to whim. . . . We have local congregations that do not use the appellation at all.”

304. Bert C. Flint, *An Outline History of the Church of Christ [Temple Lot]* (Independence, MO: Church of Christ Board of Publications, 1953), 107–8.

305. Richard P. Howard, *The Church through the Years*, 2 vols. (Independence, MO: Herald Publishing House, 1992), 1:340, 371; *History of the RLDS Church*, 3:247; Mark A. Scherer, *The Journey of a People: The Era of Reorganization, 1844–1946* (Independence, MO: Community of Christ Seminary Press, 2013), 94.

306. Inez Smith Davis, *The Story of the Church* (Independence, MO, 1943), 146, 317, 345–46, 367, 404, 514–15. Joseph Smith III was the eldest surviving son of Joseph Smith Jr. and Emma Hale Smith. He was born in Kirtland, Ohio, on November 6, 1832. Smith was only eleven years old when his father was murdered at Carthage, Illinois. When Brigham Young led the majority of the Latter-day Saints in the Nauvoo, Illinois, area west, young Joseph’s mother and siblings stayed behind. Emma’s family remained aloof from the claims

authorized a gradual return to Jackson County in 1877.<sup>307</sup> Headquarters of the church were relocated from Lamoni, Iowa, to Independence, Missouri, in 1920.<sup>308</sup>

The third church to physically return to Independence was The Church of Jesus Christ of Latter-day Saints. In December of 1900, the Southwestern States Mission home was moved from St. John, Kansas, to Kansas City, Missouri.<sup>309</sup> Mission headquarters were subsequently relocated to Independence in 1907.<sup>310</sup>

These three churches began making efforts to acquire portions of the 1831 Partridge purchase of 63.27 acres soon after their respective “returns” to Independence, Jackson County. All three organizations felt to some degree the importance of redeeming Zion—that is, physically returning to Jackson County and reclaiming the Temple Lot property. The Church of Christ (Temple Lot) wasted little time in their efforts to reacquire the specific site of the August 3, 1831, dedication by Joseph Smith. John Hedrick and William Eaton acquired eight contiguous lots (two and one-half acres) between 1867 and 1874.<sup>311</sup> Land purchases by the RLDS and LDS churches came later, beginning in the early 1900s.<sup>312</sup>

### **Remaining Buildings on the Temple Lot Property, 1868–1990**

As previously noted, Albert Ruger’s 1868 aerial photo titled “Bird’s Eye View of the City of Independence” identifies two buildings near the corner

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of the many aspirants to the mantle of her husband. In the late 1850s, several individuals began to attract many of the Latter-day Saints who had remained in the Midwest. (The New Organization [1852] preceded the formal reorganization of the church). Certain of these individuals believed Joseph Smith III should be the head of the New Organization. In early 1860 Smith agreed, and on April 6, 1860 (thirty years exactly from the day his father had organized the original church), he was sustained as “President of the Church of Jesus Christ of Latter Day Saints.” Smith died December 10, 1914, at Independence, Missouri.

307. *History of the RLDS Church*, 4:166–67; see also Joseph Smith III and Henry Stebbins, “Notes on Travel,” *Saints’ Herald* 24, no. 2 (January 15, 1877): 25.

308. Scherer, *The Journey of a People: The Era of Worldwide Community, 1946 to 2015*, 446.

309. “History of the Central States Mission,” 19. This unpublished volume has no author, editor, or date. I located this typewritten copy at the LDS Missouri Independence Mission office in 2010. A photocopy of this seventy-five-page document was generously provided to me at that time.

310. “History of the Central States Mission,” 28.

311. Jackson County, Missouri, Property Records, Book 50, 331–32, and Book 53, 526–27.

312. Jackson County, Missouri, Property Records, Book 104, 311, 517.

of Lexington and Union Streets. The sketch of the dwelling on the east is approximately where the Partridge house was originally located, and the structure to its right is presumably the original Flournoy trading post.<sup>313</sup>

Orson Pratt, when he visited Independence in September 1878, stated that “not a tree was to be found” standing on the Temple Lot site (then owned by the Church of Christ).<sup>314</sup> Ruger’s 1868 photo/sketch likewise shows no trees existing on the property. As explained, the Temple Lot was located approximately a block west on Lexington, at the southwest corner of Ruffner<sup>315</sup> (now River) as the road bends to the southwest.

Walter W. Smith’s prepared article, discussing the settlement of the early church and the years thereafter, for Hickman’s 1920 *History of Jackson County*<sup>316</sup> provides valuable insight regarding the building he believed was used by the early church for meetings on the Temple Lot. In his discussion with Frederick Warnky, he was told that it was a “large log” structure.<sup>317</sup> Smith later clarified, in correspondence with Samuel A. Burgess, that there were two buildings on the property Warnky acquired four or five years after Pratt’s visit.<sup>318</sup> Smith, referring to at least one of these buildings, stated (with information most likely provided by Warnky): “A part of this building remained standing until 1883, when it was removed by Mr. Frederick C. Warnky to make room for the dwelling now occupied by Mr. Page.”<sup>319</sup>

In an attempt to substantiate the earlier statements made by Warnky to Smith and Smith to Burgess, Historian Inez S. Davis corresponded with Evan A. Fry, radio director<sup>320</sup> of the RLDS church in 1958. Davis conveyed to Fry that she had been asked by “Pres. F. M. Smith to clear up the question as to where the first meetings in Independence were held.”<sup>321</sup> In her letter to Fry, dated December 8, 1958, Davis wrote of her recent conversation

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313. Ruger, “Bird’s Eye View of the City of Independence.”

314. O. Pratt, in *Journal of Discourses*, 24:24 (Salt Lake City, October 26, 1879).

315. Ruger, “Bird’s Eye View of the City of Independence.” The name of the street identified as “Ruffner” is shown on his aerial map.

316. Hickman, *History of Jackson County* (1920), 195.

317. Hickman, *History of Jackson County* (1920), 195.

318. Smith to Burgess, October 15, 1945.

319. Hickman, *History of Jackson County* (1920), 195.

320. Scott M. Norwood, *Who Was Who in RLDS History* (Warrensburg, MO: All Good Books, 2007), 37.

321. Inez S. Davis to Evan Fry, December 8, 1958, P22, f55, Community of Christ Library and Archives

with Russell Warnky, the son of Frederick C. Warnky. She detailed Russell's response to her inquiry regarding any structure he remembered as a boy when the family moved onto the property his father had purchased in 1880. Davis related that she specifically asked Russell "if there was an old house on the lot his father bought in Independence." He answered that there was and stated: "It was built of old fashioned hand made brick." He elaborated that "the house consisted of one room, no floor, a large fireplace and mantel, and that a family actually lived in it when father bought it."<sup>322</sup> A sister of Russell's, Melissa Etzenhouser, also remembered that when her father bought the property that "there was a one-room adobe brick house" and that it had "a fireplace and earthen floor."<sup>323</sup>

Davis then summarized her thoughts to Fry: "I have convinced myself that Partridge built a house on the land now on the S. W. corner of Union and Lexington, which was the first meetinghouse in Independence (when church services could not be held in the grove) and that the house was built of home-made, sun-dried brick."<sup>324</sup> Her conclusion, however, does not take into consideration the fact that the Flournoy trading post already existed prior to the December 1831 acquisition by Partridge and that it was made of brick (as substantiated by Twyman's recollection).<sup>325</sup> Furthermore, she omits the assertion that both the senior Warnky and Walter W. Smith stated in their earlier interviews and correspondence that there were at least two separate structures on the property—the brick house and the log schoolhouse or meeting place.<sup>326</sup> Additionally, the "Bird's Eye" photo of 1868 Independence definitely shows two structures at this location.<sup>327</sup>

In Walter Smith's exchange of letters with Burgess, he added to his previously published information: "He [Warnkey] thought as many of the older people did that that particular spot [Warnky's lot] was the site of the Old Partridge House and Church." Smith further commented: "I think the statement as near correct as anyone could now determine except probably by digging . . . indicating the location of the old Brick House which I think

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322. Davis to Fry, December 8, 1958.

323. Wilcox, *Saints of the Reorganization in Missouri*, 247.

324. Davis to Fry, December 8, 1958.

325. Twyman, "Autobiography of Fanny Fristoe Twyman."

326. Smith to Burgess, October 15, 1945.

327. Ruger, "Bird's Eye View of Independence."



might be found. The Old Log Church would be in that way located as they occupied the same lot so I am told.”<sup>328</sup>

Returning to Smith’s original article, there is existing commentary that the old brick building rather than the old log house was removed.<sup>329</sup> Apparently at the time of the razing of this old structure, the bricks were removed and transported to a nearby vacant lot on East Walnut Street, where they were reused to build a house; any remaining portions of the original walls and foundation were simply buried. Either Smith misquoted Warnky as to the “old log house” versus the “old brick house,” or perhaps both 1883 structures, or what remained of them, were “removed by Mr. F. C. Warnky to make room for the dwelling now occupied by Mr. Page.”<sup>330</sup> Pearl Wilcox also affirms, from an interview she had with Melissa Etzenhouser in 1950, that it was the old brick building that was torn down in 1883.<sup>331</sup> Joseph H. Stott acquired this rebuilt brick home, located at 309 East Walnut Street, from Stanford D. and Eliza Biggs in 1906.<sup>332</sup> According to Stott family tradition, this house was built with the salvaged bricks from a building on the Temple Lot; the house was latter extended with other materials. The Stott’s son, Joseph Jr., lived in this reconstructed “old brick” home until 1971, when the building was ordered to be demolished by the city of Independence, declaring it a public health hazard. Demolition was undertaken on March 4, 1971.<sup>333</sup>

Local Missouri and Mormon historian Bill Curtis had come to know the younger Joseph Stott over many years and was well aware of the home’s historical significance. At the invitation of Stott, and prior to the city’s demolition of the house, Curtis once again visited the old family home. He related to the author that on this particular visit, he took the time to re-examine the

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328. Smith to Burgess, October 15, 1945.

329. Hickman, *History of Jackson County* (1920), 195.

330. Hickman, *History of Jackson County* (1920), 195.

331. Wilcox, *Saints of the Reorganization in Missouri*, 247, 278.

332. Sanford D. and Eliza Biggs to Bessie M. Stott (Joseph H. Stott’s wife), June 4, 1906, no. 53235, Jackson County Property Records. The purchase price was \$850. I have no explanation for why Joseph H. Stott, Bessie’s husband, does not appear on the deed. Perhaps he wasn’t in Independence at the time of the closing on the home. According to the 1905 Wisconsin census, Joseph H. and Bessie were married and living in Grand Rapids with one child, Joseph. The 1910 US Census shows Joseph H., Bessie, and Joseph H. Jr. (age six) living at 309 East Walnut Street. The Stott’s daughter, Helen, appears in the 1920 census (age eight) with her parents and brother.

333. “End of a Long Fight,” *Independence (MO) Examiner*, March 4, 1971.

walls of the building and to reconfirm that they were, indeed, made of bricks of the same era as those in the original 1820s Jones H. Flournoy home, with which Curtis was very well acquainted.<sup>334</sup> He said that he was “absolutely convinced” that the bricks were the same.<sup>335</sup>

Additionally, on or about the same time Curtis visited the Stott home for the last time in February or March 1971, Joseph’s sister, Helen, related to Curtis in a telephone conversation a very interesting story. She stated that, as children growing up in this rebuilt pioneer-vintage brick home, there were several occasions when “strangers would drop by and ask father or mother for permission to have their photos taken in front of the building where once the Prophet Joseph preached.” From her testimony of these visits, and with no reason to have fabricated these remembrances, it seems that knowledge of the early history of this memorable brick building followed the structure from its original location near the corner of Union and Lexington to its relocated and rebuilt location on nearby East Walnut Street.<sup>336</sup>

### **Clearing the Land for the RLDS Temple<sup>337</sup> and Retrieval of an Original Brick from the Flournoy Trading Post**

Acquiring the land for the eventual building of a temple had been an ongoing function of the RLDS church for many years, dating back to the 1920s.<sup>338</sup> RLDS church members rejoiced in 1968 when President W. Wallace Smith announced a revelation at the church’s World Conference: “The time has

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334. Curtis, “Historian Tells Story of House That Had Vital Role in the Past,” 4–7.

335. Interview with Bill and Annette Curtis at their home, Independence, MO, November 12, 2012. Additional interviews were held in the Curtis home between November 2012 and September 26, 2017, on this and related subjects.

336. Interview with Bill and Annette Curtis, Independence, MO, November 12, 2012.

337. Ronald E. Romig, *Early Independence, Missouri: “Mormon” History Tour Guide* (Independence, MO: Missouri Mormon Frontier Foundation, 2002), 19–20. I would like to express my appreciation to Ron Romig for the telephone and email conversations we have had on this subject over the past several years. In addition, a special thanks to Ron for taking the time to spend several hours on September 27, 2017, walking the sites and estimating distances, etc., on and around the temple property, based on our acquired information (with additional input from Bill Curtis).

338. In 1925 the RLDS Church organized the Independence Development Trust. In 1927 it became the Central Development Association and was incorporated in 1930. CDA boxes 1–4, Community of Christ Library and Archives. I am indebted to Barbara Hands Bernauer for bringing this collection to my attention and facilitating my research.

come for a start to be made toward building my temple in the Center Place. It shall stand on a portion of the plot of ground set apart for this purpose many years ago by my servant Joseph Smith, Jr.” (RLDS D&C 149:6a).<sup>339</sup> Sixteen years later, at the April 1984 World Conference, the long-awaited revelation setting the building process in motion was announced by President Wallace B. Smith (son of W. Wallace Smith) to church members: “The temple shall be dedicated to the pursuit of peace. . . . Therefore, let the work of planning go forward” (RLDS D&C 159:6).<sup>340</sup> In March 1989, the *Herald* happily announced that the “clearing of the Temple building site will begin this summer and will be completed by spring of 1990 so construction can begin immediately after World Conference.”<sup>341</sup> The ground-breaking ceremony for the RLDS Temple was held on April 6, 1990,<sup>342</sup> and the beautiful edifice was dedicated April 17, 1994.<sup>343</sup>

Because of his research on the approximate location of the circa 1826 Flournoy trading post, Curtis felt certain that he knew where the original structure should be situated on the grounds being cleared for the planned temple.<sup>344</sup> Curtis regularly checked on the progress of the site preparation, after returning home from his day’s work, throughout the year following the March 1989 announcement. His efforts were finally rewarded one evening when he stopped by the clearing site and observed that the foundation and a

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339. Richard A. Brown, “The Temple in Zion: A Reorganized Perspective on a Latter Day Saint Institution,” *Dialogue* 24, no. 1 (Spring 1991): 87–89.

340. The revelation was announced April 10, 1984. *The Temple: Ensign of Peace* (Independence, MO: Reorganized Church of Jesus Christ of Latter Day Saints, n.d.), copy of booklet in the author’s possession.

341. Roger Yarrington, “First Phase of Work to Begin on Temple Site,” *Herald* 136, no. 3 (March 1989): 19.

342. “Temple Groundbreaking: Order of Service,” *Independence Temple: Groundbreaking Service 1990* (Independence, MO: Reorganized Church of Jesus Christ of Latter Day Saints, 1990), 3, program in the author’s possession; Jan Smith, “Temple Building Under Way,” *Independence Examiner*, April 6, 1990.

343. Scherer, *The Journey of a People: The Era of Worldwide Community, 1946 to 2015*, 486. See also Marquardt, “The Independence Temple of Zion.”

344. Prior to the clearing of the land by the RLDS church in preparation for the construction of the temple, Union Street ran north and south through the property to Walnut Street. The location of the original brick trading post was near the northeast corner of where Union Street intersected with Lexington Avenue but to the west toward River Street. Today Union Street terminates at its intersection with Lexington Avenue. There is a commemorative marker, encased in the public sidewalk located on the north side of the temple, making where the Partridge cabin was situated.

small section of a remaining wall of the old brick structure had been exposed to view. At this time, Curtis retrieved a brick from the site and retained it. A careful examination of the acquired brick indicated that it was also a match to a Flournoy home brick already in his possession, as well as the bricks of the Stott house he had previously examined.<sup>345</sup>

### **Confusion Regarding the Dedication of the Temple Lot and the Purchase of the Temple Lot Property**

Previous histories and commentaries that have discussed the significance of the dedication of the temple site and the subsequent acquisition of the Temple Lot property are often devoid of details on the particulars of these events. Furthermore, in many instances, what has been written is often misunderstood or confusing and has led to errors in discussions of these historic events. The following points hopefully clarify old facts or assumptions. Also, new or additional information relative to these events is discussed and summarized below.

#### *1. Independence, Jackson County, in 1831 and the Mormon Arrival*

The small 1831 community of Independence consisted of but two or three stores, one tavern, and twenty houses in July 1831,<sup>346</sup> with an estimated population of 200 to 300.<sup>347</sup> Three years later, in 1834, after the Mormons were driven out of the area, a local census indicated only 250 people living in the town and perhaps 3,500 residing in Jackson County.<sup>348</sup> Understanding the size of the town and its accompanying population clarifies the impact that the Mormon arrival had on the community.

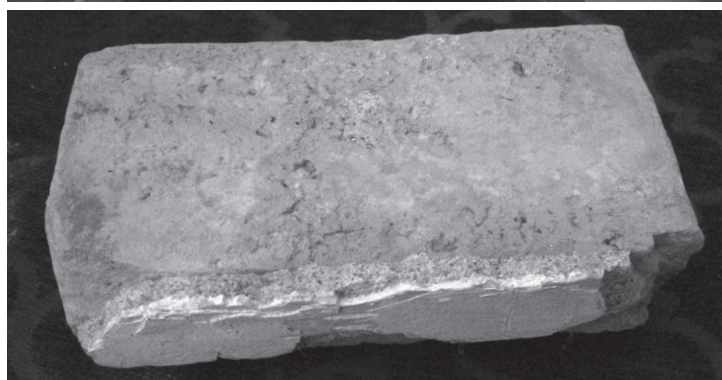
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345. Interview with Bill and Annette Curtis, Independence, MO, November 12, 2012.

346. Howe, *Mormonism Unveiled*, 285; Jackson County Court minutes, book 1, entry no. 80199, February 2, 1829.

347. MacKay and others, *Documents, Volume 1*, 451; Howe, *Mormonism Unveiled*.

348. *History of Jackson County* (1881), 105; O'Brian, *Merchants of Independence*, 50; Gail E. H. Evans-Hatch and D. Michael Evans-Hatch, *Farm Roots and Family Ties: Historic Research Study—The Harry S. Truman National Historic Site—Grandview and Independence, Missouri* (Silverton, OR: Evans-Hatch & Associates, 2001), 117. The population of Jackson County in 1830, according to the U S Census, was 2,823. With the removal of the Mormons from Jackson County in November 1833, I believe an estimate of 3,500 residents in 1834 is reasonable.



**Figures 9 and 10.** Top: Author holding the brick retrieved by Bill Curtis from the original Jones H. Flournoy trading post (ca. 1826) in 1990 during the clearing of the land for the Community of Christ temple. The brick was presented to the author by Bill Curtis in June 2018. Photo by Annette Curtis. Bottom: Close up of the recovered brick from the Jones H. Flournoy trading post. Photo by R. Jean Addams.

## 2. Squatter's Rights and Seminary Land

A lack of understanding of squatter's rights<sup>349</sup> and seminary land policy<sup>350</sup> has also confused the story of the original Temple Lot dedication and its subsequent acquisition by the original church. Soon after the arrival of the Joseph Smith party in Independence in mid-July 1831, the future temple site was made known by revelation to Smith. The site was physically located on the squatter's claim of Jones H. Flournoy. His claim was on Missouri-owned and designated seminary land, not US government public domain land and not on granted school land.<sup>351</sup> These seminary sections surrounding Independence were not available for purchase from the state until December 1831. Notice of the scheduled state sale was officially made known to the local population the month previous (June 1831) and had also been provided for in the Missouri legislature's enactment the previous December.<sup>352</sup> Today, the "spot for a temple" is located on the grounds of the Church of Christ (Temple Lot).<sup>353</sup>

## 3. Who Was Present at the Dedication

The number of individuals participating in the historic temple site dedication event of August 3, 1831, has been historically numbered as eight. Using the information gathered from five sources, I believe that a legitimate case can now be made for at least thirteen men being present at this momentous occasion.<sup>354</sup>

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349. Treat, *National Land System*, 162–63; Muhn, "Preemption 1814–1841," 27–35.

350. *Acts of the Fourteenth Congress*, Session 1, December 31, 1830.

351. Eakin and Eakin, *Record of Original Entries to Lands in Jackson County*, 24; Muhn, "Preemption 1814–1841," 27–35; *Missouri Sessions, 1824–1836*, 1830, chapter 155.

352. *Missouri Session Laws, Vol. 2., 1824–1836*, 1830, chapter 155; Switzler, *History of Boone County*, 239.

353. Addams, *Upon the Temple Lot*, 81–88. Shortly after the Church of Christ (Temple Lot) commenced excavation for building the temple on their Temple Lot property, two different stones were uncovered, the first on May 18, 1929, and the second on June 26, 1929. The year 1831 is chiseled into the surface of both stones. They are on display at the Church of Christ (Temple Lot). See also Steven L. Shields, "The Temple of the Church of Christ (Temple Lot)," *John Whitmer Historical Association Journal* 28 (2008): 127. Shields noted that "with the 1990 construction of the new church headquarters building on the Temple Lot . . . new markers have been erected, noting the four corners of the hoped-for Temple."

354. Westergren, *Book of John Whitmer*, 84; Knight, "Newel Knight's Journal," 50; *Times and Seasons* 5, no. 5 (March 1, 1844), 540; Howe, *Mormonism Unveiled*, 285; Phelps, "Short History of W. W. Phelps Stay in Missouri," 1.

#### 4. The Significance of a Smith and Partridge Meeting with Flournoy

While not disputing the events of “blazing” the tree or laying down “marker” stones, early histories and commentaries on this period of early Missouri Mormon history never mention whose property this group of zealous men was planning to access for the dedication. Neither has there been any discussion, with one recent exception, of the permission that would have been needed to venture onto that particular piece of property.<sup>355</sup>

Jones H. Flournoy’s squatter’s land claims would have been well known locally. Many of the local citizens also had claimed squatter’s rights to acreage within the seminary land sections surrounding Independence. Several of these squatters were also government officials in Independence and Jackson County.<sup>356</sup> The original missionaries would have known who had squatter’s rights to the property surrounding the village of Independence. This assumption is based simply on the reality that they had been living and working in the area for the past six months and surely would have been aware of the state’s June 1831 announcement that the seminary lands would finally be available for purchase in December and that Independence had been selected as the location for filing and purchasing established claims within the parameters set by law.<sup>357</sup>

I assert that it would have been an absolute necessity, given the specific particulars of the revelation regarding the temple site location, for Joseph Smith and Edward Partridge (and possibly Oliver Cowdrey or other original missionaries) to have arranged a meeting with Jones H. Flournoy in advance of any plan to access his land claim.<sup>358</sup> The July revelation indicated that the specific location of the temple site was upon Flournoy’s squatter’s claim

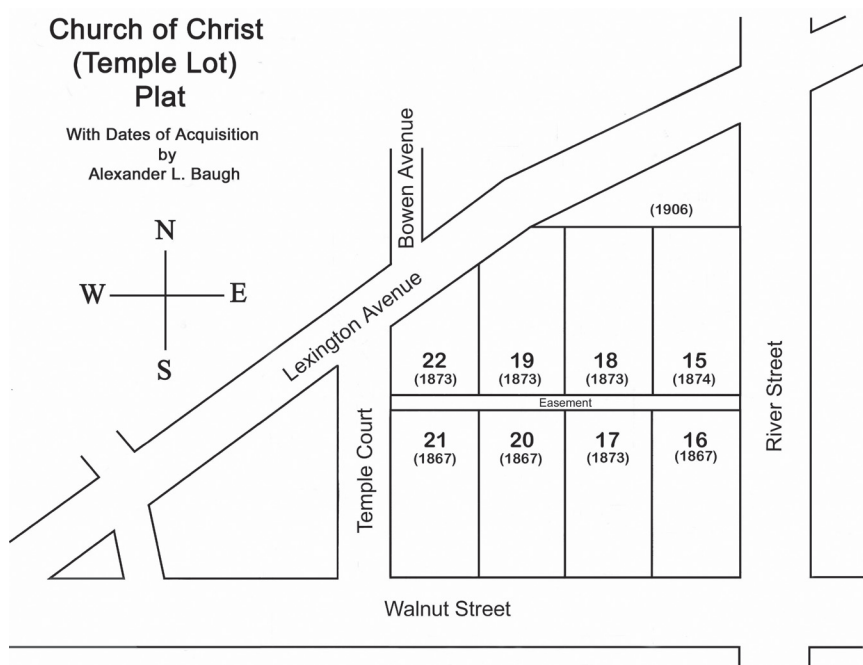
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355. Mays, “Jones Flournoy Home in Missouri.”

356. Local city and county officials who owned land or lots or who had squatter’s rights to surrounding acreage, and who also participated in the “citizens committee” meetings and the deprivations leading to the forced Mormon exodus, included, among others, Lilburn W. Boggs, Samuel D. Lucas, Samuel C. Owens, Thomas Pitcher, Samuel Weston, Moses G. Wilson, and, sadly, Jones H. Flournoy. Curtis, *Jackson County Missouri Patents and Early Sales of Lots in Independence*, 54, 56, 58, 60, 64. See also Baugh, *Call to Arms*, passim.

357. *Missouri Session Laws, Vol. 2: 1824–1836*, chapter 155, December 31, 1830.

358. As previously mentioned and cited, when the Joseph Smith party arrived in the small village of Independence in mid-July 1831, Smith certainly would have been advised of who the key or important individuals were in the town and county. Any individual who had a squatter’s claim to land adjoining the immediate boundaries of the town would have known of the state of Missouri’s June announcement of the scheduled sale of seminary land in December 1831.



**Figure 11.** Plat map showing Church of Christ (Temple Lot) property acquisitions by lot number (15–22) and date of purchase. Lexington Avenue was previously named the Westport Road, and prior to that, it was called the Santa Fe Trail. Map courtesy Alexander L. Baugh.

“lying westward . . . not far from the court-house.”<sup>359</sup> Such a meeting would have provided Smith and Partridge the opportunity to ask Flournoy for and to receive his permission to venture onto his squatters’s land claim before the dedicatory service took place.

##### 5. The Partridge Purchase of 63.27 Acres on December 19, 1831

In the history of the acquisition of the Temple Lot, there appears to be considerable confusion, or no discussion at all, regarding why Partridge had to

359. Once the Smith revelation was announced, either within or without the circle of church members who had arrived in Independence during July 1831, determining whose squatter’s land the “spot for a temple” was to be located upon would not have been difficult since the highest elevation to the west of the town square was just off the Santa Fe road as it exited Independence to the southwest and not far from Flournoy’s abandoned brick trading post.



wait some four months after the dedication in early August 1831 to buy the property from Flournoy while other acreage in Jackson County was readily available for purchase at the US government land office in Lexington, Missouri. The delay, however, was simply due to the fact that Jones H. Flournoy could not exercise his squatter's rights and purchase the property himself until the first week in December, when the seminary land became available for sale. On December 19, 1831, a week following Flournoy's purchase of his acreage from the state of Missouri,<sup>360</sup> Edward Partridge acquired a parcel of 63.27 acres from Flournoy for \$130.<sup>361</sup>

#### *6. The Acquired Temple Lot Included an Abandoned Trading Post*

Edward Partridge's purchase of 63.27 acres included a small and abandoned brick building, previously owned and operated as a trading post by Jones H. Flournoy.<sup>362</sup> Flournoy had on August 6, 1827, acquired a choice lot facing the town square,<sup>363</sup> in the newly platted town of Independence<sup>364</sup> and subsequently moved his store to that location. The brick building left behind and sold to Partridge was, I believe, the very first building owned by the original Church of Christ. It was subsequently used for church services and other meetings until the Saints were forced out of Jackson County in early November 1833.

#### *7. Ownership Today of the Temple Lot*

Presently, the ownership of the original 1831 Partridge purchase of 63.27 acres breaks down (approximately) as follows: Community of Christ—40.5 acres, LDS church—20 acres, and Church of Christ (Temple Lot)—2.75 acres. The Church of Christ (Temple Lot) has erected a chapel on their property, which serves the Independence congregation (referred to as a "local"), and has offices for church headquarters. The facility also has a visitors'

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360. Curtis, *Jackson County, Missouri Land Patents Which Are Not US Government Land Patents*, 56.

361. Jackson County, Missouri, Property Records, Book B, 1; Curtis, "Mormon Land Ownership in Section 3 Twp 49 R 32," 3.

362. Twyman, "Autobiography of Fanny Fristoe"; interview with Bill and Annette Curtis, Independence, MO, November 12, 2012.

363. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 6, 21.

364. Curtis, *Jackson County Missouri Patents Which Are Not US Government Land Office Patents*, 56.

reception area. Acreage owned by the Community of Christ is occupied by an auditorium and temple. The church's headquarters, museum, and library are also housed in these facilities. The LDS church maintains a visitors' center on their property.

In the immediate area around the original Partridge acreage are additional buildings used for worship and other functions of the Community of Christ and the LDS church. Nearby there are church buildings and offices of other expressions of the Restoration, including the Remnant Church of Jesus Christ of Latter Day Saints, the Church of Jesus Christ (Cutler), the Church of Christ with the Elijah Message, the Church of Christ with the Elijah Message—Established Anew in 1929, Restoration branches, the Church of Jesus Christ in Zion, and several others.<sup>365</sup>

## Conclusion

Many members of the various expressions of the Restoration are somewhat familiar with the Temple Lot in Independence, Jackson County, Missouri. Certainly, most historians of the various churches of the Restoration are acquainted with the 1831 trip by the young prophet Joseph Smith to Independence and the subsequent dedication of the Temple Lot on August 3, 1831. However, over the years, as historians have written about the events surrounding the arrival of the Mormons in Jackson County, several errors or misunderstandings were introduced into the story as it was recorded, cited, and retold. In particular, the various “designations” of claimable or available land in the vast stretches of the uninhabited (by non–Native American settlers), expanding American West are still often misunderstood. Terms such as *squatter's rights*, *open entry*, *public domain*, *seminary land*, and *school land* are confusing. These definitions and their direct impact on Missouri and Jackson County have, therefore, been explained in some detail herein.

The early setting of the small village of Independence and the accompanying frustrations of its early settlers and squatters in acquiring ownership of their land claims are also generally omitted or confused in existing

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365. R. Jean Addams, “Schisms within the Restoration Located in Independence, Missouri” (chart prepared for the John Whitmer Historical Association conference, Independence, MO, September 2015). The chart shows the various Restoration churches with an active congregation in Independence. In addition to the three churches that own portions of the original 1831 Partridge acquisition, there are an additional sixteen denominations of the original church represented locally.

narratives. The arrival of the Mormons into the Independence area in the summer of 1831, months prior to the actual sale of seminary land by the state of Missouri to the anxious squatters, complicated the situation for the newcomers. Independence was surrounded by seminary sections. Joseph Smith and those of his followers arriving in Jackson County in the summer and fall of 1831 were anxious to acquire land for their immediate personal needs as well as for the building of the city of Zion and the literal construction of the millennial temple.

Likewise, the permission needed to access the squatter's claim of Jones H. Flournoy before the dedication of the "spot for a temple" is generally omitted in the historical record of this event. The delay in Edward Partridge's acquisition of the 63.27 acres, known as the "Temple Lot" or "Temple Property," in December 1831 is also not generally understood. These important issues are expanded upon and explained in this essay. It is hoped that the points summarized herein frame a more realistic telling of the early Missouri Mormon experience.

Finally, the various buildings and other uses of the temple property, even for such a short period (1831–33), have rarely been explored. The inclusion herein of what buildings may have remained on the site some fifty years after the Mormon exodus is detailed with much of the known correspondence on this subject. And finally, for the first time, the story is told of the recovered brick in 1990 from the original Flournoy structure during the clearing of the temple property prior to the excavation of the Community of Christ temple. This article hopes to have provided new material and clarified old information regarding the history of the acquisition of the original Temple Lot in Independence, Jackson County.

The earliest explorations by Lewis and Clark, Pike, and those intrepid adventurers who opened the Santa Fe Trail, coupled with the subsequent treaties with the Osage tribes in the early 1800s, all played a part in leading to the formal statehood (1821) of Missouri, as well as the delayed designation of Jackson County and the founding of Independence. Jackson County became a specific destination for the young prophet Joseph Smith. His desires to follow the particulars of revelations he had received in 1830 and 1831 regarding the future site of the "city of New Jerusalem" required him and others to go to the western reaches of the United States and, specifically, to the western border of the state of Missouri. Once there, Smith was told more precisely that Independence would be the "center place" for this "city of Zion" and that "a spot for a temple is lying westward, upon a lot not far

from the court-house.” This 1831 revelation became a fundamental tenet that made, and makes, this “spot” known as the “Temple Lot” a very sacred space to members of the various churches of the Restoration movement, which in part began with Smith’s founding of the Church of Christ in April 1830.

The identity of this sacred space is one marked by the various ways in which the political potency of a geographically expanding America was manifest through a complex network of legal designations. Understanding this history brings new insight into the ways the earliest impulses of Mormonism—to bring the divine to earth and the earth to the divine—are manifest in the geography of Jackson County.



**Figure 12.** “Spot for Temple Dedicated by Joseph Smith on August 3, 1831.” This in-ground marker is located on lot 15 of the Church of Christ (Temple Lot) property, near the northeast corner of the dedicated temple site. A stone with the chiseled date of 1831 was recovered by the Church of Christ (Temple Lot) during excavation at this location on June 24, 1929. The stone is on display in the church’s visitors reception area of the chapel and headquarters building.