

**DOWN AT THE
OLD COURT HOUSE**

BY

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DOWN AT THE OLD COURT HOUSE

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There is some kind of backdrop, behind which students can stand. Four to Eight Students enter, cross center and establish pitch. The first time through the song is sung as a barbershop quartet would sing it. The second time, the entire class performs it as a rap. (If schools do not have anyone who can sing, they may begin with the group rap – the key is to have fun with it!)

DOWN AT THE OLD COURT HOUSE Sung to the tune of *Down at the Old Mill Stream*

Down at the old court house Justice' own lighthouse
It was there we knew that people love to sue
Judges did declare Things weren't always fair,
But you played your part, You won our hearts,
Down at the old court House.

RAP LEADER

Yo – Let's get down

(Note: Teachers may use as many or few of the verses as the group can handle – Words may be adjusted to fit the rhythm the students create. Teacher/Directors can assign individual lines to one to four kids. Some kind of simple percussion instrument should play throughout the rap. All actors on stage

Get down Get down Get
Down at the old court house
Get Down Get down
Get down with the old
Don't get with the new
Get down with the old
Don't get with the new
Get Down at the Old Court House

Get down Get down Get
Down at the old court house
Get Down Get down
Get down with the old
Don't get with the new
Get down with the old
Don't get with the new
Get Down at the Old Court House

Folks fight Folks fight
They all fight for justice
Folks fight Folks fight
They just sue and sue
Yes they do They sue
Sue down at the old
Not the new Not the new
Sue down at the Old Court House

Get down Get down Get down
Down at the old court house
Judges declare Judges declare
Things aren't always fair
Judges do declare
Things not always fair
At the old Not the new
Sue down at the Old Court House

Get down Get down Get
Down at the old court house
We said get down at the Old Court House
GET DOWN!

The students clear the space.

HALEY *from Off Stage*

Harlin? Reed? What is taking you two so long?

REED *from Off Stage*

But I was winning the game...

HARLIN *from Off Stage*

Yeah, yeah, yeah sure you were.

A girl with books enters. Two boys are straggling behind her. They are on assignment.

HALEY

Will you please stop messing around and get over here?

HARLIN

We're coming, Haley.

REED

Where are we anyway?

HALEY

Reed!? You honestly don't know?

REED

Uh - - - No.

HALEY

It's the Old Courthouse. Remember.

REED

Oh. Yeah I knew that... It looks different... They must have moved stuff around.

HARLIN

Been here recently, have you?

REED

Yeah uhm...

HALEY

No you haven't. None of us have. We're on a "Field Trip".

REED

Where's the field then?

HALEY

Field TRIP - to the Old Court House, remember? Why do you think we spent so much time studying the Old Court House in the library this week?

REED

The Library?

HARLIN

It's the place where all the books are - - -

REED

Why would I want to be with bunch of books?

HARLIN

You didn't do a single, solitary bit of library research on The Old Courthouse?

HALEY

No he hasn't or I would have seen him. And Harlin, you haven't exactly been haunting the halls of the library either.

HARLIN

I was there ... a little! I've had to put in a lot of extra practice lately. You know how sports are.

HALEY

Thankfully, no. All right, we don't have a lot of time. We need to find out everything we can about The Old Court House in St. Louis, Missouri that we can not find out in the library.

REED

If it's OLD why bother?

HALEY

Why bother?! The Old Court House was restored and is preserved by our government. It is part of a national park, which we as a nation pay to have!

REED

Wait— Are we supposed pay to be here?

HALEY

No! Its money our families pay in taxes.

REED

But...

HARLIN

It's free to visit, because this building is important to our nation's history.

HALEY

The National Park Service preserves it so we can learn our history in the place it happened.

HARLIN

The Old Court House!

REED

You say it's old.

HARLIN

Don't think of it as old – think of it as history.

REED

The History Court House?

HARLIN

Yes.... No.

HALEY

History ASSIGNMENT. The Old Court House is our HISTORY ASSIGNMENT.

REED

Oh that... I was just going to google it or check Wikipedia when I got home...

HALEY

REED MUSTELA! I'm going to pretend that you did not just say that. Oh! It's so hard to have you for a friend sometimes!

REED

What? What did I do?

HALEY (*To Harlin*)

You explain it.

HARLIN

What Haley is saying is that you can't learn everything you need to know if you only google it.

REED

I'll wiki...

HARLIN

No wiki either. They are an okay place to start, but that can't be all the research you do.

REED

But Harlin, history is just a bunch of dates and dead people.

HARLIN

No it is not. It's about real people and their stories. Where is your curiosity?

REED

Haven't seen it since it killed my cat.

HALEY

Reed, if you do not know where you have been, how will you ever understand where you ARE?!

REED

What?!

HALEY

Or where you want to BE?

REED

Okay, okay! Just - what do you want me to do?

HALEY

You take this book. See if you can find out how the Old Court House came to be.

REED

Fine! Sometimes it is so hard to have that girl for a friend!

HALEY

Harlin, you and I are going to go upstairs and check out the courtrooms.

Haley and Harlin exit.

REED

Sounds like great fun! (*Yawns*) Let's see what have we got here. Bla bla bla... "The Old Courthouse stands on land donated in 1816 by two of St. Louis' leading citizens..." Just like I said - Dates and dead people. (*Yawns*) Dates and dead people.

CHOUTEAU

I beg your pardon, young man!

REED

Geez! Who are you?

CHOUTEAU

Auguste Chouteau – one of the founders of our fair city.

REED

Founder?

CHOUTEAU

Yes.

REED (*To self*)

A Leading-Citizen-Dead-Guy. I see dead people! Great!

CHOUTEAU

Excuse me, what did you say?

REED

I said you don't sound like you're from around here. Uh...Great!

CHOUTEAU

I'm Creole.

REED

Oh. (*No clue – a pause*) Does it hurt?

CHOUTEAU

What? No! No. You misunderstand. The first 14 years of my life were spent in Southern Louisiana. All of my people are called Creole. We descended from French people who settled in Louisiana.

Lucas enters.

LUCAS (*Try a terrible French accent for fun*)

Descended – as in came down the ladder of social acceptance.

REED (*To Self*)

Great – more dead people!

CHOUTEAU

Ah, Lucas, you are a boil on the back of humanity.

REED

Does that mean he **isn't** a leading citizen?

CHOUTEAU

He **is** unfortunately – a leader of my rivals!

LUCAS (*To Reed*)

Judge John B.C. Lucas at your service!

REED

Pleased to ...

LUCAS (*Back to Chouteau*)

I am a real Frenchman *fOverlap* **from France**.

CHOUTEAU (*Overlaps Lucas*)

/From France! Yes we know! We can't wait for you to go back!

LUCAS

What?!

REED (*Simultaneously*)

Ouch!

CHOUTEAU

You have made so many enemies!

REED

It's nice to meet ...

LUCAS (*Ignores Reed*)

Monsieur Chouteau- You know perfectly well that President Thomas Jefferson himself sent me here!

REED

I'm Reed and ...

CHOUTEAU

Yes but **WHY?** Why did he send you?! You are French but you have no loyalty to your French Creole brethren! When the Spanish ruled the Louisiana Territory, they grant us Creoles several acres of land. You haven't honored even half of those grants!

LUCAS

I am the American government's land claims commissioner. Just because some so called Spanish royalty promised you Creoles most of the land, doesn't mean you are going to get most of the land, you nincompoop!

REED

DUDES!

CHOUTEAU

You, Monsieur Lucas, are a frog!

LUCAS

This is not Spain!!!

CHOUTEAU & LUCAS (*In unison*)

This is America!!! I know that, you idiot!

REED (*Finally gets their attention*)

WOAH!!! You guys are history!

CHOUTEAU & LUCAS (*In unison*)

What?!

REED

It says right here in this history book that you two are leading citizens.

CHOUTEAU & LUCAS (*In unison*) (*Much pointing*)

I am! He is! We are!

REED

Well you sure don't act like it.

CHOUTEAU

We are rivals!

LUCAS

Complete rivals! Besides, he started it.

CHOUTEAU

No! You started it!

REED

I don't care who started it – Stop!

LUCAS

Sacré bleu *Sacred blue* ... He speaks like my mother!

REED

You two need to get along. It says so in this book.

LUCAS

He's right. N'est-ce pas? (*What can we do? Pronounced "ness pah"*)

CHOUTEAU

I guess we can try.

REED

Judge Lucas?

LUCAS

All right! I suppose we can agree on some things.

REED

That's better. So – what do you agree on?

CHOUTEAU

St. Louis is going to be a very important city.

LUCAS

Oui! ^(yes) Very large and very soon!

CHOUTEAU & LUCAS

Agreed!

REED

That's a good start. Keep going...

CHOUTEAU

If St. Louis is going to be an important city, she needs a grand courthouse.

LUCAS

It must be centrally located!

CHOUTEAU & LUCAS

Agreed!

REED

Good! So what are you two going to do about it?

LUCAS & CHOUTEAU

Your land would be perfect!

LUCAS

What do you...

CHOUTEAU

Oh no you....

REED

GENTLEMEN! Make nice.

CHOUTEAU & LUCAS put their heads together briefly

CHOUTEAU & LUCAS

We agree!

REED
Good!

CHOUTEAU
To cordially hate each other.

REED
Not good.

CHOUTEAU & LUCAS
But ...

LUCAS
To put our differences aside for now...

CHOUTEAU
And donate the land!

LUCAS
For the sole purpose of ...

CHOUTEAU & LUCAS
Building a courthouse!

REED
Now see!? That wasn't so hard!

CHOUTEAU
Not bad for a couple of "dead guys"! N'est-ce pas? *(Is it not so?)*

LUCAS
Vive la difference!

REED
Vive la nesspah whatever to you too! *Chouteau & Lucas exit*
Okay I'm going to fast forward here.... First courthouse too small – population in St. Louis had **tripled** by the time it was completed – Yikes. Here we go: "Construction began in 1839 on what is today called The Old Courthouse. The construction was finally finished in the 1860s, after many delays and cost over-runs." Boy, some things never change. "A good share of the work of building the courthouse came from..."

SUPERVISOR
Human muscles alone! Yo heave ho – yo oh!

The entire group does a work chant as the different workers call out their jobs and join the work line. By the end of the chant, all of the students should be performing the task they have called out. All comments of the workers

and the protestors need to maintain the work rhythm. All of the students should chant until the supervisor stops them. Reserve some students to be protesters. Use the boxes or chairs to give definition of work place.

LARGE GROUP

Yo heave ho – yo oh.

Yo heave ho – yo oh.

STONE CARVERS

Stone carvers

LARGE GROUP

Yo heave ho – yo oh.

BRICKLAYERS

Bricklayers!

LARGE GROUP

Yo heave ho – yo oh.

CARPENTERS

Carpenters!

LARGE GROUP

Yo heave ho – yo oh.

PLASTERERS

Plasterers!

ALL WORKERS

We sweat and strain

Yo heave ho – yo oh

COST PROTESTERS

What is this going to cost?

LARGE GROUP

Yo heave ho – We don't know.

TIME PROTESTERS

How long is this going to take?

LARGE GROUP

Yo heave ho – We don't know.

COST PROTESTERS

Can't you work for less?

LARGE GROUP
NO heave ho – OH NO.

TIME PROTESTERS
Can't you work faster?

LARGE GROUP
NO heave ho – oh NO!

SUPERVISOR
We will build this courthouse

LARGE GROUP
By human muscles alone!
Yo heave ho – yo oh.
YO HEAVE HO – YO OH.
YO HEAVE HO – YO OH.

At this point the courthouse should be finished and everyone should break into applause and admire the work. (Flash photos if you've got them)

TIME PROTESTER ONE
It's beautiful!

COST PROTESTER ONE
It's magnificent!

TIME PROTESTER TWO
The dome is so impressive!

SUPERVISOR
It is the first building in America to have a dome!

TIME PROTESTORS
Ooooo!

COST PROTESTORS
Ahahhah!

TIME PROTESTOR TWO
Look! The center of the dome has a skylight!

SUPERVISOR
It's called "the eye"

TIME PROTESTORS
Ooooo!

COST PROTESTORS

Ahahhah!

COST PROTESTOR TWO

Look! The spiral staircase reaches from the floor to the galleries!

TIME PROTESTORS

Oooooo!

COST PROTESTORS

Ahahhah!

SUPERVISOR

What other city can boast of such a fine courthouse?!

WORKERS

None!

SUPERVISOR

What other building in America is so beautiful inside and out as this one?

ALL PROTESTERS

St. Louis is the “Queen of the West”!

SUPERVISOR

With a courthouse this beautiful – this amazing –

ALL

St. Louis should be the capital of America!

ALL CHEER

Hip hip hurray! Hip hip hurray! Hip Hip Hurray Hip Hip Hurray

Group exits as it hurrays.

REED

Well done, Reed! Well done! I surprised myself. Wait until I tell Harlin and Haley! Where are they? Harlin? Haley?

Reed exits behind flat as Haley and Harlin come around front.

HALEY

We need to establish WHY buildings like this are important.

HARLIN

How did this particular building earn a place in history and therefore...

HALEY

Earn the right to be preserved?!

HARLIN

Exactly!

HALEY

If I am following these clues correctly, I think it all goes back to Thomas Jefferson. In the Declaration of Independence he wrote, “We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are Life, Liberty and the pursuit of Happiness”.

HARLIN

The Declaration of Independence is like a list of goals for the country.

Haley and Harlin sit on the row of blocks reading.

HALEY *(Reading from book)*

We hold these truths to be self-evident, that all men are created equal...

VOICE 1 BEHIND SCREEN ^{HARRIET SCOTT}

Hah!

HALEY

Did you hear something?

HARLIN

I think so. Reed? Is that you? *(They listen. He shrugs)*

HALEY

Where was I? That all men are created equal

VOICE 2 BEHIND SCREEN ^{VIRGINIA MINOR}

Fiddledeedee!

HALEY

That was definitely someone.

HARLIN

Reed! Knock it off.

VOICE 1 BEHIND SCREEN ^{HARRIET SCOTT}

Knock! Knock!

HALEY

Reed!? This is not funny!

HARLIN

REED! SHOW YOUR FACE RIGHT NOW!

VOICE 2 BEHIND SCREEN VIRGINIA MINOR
Quiet! You'll wake the dead!

HALEY

Right! I'm so sorry... *(The voices laugh)*

Wait a minute – Who said that? *Pause*

Whispers now Harlin? That is definitely not Reed.

HARLIN

Whispers I know.

VOICE 1 BEHIND SCREEN HARRIET SCOTT

Children, children! It's rude to whisper.

HARLIN

We aren't afraid of you – whoever you are.

VOICE 2 BEHIND SCREEN VIRGINIA MINOR

Of course you aren't!

VOICE 1 BEHIND SCREEN HARRIET SCOTT

You don't know who we are - - - yet!

The voices laugh.

HARLIN *(To Haley)*

What do you want to do?

HALEY

We came here to find out things about the Old Court House that you can't find in books.

HARLIN

Yeah, well I'm pretty sure those two aren't in any book.

VOICE 2 BEHIND SCREEN VIRGINIA MINOR

Knock! Knock!

VOICE 1 BEHIND SCREEN HARRIET SCOTT

Who's there?

VOICE 2 BEHIND SCREEN VIRGINIA MINOR

Someone's knocking on our door. Knock...

VOICE 1 BEHIND SCREEN HARRIET SCOTT

Knock! Who's there?

The voices laugh again

HALEY

That's it.

HARLIN
What's it?

HALEY
That's it – the door. Our voices have been knocking on that door.

HARLIN
Want to find out who is there?

HALEY
Absolutely! *(A bit afraid but won't admit it)* You go first.

HARLIN
Right. It's probably Reed.

HALEY
It better not be Reed.

*They get up – look around and head behind the flat. Note
Feel free to be creative in the blocking of this scene. If
possible this would be the time to change the look of the
backdrop – ideally from the Rotunda to a Court Room.
There are two seconds of no one being in front of the flat
– Then Harriet Scott and Virginia Minor float in and sit
down. **Background Change.***

HARRIET
I haven't had this much fun in decades!

VIRGINIA
Me either.

HARRIET
Usually the words on that particular document just give me a heap of trouble.

VIRGINIA
As they do me!

HARRIET
Shshsh. They're trying the door.

VIRGINIA
Harriet, do you think we should let them see us right away?

HARRIET
No. Nothing cheers a person up more than getting a little scared.

HARLIN OFF STAGE
It's locked.

HALEY OFF STAGE

How do we get in?

VIRGINIA (*calling out to them*)

Use the magic words dears!

HALEY

Magic words?!

HARLIN OFF STAGE

What magic words?

HARRIET

They came out of your mouth once tonight already, Miss. That's why we're here.

HALEY OFF STAGE

My mouth? Harlin, what was I saying before we heard these voices?

HARLIN OFF STAGE

Uh. We were talking about something Thomas Jefferson wrote....Oh! You were reading the Declaration of Independence.

HALEY OFF STAGE

Right! What were the words? The words... OH! "All men are created equal".

Haley and Harlin come tumbling in.

HARLIN

We're in!

HALEY

It's a court room!

HARLIN

I don't see anyone here, do you?

HALEY

No. Maybe they are hiding...

VIRGINIA

Or maybe we are . . . INVISIBLE?

HARLIN

Invisible?!!

HALEY

Harlin! I don't like this one little bit.

HARRIET (*laughing*)
Virginia, I think they've had enough.

VIRGINIA
All right! (*Makes some kind of noise*) There!

Harriet and Virginia APPEAR to the students.

HALEY
Who are you two?

VIRGINIA
Think a moment and you'll know. What were the words that unlocked the door?

HARLIN
All men are created equal.

HARRIET
And where are you standing?

HALEY
In a courtroom in the Old Courthouse...

HARLIN (*To Harriet*)
Equal, that's it! I know who you are!

HARRIET
Who am I then?

HARLIN
You are Harriet Scott, wife of Dred Scott. You and your husband first sued for your freedom right here in the Old Courthouse!

HARRIET
Yes sir, I am and we did.

HALEY (*To Virginia Minor*)
OH! Then you must be Virginia Minor, the suffragist. You sued for the right to vote in this courthouse!

VIRGINIA
Very good!

HARLIN
Both your lawsuits went to the Supreme Court level in Washington D.C., and... You lost. You both lost at the national Supreme Court level.

HARRIET & VIRGINIA

Yes we did.

HALEY

Harriet Scott of SCOTT v SANDFORD! And Virginia Minor of MINOR v HAPPERSETT. Your two Supreme Court cases were absolutely ground breaking... huge...and totally unfair!

VIRGINIA

I like the way you think young lady!

HARRIET

Wish she'd been a judge!

HARLIN

SCOTT v SANDFORD was nation changing! I just read about this. Chief Justice Taney of the Supreme Court wrote the decision for the whole court. He said that slaves were not citizens - they were property, and therefore had no right to sue for freedom. He said that no slave had any rights that a white man was bound to respect.

HARRIET

We loved him for that one.

HALEY

Because of your case, the Supreme Court also said that Congress did not have the power to stop a territory or state from allowing slavery, which overturned the Missouri Compromise of 1820.

VIRGINIA

That decision lit a fire under me and all the other Unionists! The Dred Scott decision brought all the abolitionist and unionist together finally – we united and ended the spread of slavery.

HARRIET

After the Civil War, Congress made new laws that tried to set things right. I wish Dred had lived to see that day.

HARLIN

The Dred Scott case was the most important case ever to come out of The Old Courthouse.

VIRGINIA

It was indeed!

HARRIET

If mine was first then, Virginia's was second.

HARLIN

I'm sorry. I don't know much about Minor v Happersett. Happersett – is that a real name?

VIRGINIA

Oh yes. Couldn't make that one up. It belonged to the man who refused to let me register to vote because I was a woman.

HALEY
So you sued him?

VIRGINIA
My husband had to file suit for me because married women were not allowed to file suits on their own behalf.

HALEY
You're kidding?!

VIRGINIA
I wish I were! We lost the case in the United States Supreme Court and it took 75 years after my trial for Congress to change *those* laws, and make women equal under the law with men.

HALEY
And both cases started here in The Old Courthouse in St. Louis.

HARLIN
All men – all people are created equal... Equality and civil rights! That's what both of your trials were about!

HARRIET
Equality!! Some people feel like they are a whole lot more equal than others – that is what brought us to court.

HALEY
It still brings people to court.

VIRGINIA
Young lady - What do you think "All men are created equal" means?

HALEY
I think it changes... Its kept changing all these years. Now "all men" really means *all* men—white, black, yellow, red... whatever color.

HARLIN
Yes! And ALL men means all women, too.

HALEY
Yes!

HARRIET
And ALL Immigrants!

HARLIN
Yes! Wait...

HALEY
No. Not all.

HARRIET

But it will someday. Mark my words.

VIRGINIA

The definition of “all men are created equal” keeps on changing because if it doesn’t, this country would never move forward.

REED OFF STAGE

Haley? Harlin? Where are you?

VIRGINIA

Harriet, it’s time for us to disappear again.

HALEY

Wait. Why are you here?

HARRIET

Because some folks will always feel like they are a whole lot more equal than others.

VIRGINIA

We are history. Your history.

HARRIET

We are the country’s conscience.

VIRGINIA

Through this building, we help preserve the lessons of the past – so don’t forget us!

HARLIN

We won’t!

HALEY

We promise.

HARRIET

It’s been a pleasure.

*Harriet and Virginia disappear on one side of the flat.
Reed enters from the other.*

REED

Woo. You guys feel a draft in here? Where have you been!

HARLIN

Mostly right here I think.

REED

You aren’t going to believe what happened to me!

HALEY

Reed – for once, yes. I promise I will believe every word you say.

REED

Really?! What if I told you that I see dead people?

HALEY

I believe you absolutely!

REED

Really?

HALEY

Absolutely!

REED

Wow. What happened to you two?

HARLIN

It's been a life-changing kind of day.

REED

Yeah! I know. Did you know that old dead dudes argue just like us? I never would have thought of them as real people before I came here today.

HARLIN

If the country didn't preserve this building...

HALEY

We would have no reminder. The building makes us remember that people have had to fight to get their rights.

REED

And how hard they have to work to make things happen!

We hear these voices off stage

CHOUTEAU

Mon dieu! Lucas!

LUCAS

Sacré bleu, Chouteau!

HARRIET

If you don't know where you come from

VIRGINIA

How will you know where you are

HARLIN, HALEY & REED
Or where you want to be?

RAP LEADER
Yo – Let's get down
All actors on stage
Get down Get down
Down at the old court house
Get Down Get down
Get down with the old
Don't get with the new
Get down with the old
Not the new Not the new
Get Down at the Old Court House

THE END

SOURCES FOR THE MUSIC

DOWN BY THE OLD MILL STREAM

By Tell Taylor, 1910

Original Lyrics

Down by the old mill stream where I first met you,
With your eyes of blue, dressed in gingham too,
It was there I knew that you loved me true,
You were sixteen, my village queen, by the old mill stream.

CHORDS FOR PIANO or GUITAR

DOWN BY THE OLD MILL STREAM.....Tell Taylor 1910

Down by the **G** **Bb dim** **D7** **Am7 D7 G**
old mill steam where I first met you

With you're eyes **G** **Bm** **C E7 Am** **D7** **G**
of blue dressed in ging - ham too

It was there I **G** **Bbdim** **D7** **D6/7** **Cdim** **Em**
knew that you loved me true

You were sixteen **Eb 7** **G Dm6 E7 C+ E7**
my village queen by the

A7 D7 G
Old Mill Stream

INSPIRATION TO HEAR

<http://www.youtube.com/watch?v=DMdkyUf3Ygo>
<http://www.youtube.com/watch?v=yITUS1ZdF1Y&feature=related>