

INTRODUCTION

WILLIAMS TRIAL

Your “Williams Trial Packet” includes a copy of the script of the *Williams v Bellefontaine Railway* trial, which your group will be presenting, as well as some information regarding the trial. Before your visit, have your group familiarize themselves with the script and also choose their parts for the reenactment which will take place as part of your program. Please make copies of the script and bring them with you on the day of your program. Those members of your group who do not have specific parts may serve as a jury member.

The trial in your packet is based on an actual case brought to court in 1867 at the Old Courthouse. Neptune and Caroline Williams sued the Bellefontaine Railway Company over its policy regarding African Americans traveling on the railway. Each group taking part in the reenactment will be allowed to reach their own verdict in this case. At the end of the program, the ranger assigned to your group will discuss your reenactment of the trial and the significance of the Williams case.

Any questions or comments on this Trial Packet are welcome. Contact the Director of Education at:

Jefferson National Expansion Memorial
11 North Fourth Street
St. Louis, MO 63102
(314) 655-1600



List of Characters In Order of Appearance

Narrator

Bailiff

Judge Samuel Reber

John Lewis, Clerk

John Colby (plaintiff's attorney)

Ernest Decker (defendant's attorney)

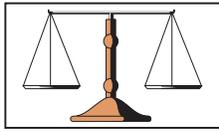
Members of the Jury

Caroline Williams (plaintiff)

Neptune Williams (plaintiff, no lines)

Ira Stansbery (witness for the defense)

Foreperson



Narrator: *(Narrator stands in front of room and reads loudly.)*
The trial we are about to act out is a true story. Caroline Williams and her husband, Neptune, sued the Bellefontaine Railway Company in 1867 in the Old Courthouse building. The case began two years after the Civil War ended and slavery was abolished in the United States. Let's see what happened. *(Sit.)*

Bailiff: All rise!

Everyone
In the Room: *(Stand.)*

Bailiff: The Circuit Court of St. Louis County is now in session, the honorable Judge Samuel Reber presiding.

Judge: *(Enter and take a seat.)* You may be seated. The clerk will call the next case.

Clerk: *(Stand.)* Case #6337—Neptune Williams and Caroline Williams versus the Bellefontaine Railway Company. *(Sit.)*

Judge: Are the lawyers ready to present their cases?

Colby: *(Stand.)* Yes, your honor. John Colby for the plaintiffs. *(Sit.)*

Decker: *(Stand.)* Yes, your honor. Ernest Decker for the defendant. *(Sit.)*

Judge: The clerk will now swear in the jury.

Clerk: *(Stand and face the jury.)* The members of the jury will please rise.

Members
Of Jury: *(Stand.)*



Clerk: Raise your right hands. Do you swear that you will reach your decision based only on what you hear in this courtroom today, speaking to no one about this case, and keep your verdict secret until given in court?

All Members
Of Jury: I do!

Clerk: The jury may be seated. (*Clerk sits. Jury sits.*)

Judge: Mr. Colby, do you have an opening statement for the plaintiffs, Mr. and Mrs. Williams?

Colby: Yes, your honor. (*Walk to stand in front of jury.*) On July 21, 1867, Mrs. Caroline Williams boarded a Bellefontaine Railway Company car. She was holding her two year old child in her arms, and was also pregnant. Mrs. Williams was ready to pay the fare when the company's agent pushed her out of the streetcar and onto the ground. Mrs. Williams was hurt, and she and her husband had to pay for doctors, medicines, and nursing. The Railway Company has a charter from the City of St. Louis to carry any passenger who boards a car and is willing to pay the fare. Therefore, we ask that you find the Railway Company guilty of harming Mrs. Williams Thank you. (*Sit.*)

Judge: Thank you Mr. Colby. Mr. Decker, do you have an opening statement for the defendant, the Bellefontaine Railway Company?

Decker: Yes, your honor. (*Walk to stand in front of jury.*) We agree that the Railway Company is chartered to transport any passenger who boards their streetcar and is willing to pay the fare. But we do not believe that Mrs. Williams was willing to pay her fare. Also, we will prove that Mrs. Williams tried to disrupt service by entering the streetcar. She knew that the



company had a policy which said that Negroes must ride on the outside platforms, not inside the cars. If the plaintiffs have any reason to sue, it should be against the individual agent who was working on the streetcar, and not the entire rail company. Therefore, the plaintiff's claims should be denied. Thank you. (*Sit.*)

Judge: Thank you, Mr. Decker. Will the plaintiffs' lawyer call their first witness?

Colby: (*Stand.*) Your honor, we call Mrs. Caroline Williams. (*Sit.*)

Clerk: (*Stand.*) Caroline Williams to the stand.

Caroline Williams: (*Stand before clerk.*)

Clerk: Please raise your right hand. Do you swear that the testimony you will give this day, is the truth, the whole truth, and nothing but the truth, so help you God?

Williams: I do.

Clerk: Please be seated. (*Sit.*)

Williams: (*Sit in witness chair.*)

Colby: (*Stand before witness.*) Please give your name for the court records.

Williams: Mrs. Caroline Williams.

Colby: And where do you live?

Williams: 2616 North 11th Street.

Colby: Please describe what happened on the 21st of July 1867.

Williams: I spent the early part of the afternoon downtown shopping.



Being pregnant, I tired quickly and was soon ready to return home with my two-year-old child. My child is too small to step up on the streetcar platform, so I picked her up in my arms as the Bellefontaine Railway car approached. Being so tired, I attempted to step inside the car to offer my fare to the conductor. He refused my fare and began to strike out at me until I was forced from the car and thrown onto the ground. All I wanted to do was sit down for the ride home.

Colby: You say the conductor refused to accept your fare? Did you say anything to the conductor to indicate that you were prepared to pay your fare?

Williams: It was in my hand. I couldn't hold it out to him because I was holding my child in my arms. All he had to do was take the fare from me. I told him that. I didn't say anything to make him strike me or force me to the ground.

Colby: Is this when you sustained the injuries for which you claim \$5,000 in damages?

Williams: Yes it was.

Colby: No further questions, your honor. (*Sit.*)

Judge: Mr. Decker, do you have any questions for Mrs. Williams?

Decker: Yes, your honor. (*Stand before witness.*) Mrs. Williams, are you aware of the policy of the Bellefontaine Railway Company, that Negroes ride only on the platforms of their cars and not inside?

Williams: I am aware of the policy. But as I said before, I was pregnant and very tired that day. I could see empty seats in the car.

Decker: You say you had your fare in your hand, your child in your arms, and you entered the car in violation of a policy of



which you had knowledge. How could you expect the conductor to see your fare in your hand and not remove you from the car?

Williams: As I said before, my fare was in my hand and all he had to do was take it from me. Instead, he chose to strike out at me and force me off the car and to the ground.

Decker: How much force did the conductor use to force you to the ground, Mrs. Williams?

Williams: He was strong enough to force a pregnant and tired woman off the car and onto the ground. I required medical attention because of him.

Decker: No further questions, your honor. (*Sit.*)

Judge: You may step down Mrs. Williams.

Williams: (*Return to seat.*)

Judge: Does the plaintiff have any more witnesses?

Colby: (*Stand.*) No, your honor. We rest our case. (*Sit.*)

Judge: Very well. The defense may begin its case.

Decker: (*Stand.*) Your honor, we call Mr. Ira Stansbery.

Clerk: Ira Stansbery to the stand.

Ira Stansberry: (*Stand before the clerk.*)

Clerk: Please raise your right hand. Do you swear that the testimony you will give this day is the truth, the whole truth and nothing but the truth, so help you God?

Stansbery: I do.



Clerk: Please be seated. (*Sit.*)

Stansberry: (*Sit in witness chair.*)

Decker: (*Stand before witness.*) Please state your name for the court.

Stansberry: My name is Ira Stansbery.

Decker: And where do you live?

Stansberry: 1208 Madison Street.

Decker: What is your occupation, Mr. Stansbery?

Stansberry: I am a salesman for Stansbery & Company at 415 North Main.

Decker: Do you know the plaintiffs in this case?

Stansberry: I don't know the plaintiffs personally, but I have seen them riding on the Bellefontaine Railway. I use the Bellefontaine Railway to travel to and from my job.

Decker: Do the Williams' usually sit inside the cars on these trips?

Stansberry: No, they ride on the outside platforms.

Decker: Would you please tell the court what you observed on the 21st of July 1867?

Stansberry: I boarded the Bellefontaine Car at 3rd and Washington to return home after work. I work on Main Street, and the car stopped for Mrs. Williams at 11th and Washington. As she entered the car, I saw the conductor approach her.

Decker: Could you hear if the conductor said anything to Mrs. Williams?



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- Stansbery: Yes. He informed her that she would have to ride on the platform, and not inside the car.
- Decker: Did Mrs. Williams answer the conductor?
- Stansbery: She said she was tired and wanted to use one of the vacant benches inside the car.
- Decker: Did Mrs. Williams mention anything about being pregnant, and did she offer to pay the established fare to the conductor?
- Stansbery: I didn't hear anything about her being pregnant. I also didn't see her pay or hear her offer to pay the fare to the conductor.
- Decker: What happened next?
- Stansbery: It appeared that Mrs. Williams was determined to sit inside the car and the conductor had to try to remove her. I looked away for a minute and the next thing I saw was Mrs. Williams sitting on the ground beside the car.
- Decker: No further questions, your honor. (*Sit.*)
- Judge: Mr. Colby, do you wish to question this witness?
- Colby: Yes, your honor. (*Stand before the witness.*) Mr. Stansbery, was Mrs. Williams holding anything in her arms?
- Stansbery: Mrs. Williams was holding a small child in her arms along with her handbag.
- Colby: Were you sitting close to the conductor and Mrs. Williams?
- Stansbery: No, I was sitting near the opposite end of the car. My bench faced away from them. I had to turn around to see what was happening.
- Colby: In other words, Mr. Stansbery, if Mrs. Williams had offered



to pay the established fare, you may not have been able to see it because of the position of your bench and the child in her arms?

Stansbery: I guess that's right. She could have tried to pay.

Colby: Did you see the conductor strike out at Mrs. Williams or force her off the car?

Stansbery: I saw what appeared to be arguing, but as I said, I looked away only to see Mrs. Williams later sitting on the ground beside the car.

Colby: Mr. Stansbery, was Mrs. Williams pregnant on that day?

Decker: (*Jump up.*) **I OBJECT!** Mr. Stansbery is a salesman, not a doctor. (*Sit.*)

Judge: Objection sustained. Continue Mr. Colby.

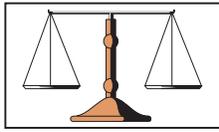
Colby: I have no further questions your honor. (*Sit.*)

Judge: The witness may step down. Does the defense have any more witnesses?

Decker: (*Stand.*) No, your honor, the defense rests. (*Sit.*)

Judge: If there are no additional witnesses, the court will begin hearing closing arguments. Mr. Colby, will you begin, please?

Colby: Yes, your honor. (*Stand before the jury.*) Members of the jury, both sides agree that the Railway Company is supposed to carry any passenger willing to pay the fare. Mrs. Williams testified that she had the fare in her hand, and offered to pay the conductor. Nobody was able to prove that she did not. We also believe that the Railway Company is responsible for the conduct of their agents. The company chooses whom to



hire for the jobs, and can dismiss conductors if they need to. The company's agent was the person who pushed Mrs. Williams and her two year old child out of the car. Mrs. Williams suffered injuries, and the company should be held responsible. Members of the jury, you should find a verdict for the plaintiffs, Neptune and Caroline Williams. Thank you. (*Sit.*)

Judge: Thank you, Mr. Colby. Does the defense have a closing argument?

Decker: (*Stand before the jury.*) Members of the jury, the plaintiffs have not presented enough evidence to prove their case. First, no evidence has been presented to prove that Mrs. Williams was pregnant, or that she and her husband sustained damages. Second, this lawsuit is against the Railway Company, when it was the conductor who caused the harm to Mrs. Williams, if any occurred. This lawsuit does not name the conductor, and the Company should **not** be held responsible. Finally, Mrs. Williams has admitted that she tried to enter the streetcar when she knew of the company's policy that Negroes should ride on the outside. She had followed this policy in the past. Why didn't she follow it this time? She also has failed to prove that she was willing to pay the fare. Members of the jury, you should find a verdict in favor of the defendant, the Bellefontaine Railway Company. Thank you. (*Sit.*)

Judge: Members of the jury, you have heard the evidence presented in this case. You must make your decision based only on what you have heard today.

Clerk: The jury will now deliberate and make its decision.

Ranger: (*Walk to front of jury box.*) Class, at this time in a real trial, the Bailiff would lead the jury out of the courtroom, to a private room where they would discuss the evidence. The Bailiff would stand outside the juryroom door until they all agreed on a verdict, then lead the Jury back to their seats in



the courtroom.

However, we want every student to observe a jury deliberation process. Since this is not a real case, our jury will remain in our class courtroom. **Let's listen quietly so as not to disturb the deliberation.**



Jury Members: (*Discuss evidence and vote "guilty" or "not guilty."*)

Judge: Has the jury reached a verdict?

Foreperson: (*Stand.*) We have, your honor.

Judge: What is your verdict?

Foreperson: (Read only one of the verdicts below, either "guilty" or "not guilty.")

GUILTY

Foreperson: We have found the defendant guilty.

Judge: The jury has found a verdict in favor of the plaintiffs. Damages will be awarded to the plaintiffs. This court is adjourned. (*Strike gavel twice.*)

Bailiff: All rise. (*Judge exits.*) You are dismissed. (*Turn to the narrator's part on next page.*)

NOT GUILTY

Foreperson: We have found the defendant *not* guilty.

Judge: The jury has found a verdict in favor of the Bellefontaine Railway Company, and no damages will be awarded. This court is adjourned. (*Strike gavel twice.*)

Bailiff: All rise. (*Judge exits.*) You are dismissed. (*Turn to narrator's part on next page.*)



Narrator: In the real trial of *Williams v Bellefontaine Railway Company*, the jury found in the Williams' favor. However, the Williams' were awarded only one cent in damages because the jury felt that there was not sufficient evidence to prove that Mrs. Williams had been harmed.

APPENDIX

The Significance of Trials in the Quest for Civil Rights

After the Civil War, Congress was controlled by politicians from northern states. They did what they thought was necessary to rebuild the country. They passed laws to make life better for freed slaves and allow them the rights of full citizenship. During this time, Congress' most important actions were three Constitutional Amendments: the Thirteenth, Fourteenth, and Fifteenth Amendments. The Thirteenth Amendment (1865) outlawed slavery, the Fourteenth Amendment (1868) guaranteed freed slaves the status of full citizenship, and the Fifteenth Amendment (1870) gave free, African-American males the right to vote.

To make sure that the people in the South obeyed these new laws, the federal government sent military troops to enforce them. Maintaining troops was very expensive and the government could not afford to do it for long. When the federal government withdrew its troops from the South in 1877, African Americans came under attack from those who wanted to deny them their rights.

Some Southerners knew that they could not completely disobey the laws of the constitution, so they began to openly follow their own set of laws known as "Jim Crow" laws. Jim Crow laws were intended to separate African Americans from whites. They also enforced the idea of "separate but equal." According to Jim Crow laws, African American people could not drink from the same drinking fountains or eat in the same restaurants as whites used. They could not live in white neighborhoods or attend white schools. They could not be admitted into white hospitals or be buried in white cemeteries. In court, African Americans had to swear on separate Bibles. In one mill in South Carolina, African-American factory workers could not look out the same window that white mill workers looked out!

In 1896, the U.S. Supreme Court upheld the idea of "separate but equal" accommodations in the case of *Plessy v Ferguson*. The Court said that it was legal for railroad companies to insist that whites and African Americans travel in different cars, so long as the cars were "separate but equal." For more than half a century this policy was applied to many different aspects of American society. Not until the 1950s was the "separate but equal" decision reversed.

In 1955, a woman named Rosa Parks challenged "separate but equal" transportation. Mrs. Parks rode the bus to and from her job in Montgomery, Alabama. The buses were segregated. Whites sat in the front and blacks sat in the back. If all of the "white" seats were full, black passengers had to give up their seats for the white riders. It was the law. One day Mrs. Parks decided that she did not want to give her seat to a white passenger. Like Mrs. Williams, ninety years earlier, she claimed she was tired. She refused to move and was arrested. This began the famous Montgomery Bus Boycott. The African Americans of Montgomery, under the leadership of Martin Luther King Jr., refused to use the bus system. The boycott lasted for over a year, costing the bus company lots of money. It finally ended after Mrs. Parks won her federal appeal in court. The court ruled that segregated transportation was illegal. This was a major victory for the civil rights

movement.

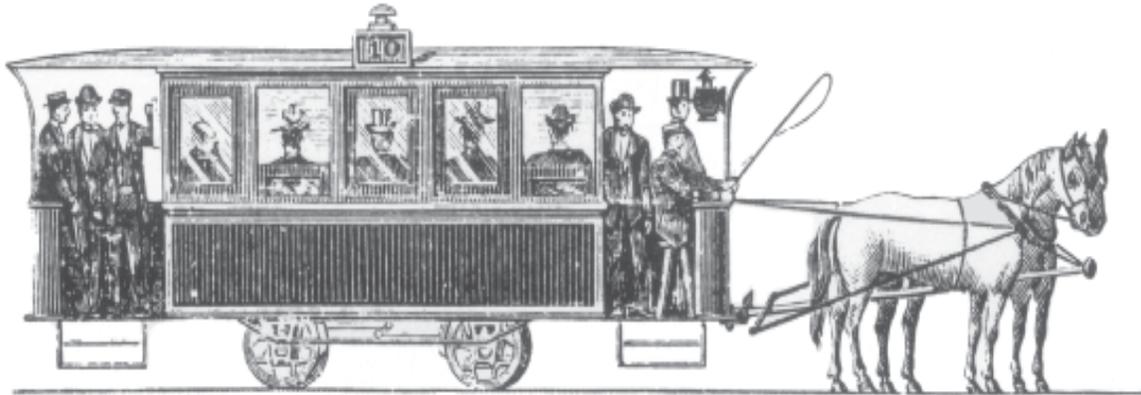
One year before Mrs. Parks' actions sparked the Montgomery Bus Boycott, another important civil rights case was decided. The case of *Brown v Board of Education* began when Oliver Brown, an African-American man, sued the Topeka, Kansas, Board of Education. He asked that his daughter, Linda, be admitted to their neighborhood grade school, which only white students attended. Linda was being sent across town to an all-black school. Chief Justice Earl Warren stated the opinion of the entire court, which read: "To separate them (African-American students) from others of similar age and qualification solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." In other words, no matter how fine the facilities were at the African-American schools, it was unfair to prevent an African-American child from attending school with a white child. This deprived both groups of the opportunity to get to know each other.

Immediately after the *Brown v Board of Education* decision, the Supreme Court ordered that every school system in the country should comply with their ruling as quickly as possible. The court used the term "with all deliberate speed." The process was slow, and many cities were faced with big challenges in changing their school systems. Some deliberately dragged their feet. Ten years after the ruling, many southern African-American students still had not been assigned to integrated schools. The Civil Rights Act of 1964 speeded up the process. The U.S. Justice Department was given the task of enforcing the law, and schools were notified that if they did not integrate they would not receive federal money.

The struggle for African Americans to gain civil rights has been a series of ups and downs. Many political compromises, court battles, and laws have been part of the struggle. The Williams Trial in St. Louis in 1867 is interesting because it came at the very beginning of the post-slavery struggle for African-American rights, and also because the Williams' won the case. Today, almost 150 years after the Civil War, African Americans are legally guaranteed the same rights and freedoms as any other citizen of the United States. However, laws cannot end the racism and discrimination which are still part of our society. Therefore, the struggle for civil rights continues. It is not just a struggle for improvements for African Americans or other minority groups, but it is a struggle to improve the quality of life for all Americans.

Today, the National Park Service preserves two other sites associated with the struggle for equal treatment under the law. The National Park sites listed on Appendix page E preserve the sites and stories of significant people, places and events in the United States' struggle for civil rights.

Visual Illustration Nineteenth Century Streetcar



The above illustration is an example of the type of streetcar Caroline Williams was riding when the alleged incident took place. This type of streetcar was very popular in St. Louis in the mid to latter parts of the nineteenth century. There was a driver and a conductor, who took tickets and managed the car. The Bellefontaine Railway Company used cars similar to this one. Horses pulled the cars along the rails which were laid in the street, hence the name streetcars.

For more information on this subject contact the following national parks:

Education Office
Jefferson National Expansion Memorial
11 North Fourth Street
St. Louis, MO 63102
(314) 655-1600
Fax (314) 655-1735
www.nps.gov/jeff

Martin Luther King, Jr. National Historical Site
450 Auburn Avenue, NE
Atlanta, GA 30312-1525
(404) 331-5190
Fax (404) 730-3112
www.nps.gov/malu

Education Office
Brown v Board of Education National Historic Site
424 South Kansas Avenue, Suite 220
Topeka, KS 66603-3441
(785) 354-4273
Fax (785) 354-7213
www.nps.gov/brvb

Mary McLeod Bethune Council House National Historic Site
1318 Vermont Avenue, NW
Washington, D.C. 20005-3607
(202) 673-2402
Fax (202) 673-2414
www.nps.gov/mamc

Selma to Montgomery National Historic Trail
7001 U.S. Highway 80
Haynesville, AL 36040-4612
(334) 877-1983
Fax (334) 877-1985
www.nps.gov/semo