

The Old Courthouse in St. Louis: Yesterday and Today

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(Photo by Beth Boland)

All persons intending to emigrate to Oregon are requested to meet at the Court House (in conjunction with citizens friendly to the cause) on Thursday evening next, the 7th inst., at half past seven o'clock.

· (St. Louis Daily People's Organ, April 5, 1843)

Throughout the 19th century the Old Courthouse in St. Louis served not only as a house of justice, but also as a public gathering place for pioneers planning their westward trek across the plains. Thirteen courtrooms were in use from 1845 until 1930. The courthouse dominated the city's skyline until the turn of the 20th century, when skyscrapers rose to challenge it. The iron-framed dome was the forerunner of many similar domes erected on government buildings throughout the country. For many years the courthouse rotunda was one of the largest and most ornate rooms in St. Louis, and it was used for many city activities.

An editorial in the *Missouri Republican* of May 2, 1855 read, "the Rotunda...is well adapted to popular assemblies. No room of the same dimensions in the city is better suited to the voice. In the upper tiers every word uttered with common force is plainly distinguishable." At a time when commercial amusement was limited, public events held at the courthouse were well attended. Debates, speeches, and even court proceedings were considered forms of entertainment. This 19th-century courthouse brought national concerns to the people and provided a forum where they could actively participate in the shaping of their country's future.

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## Where this lesson fits into the curriculum

**Time Period:** Mid-19th Century

**Topics:** The lesson could be used in teaching units on America's 19th-century westward expansion, sectional conflict leading to the Civil War, or a variety of civics issues. Students will study the role the Old Courthouse in St. Louis played in national events of the 19th century

## Relevant United States History Standards for Grades 5-12

This lesson relates to the following National Standards for History from the UCLA National Center for History in the Schools:

### **US History Era 4**

**Standard 1C:** The student understands the ideology of Manifest Destiny, the nation's expansion to the Northwest, and the Mexican-American War.

**Standard 2A:** The student understands how the factory system and the transportation and market revolutions shaped regional patterns of economic development.

**Standard 2B:** The student understands the first era of American urbanization.

Standard 2E: The student understands the settlement of the West.

**Standard 3B:** The student understands how the debates over slavery influenced politics and sectionalism.

**Standard 4A:** The student understands the abolitionist movement.

### **US History Era 8**

**Standard 1A**: The student understands how the North and South differed and how politics and ideologies led to the Civil War.

#### **Relevant Curriculum Standards for Social Studies**

This lesson relates to the following Curriculum Standards for Social Studies from the National Council for the Social Studies:

### Theme I: Culture

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- Standard B: The student explains how information and experiences may be interpreted by people from diverse cultural perspectives and frames of reference.
- Standard C: The student explains and gives examples of how language, literature, the arts, architecture, other artifacts, traditions, beliefs, values, and behaviors contribute to the development and transmission of culture.

### Theme II: Time, Continuity, and Change

- Standard C: The student identifies and describes selected historical periods and patterns of change within and across cultures, such as the rise of civilizations, the development of transportation systems, the growth and breakdown of colonial systems, and others.
- Standard E: The student develops critical sensitivities such as empathy and skepticism regarding attitudes, values, and behaviors of people in different historical contexts.
- Standard F: The student uses knowledge of facts and concepts drawn from history, along with methods of historical inquiry, to inform decision-making about and action-taking on public issues.

## Theme III: People, Places, and Environment

- Standard D: The student estimates distance, calculates scale, and distinguishes other geographic relationships such as population density and spatial distribution patterns.
- Standard G: The student describes how people create places that reflect cultural values and ideals as they build neighborhoods, parks, shopping centers, and the like.
- Standard I: The student describes ways that historical events have been influenced by, and have influenced, physical and human geographic factors in local, regional, national, and global settings.

## Theme V: Individuals, Groups, and Institutions

- Standard A: The student demonstrates an understanding of concepts such as role, status, and social class in describing the interactions of individuals and social groups.
- Standard D: The student identifies and analyzes examples of tensions between expressions of individuality and group or institutional efforts to promote social conformity.

# Theme VI: Power, Authority, and Governance

- Standard E: The student identifies and describes the basic features of the political systems in the United States, and identifies representative leaders from various levels and branches of government.
- Standard F: The student explains conditions, actions, and motivations that contribute to conflict and cooperation within and among nations.



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• Standard G: The student describes and analyzes the role of technology in communications, transportation, information-processing, weapons development, or other areas as it contributes to or helps resolve conflicts.

#### Theme X: Civic Ideals and Practices

- Standard A: The student examines the origins and continuing influence of key ideals of the democratic republican form of government, such as individual human dignity, liberty, justice, equality, and the rule of law.
- Standard C: The student locates, accesses, analyzes, organizes, and applies information about selected public issues - recognizing and explaining multiple points of view.
- Standard D: The student practices forms of civic discussion and participation consistent with the ideals of citizens in a democratic republic.

#### **Relevant Common Core Standards**

This lesson relates to the following Common Core English and Language Arts Standards for History and Social Studies for middle school and high school students:

### **Key Ideas and Details**

CCSS.ELA-LITERACY.RH.6-8.2

### **Craft and Structure**

CCSS.ELA-LITERACY.RH.6-8.4

### Integration of Knowledge and Ideas

CCSS.ELA-LITERACY.RH.6-8.7

### Range of Reading and Level of Text Complexity

CCSS.ELA-LITERACY.RH.6-8.10



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## **About This Lesson**

This lesson is based on the National Register of Historic Places registration file, <u>Jefferson</u> National Expansion Memorial National Historic Site

[http://pdfhost.focus.nps.gov/docs/NRHP/Text/66000941.pdf], (with <u>photographs</u> [http://pdfhost.focus.nps.gov/docs/NRHP/Photos/66000941.pdf]), and other materials from the park. This lesson was written by Diane James Weber, former education specialist, Jefferson National Expansion Memorial. It was edited by Teaching with Historic Places staff. This lesson is one in a series that brings the important stories of historic places into classrooms across the country.

## **Objectives**

- 1. To explain why St. Louis was founded on the Mississippi River and the important role the city and its courthouse played in the westward expansion movement;
- **2.** To identify and discuss issues significant to 19th-century railroad expansion to the western region of the nation;
- 3. To explain how a legal verdict the Dred Scott Decision can affect national policy;
- **4.** To identify and describe a historic structure in their own community that has been rehabilitated and reused.

#### **Materials for students**

The materials listed below can either be used directly on the computer or can be printed out, photocopied, and distributed to students.

- 1. Four maps of the St. Louis area and 19th-century railroad construction:
- 2. Two readings about important events that took place at the Old Courthouse readings;
- 3. A script for a mock trial adapted from court transcripts of the Dred Scott case;
- **4.** Two photos of the Old Courthouse and its surroundings.

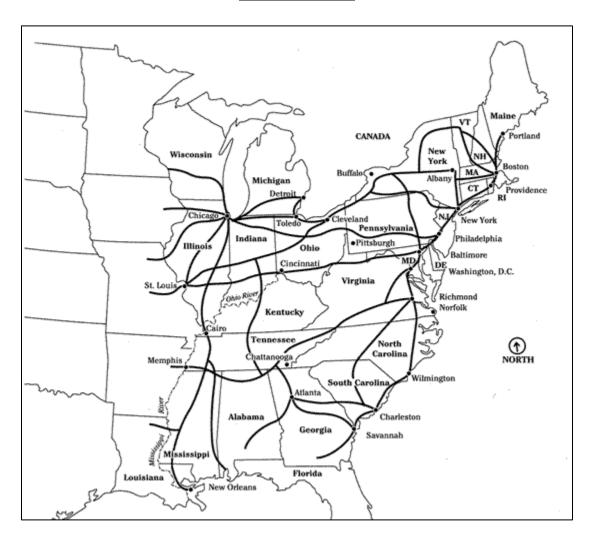
## Visiting the site

The Old Courthouse and the 630-foot-high Gateway Arch together make up the Jefferson National Expansion Memorial. This national park was established in 1935 to memorialize the role of Thomas Jefferson and others responsible for the nation's territorial expansion to the Pacific and of the countless pioneers who explored and settled the great American West. The park is located in downtown St. Louis along the banks of the Mississippi River, and is accessible by way of Interstates 70 and 64. It is open year-round. For more information, visit the park web pages.

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# **Getting Started**



The image above is a map of the major railroads in the U.S. by 1860. Why do you think they came to an abrupt end where they did?

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Photo Analysis Worksheet
Step 1: Examine the photograph for 10 seconds. How would you describe the photograph?
Step 2: Divide the photograph into quadrants and study each section individually. What detailssuch as
people, objects, and activitiesdo you notice?
Step 3:
What other informationsuch as time period, location, season, reason photo was takencan you gather from the photo?
Step 4: How would you revise your first description of the photo using the information noted in Steps 2 and 3?
Step 5: What questions do you have about the photograph? How might you find answers to these
questions?

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### **Setting the Stage**

The Old Courthouse in downtown St. Louis was the site of many events that had national repercussions. For example, in the 1840s and 1850s, the courthouse's rotunda was an arena for great speeches, debates, and discussions on the possibilities of building railroads across the continent. During this same period, one of the courtrooms was the setting for the portentous Dred Scott trial.

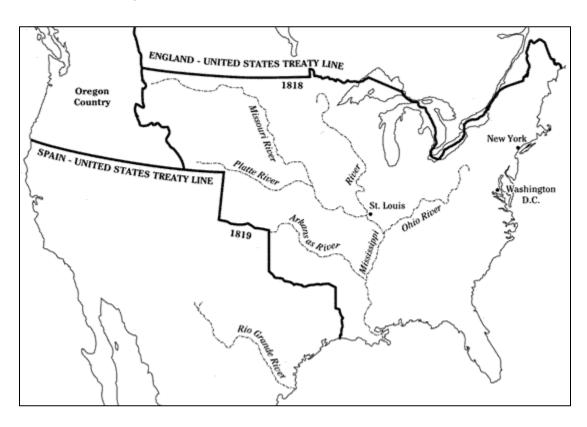
The courthouse as it exists today took nearly 40 years to complete. The original brick structure built in 1828 soon became too small for the growing city of St. Louis. A classical Greek Revival design that incorporated the brick courthouse as its east wing was opened on Washington's birthday, February 22, 1845. Throughout the years the courthouse continued to be remodeled and enlarged. The brick east wing was eventually replaced and another larger, more elaborate dome was designed and constructed. Not until July 4, 1862 was the courthouse declared officially complete. It was the tallest and most impressive building in St. Louis, rising more than 190 feet.



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## **Locating the Site**

Map 1: The United States, 1819



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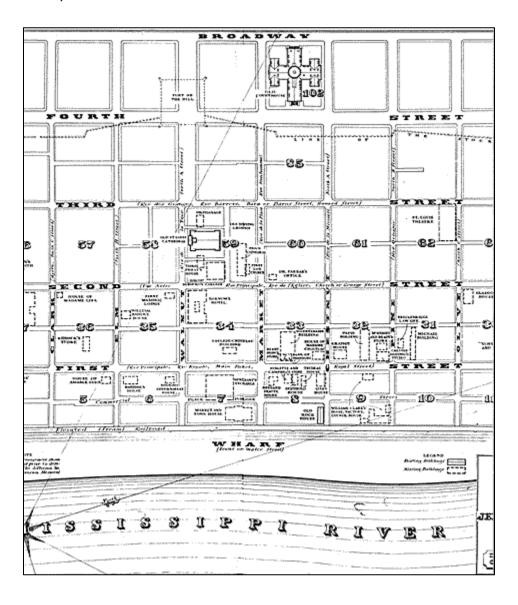
Questions for Map 1  1) Locate the Mississippi and Missouri Rivers. Why do you think these rivers were so important before and during the 19th century?
2) Locate St. Louis, which was founded by fur traders Pierre Laclede and August Chouteau in 1764. Why do you think they chose the site they did? What were the advantages of that site?
3) Why do you think St. Louis received the nickname "Gateway to the West" during the 19th century?
and during the 19th century?  2) Locate St. Louis, which was founded by fur traders Pierre Laclede and August Chouteau in 1764. Why do you think they chose the site they did? What were the advantages of that site?



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## **Locating the Site**

Map 2: St. Louis, 1843



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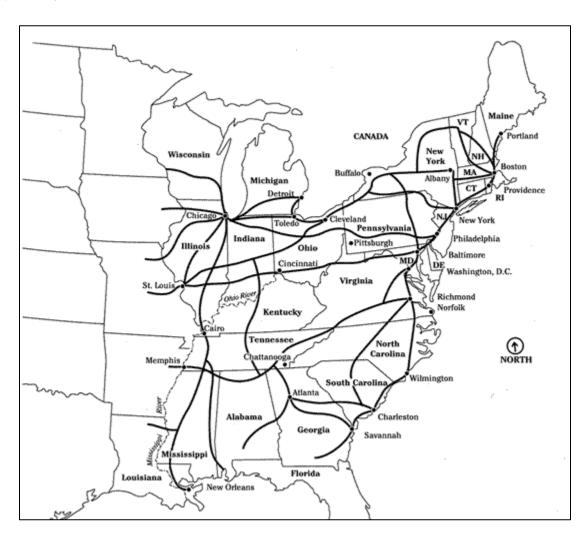
Questions for Map 2
1) Locate the square block on which the Old Courthouse stands.
2) List some of the other buildings depicted, noting in particular those along the riverfront. What kinds of businesses were important to the St. Louis economy at this time?



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## Locating the Site

Map 3: Major Railroads, 1860



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# **Questions for Map 3**

1) Note how abruptly the rail lines stop at or near the Mississippi River. What does this indicate about the extent of European American settlement in the West by that time?

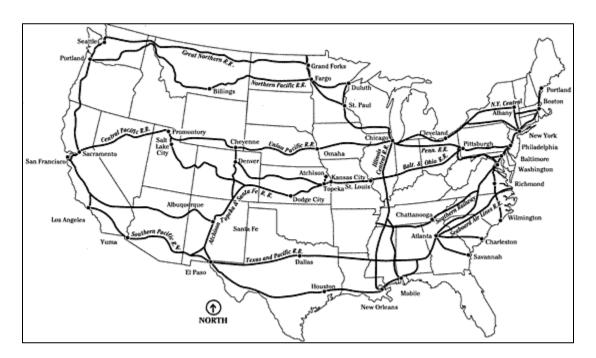
2) Why do you think St. Louis was so eager to become the starting point of a railroad that would run all the way to the West Coast?



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## **Locating the Site**

## Map 4: Major Railroads, 1900



While St. Louis was eventually served by a rail line and passengers and freight could easily connect to the West Coast, the city was not on what generally was regarded in 1900 as a "transcontinental railroad." Nonetheless, St. Louis remained an important commercial and business center.

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## **Questions for Map 4**

1) Explain in your own words why the railroad route through St. Louis would not have bee	n
considered a "transcontinental railroad" in 1900.	

**2)** Which route do you think earned that title? Why? (Additional information is provided in Reading 1).

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### **Determining the Facts**

### Reading 1: The Railroad: A National Controversy

The period 1840 to 1860 was marked by great westward migrations in the United States spurred by the desire for land, the discovery of gold, the Mexican War (which resulted in the acquisition of much of the Southwest), and waves of foreign immigration sparked by famine in Ireland and revolution in Germany. The entire country was changing. It was clear that a nationwide system of transportation was needed.

The Old Courthouse was the setting for several meetings held to champion railroad construction. St. Louis, with its western orientation, promoted a rail line to the West Coast even before it had connections with the East Coast. By 1844 Asa Whitney, a New York businessman, began a nationwide campaign to interest the public in a transcontinental railroad line. In November 1846 he spoke in the rotunda of the St. Louis Courthouse before an enthusiastic group of local business people. They passed a resolution to be sent to Congress urging the adoption of the idea.

In 1847 telegraph lines finally reached the Mississippi River. This important communication link with the East quickened an interest in establishing rail connections. In December of that year, large groups of interested townspeople once again gathered in the rotunda to discuss the possibilities. Another resolution was adopted, this one calling on the city to subscribe \$500,000 toward the extension of the Ohio and Mississippi Railroad line from Cincinnati to St. Louis. The money was soon raised and construction begun.

Throughout the 1850s the idea of building a transcontinental railroad that would bind the newly acquired western territories to the eastern half of the country became one of the nation's prime concerns. It would be a monumental task. The rails had to be laid across 1,700 miles of desert and mountains; opposition from American Indians was inevitable. Still, in spite of obstacles, the planning went forward.

Controversy arose over which section of the country-North, South, or Middle-should be the eastern terminus for the proposed rail line. In October 1849, after several preliminary meetings, a great railroad convention met in the St. Louis Courthouse rotunda to consider the issue. Delegates came from 14 states. Missouri's Senator Thomas Hart Benton gave a powerful and moving speech in favor of St. Louis serving as the eastern terminus. Even before the purchase of the Louisiana Territory in 1803, Missouri, and especially St. Louis, had considered the Far West as their special preserve. Its interests were their interests and its development was part of their future. In addition, St. Louis's central location on the Mississippi made it the logical starting point for the western portion of the railroad.

The renowned Stephen Douglas, who would later become a leading contender for president of the United States, supported a northern line with Chicago serving as the eastern terminus. He argued that Chicago was closer and more accessible than St. Louis to New York and Boston, two of the wealthiest and most well-established cities in the nation. New York had always been Chicago's natural trading partner, whether shipments passed through the Great Lakes and the Erie Canal or by rail. Besides, the Chicago people pointed out, Benton's proposed central route utilized the Cochetopa Pass, which was too mountainous and too difficult to use.

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The southern states hoped that the southwestern territories acquired in 1848 as a result of the Mexican War would be admitted to the Union as slave states. They, of course, favored a southern route that would connect slave-holding neighboring states. Representatives from Tennessee and Kentucky attended the convention and proposed that Memphis serve as the eastern terminus for the railroad.

Throughout the 1850s, the courthouse was host to other railroad meetings. The transcontinental railroad issue was difficult to decide. We can only guess at the number of times the issue was discussed among the nation's policy makers as well as the general public. In the end, Chicago won out. The Union Pacific Railroad, which connected Chicago with Omaha, Nebraska, began building westward until it met the Central Pacific Railroad being built eastward from California. St. Louis was eventually served by a railroad, but its dream of being at the center of this transportation revolution was over.

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Questions for Reading 1
1) Why by 1849 did most Americans believe that it was time for the country to build a transcontinental railroad line?
2) What were the three proposed routes?
3) Which route did Senator Thomas Hart Benton support and why did he push for that route?
4) Which route did Stephen Douglas support and what were his reasons for favoring that route?
5) Which route would you have supported? Explain your reasons.
<b>6)</b> The debate was held in the St. Louis Courthouse in 1849, but the last track for the transcontinental railroad was not laid until 1869. What obstacles might have stood in the way of completing the railroad sooner?

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### **Determining the Facts**

### Reading 2: The Significance of the Dred Scott Trial

Perhaps the most famous court case associated with the Old Courthouse is that of two enslaved individuals, Dred and Harriet Scott. In 1846 the Scotts filed a suit to obtain their freedom from slavery. The case was not a particularly unusual one and there was little coverage of the trial in the local newspapers. Slavery was legal in Missouri and enslaved people often sued for their freedom on the grounds that they had been freed by a previous owner's will. Other enslaved people sued for their liberty because their owners had taken them to a non-slave-holding territory and then returned to Missouri. The courts commonly granted freedom in both circumstances until this precedent was reversed by the Dred and Harriet Scott case.

Dred Scott was brought to St. Louis from Virginia in 1830 by his enslaver, Peter Blow. Later the Blow family sold Scott to Dr. John Emerson, an army surgeon. Scott accompanied his new owner on tours of duty at Rock Island, Illinois, and Fort Snelling in Wyoming Territory (what is now Minnesota). At Fort Snelling, Scott married an enslaved woman named Harriet who was purchased by Dr. Emerson. In 1843 Emerson died, leaving the Scotts to his widow. In April 1846 Dred and Harriet Scott filed suit against Mrs. Irene Emerson for their freedom on grounds of previous residence in free territory.

Slavery was not allowed in the State of Illinois because of its constitution. Slavery was also not allowed in Wisconsin Territory because of the federal laws which made up the Missouri Compromise. The court had to answer whether the Scotts could be considered free because Dr. Emerson had kept them in bondage while living in two "free soil" areas. The court also debated if hiring an enslaved person to work for someone else, and keeping the money, was same under the law as having a slave work for the person who legally owned them. Some believed that the Scotts were wrongly held as slaves in Illinois and Wisconsin Territory and should be free. Some believed that the Scotts were nothing more than property and had no right to declare their freedom.

The case came to trial in June 1847 in the Missouri Circuit Court, and was lost by the Scotts. They asked for a retrial. At a second hearing, in 1850, the Scotts were given their freedom. Mrs. Emerson appealed the case to the Missouri State Supreme Court, which in 1852 reversed the decision of the lower court, returning the couple to slavery.

Many were happy with the lower court's decision. One of the judges wrote, "Times now are not as they were when former decisions of this subject were made. Since then not only individuals but states have been possessed with a dark and fell spirit in relation to slavery, whose gratification is sought in the pursuit of measures, whose inevitable consequence must be the overthrow and destruction of our government." In the 1850s, Americans had already been debating how the spread or abolition of slavery would affect the growing country. The Dred and Harriet Scott case happened in St. Louis, right in the middle of this debate.

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After the State Supreme Court decision, the Dred and Harriet Scott case began to attract national attention and the interest of prominent lawyers. Roswell Field, an accomplished attorney, took on the case and carried it to the Federal District Court. In May 1854, that court ruled in favor of Dred Scott's owner. Field immediately appealed to the U.S. Supreme Court.

Since the Scotts first filed their suit in 1846, tensions between the North and the South had grown. Laws regarding slavery had been passed at local, state, and national levels that caused much dissension between the two regions of the country. There was intense interest in the U.S. Supreme Court's decision regarding the Scotts. Whatever the Supreme Court decided would become national law.

The Supreme Court heard the case argued as *Dred Scott v. Sandford* because, technically, Scott was now the property of Emerson's brother-in-law, John F. A. Sanford (a clerk misspelled the name of the defendant). The Supreme Court held hearings twice: once in February 1856 and again the following December.

The decision was delivered on March 6, 1857 by Chief Justice Roger Taney, who read the "Opinion of the Court." Seven Justices agreed and two disagreed with the decision. The Supreme Court decided that because the Scotts were slaves, they were not considered citizens under the Constitution. Therefore could not sue for their freedom in court. This legitimized the belief that enslaved people were not fully humans.

The justices also ruled that the ban on slavery in the Missouri Compromise was unconstitutional. This meant that slave owners could not be deprived of their property, even if they moved to a state that outlawed slavery. In the 1850s, recently acquired western territories had to allow slave holders, and thus slavery, within their borders. The decision struck a blow to the delicate balance of non-slave versus slave states. Some people believed the spread of slavery was morally wrong. Others worried that wagelabor in new states would not survive if it had to compete with slave labor. Instead of lessening sectional tensions as Taney had hoped, the decision only hastened the nation's slide into civil war.



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## **Questions for Reading 2**

1) On what grounds did Dred and Harriet Scott first sue for their freedom in 1846?
2) What was the 1850 verdict of the Missouri Circuit Court in St. Louis?
3) Why was the Scotts' case of little importance to the St. Louis community?
4) Why was the case taken to the Missouri Supreme Court?
5) Why did the case become more important as the years passed and as it moved up through the nation's court system?
6) What was the decision issued by the United States Supreme Court in 1857?
7) Why do you think nonslave states might be angered by the verdict?
8) How did the 1857 decision influence support for the Civil War?
9) Why do you think this decision was different from those of the earlier trials?

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**Visual Evidence** 

**Photo 1: The Old Courthouse** 



(Photo: Jefferson National Expansion Memorial.)

At the time the courthouse was erected, it was the tallest and largest building in the city. Buildings such as the Old Courthouse were designed to impress upon people the seriousness of their rights to take part in the larger civic culture. Many such older public buildings today serve as civic monuments and reminders of our past. The Old Courthouse is now a museum where visitors can trace the growth of St. Louis from 1764 to the present.

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Questions for Photo 1
1) What does the design and scale of the courthouse suggest about its importance to the citizens of St. Louis at the time?
2) Do you think housing a museum of St. Louis history is an appropriate use for the courthouse building today? Why or why not?
3) Why might older buildings no longer be able to serve the function for which they were intended?



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**Visual Evidence** 

Photo 2: The Old Courthouse and St. Louis skyline today.



(Photo: Beth Boland.)



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#### **Questions for Photo 2**

1) From where might this photo have been taken?
2) What are your impressions of St. Louis based on this photo?
3) Describe the area immediately surrounding the courthouse. What does it indicate about the courthouse's importance to citizens of St. Louis today?

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### **Putting It All Together**

Students might enjoy comparing the way the events are recounted in the readings with the way they are presented in a U.S. history textbook and discussing the differences in perspective. In studying nationally important events, students do not always learn how these events evolve from local issues or how national debate and decision affect individual communities. The following activities will encourage students to make those connections.

## **Activity 1: Locating a Railway**

Have students refer back to Map 4 and identify the railroad nearest their community or region. Discuss whether and to what degree railroads were important to townspeople in the 19th century. Local histories found at public libraries usually have a chapter devoted to the coming of the railroad. Some students might wish to research this topic and present a report to the class. (Students in Hawaii, Alaska, or the Territories might choose to look at a community they have visited or would like to visit.)

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### **Activity 2: Examining Trials**

After students have discussed the Dred Scott case, have them look up the meaning and discuss the following court-related words:

- plaintiff
- defendant
- prosecutor
- judge
- defense attorney
- jury
- verdict

- appeal
- Supreme Court
- civil case
- criminal case
- precedent
- litigation
- bailiff

If a class visit to an actual trial is possible, prepare the students by asking them to choose a particular person involved in the case with whom to identify. Back in the classroom, have those representing the plaintiff, defendant, judge, etc., meet in their respective groups and discuss the following issues:

- 1. How well each of the attorneys presented his/her case.
- 2. The approaches taken by the plaintiff, defendant, judge, etc., as they performed their roles.
- 3. How the students would have acted if they had assumed those roles.
- 4. How they felt about the verdict.

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### **Activity 3: Local and National Connections**

Have the students search for examples of how their own community is currently connected with the broader events of the nation. After they have found recent newspaper articles that explore issues of public concern (e.g., interstate environmental issues, civil rights or abortion rights controversies), have the students determine where in their community such issues are debated and discussed. Then have them write a short essay in which they discuss:

- 1. Whether or not the same degree of public interest is aroused as in the railroad controversy of the 1840s-60s.
- 2. Whether or not there is a single site in their community that serves the same purpose as did the Old Courthouse did.
- 3. Finally, ask the students to discuss the essays and the role of public buildings in modern communities.

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### **Activity 4: Historic Preservation**

Have the students identify an older public building in their own community and research its original purpose and its uses over time. Ask them to answer the following questions:

- 1. What purpose did this building serve? Is that function still important to the community? Did any important events take place here? If so, why were they important?
- 2. Is the building in use or vacant?
- 3. If in use, is the building still used for its original purpose or has it been adapted for another?
- 4. If the building is vacant, has another building assumed its original purpose?
- 5. Should the building be restored? What kinds of adaptive use would be feasible?

If possible, have a local preservation expert visit the class to discuss these questions with the students and to explain how decisions are made as to whether or not to preserve such buildings

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#### **References and Endnotes**

## Reading 1

Reading 1 was adapted from Donald Dosch, *The Old Courthouse: Americans Build a Forum on the Frontier* (Jefferson National Expansion Historical Association, 1979), and James Primm, *Lion of the Valley: St. Louis, Missouri,* 2nd ed.(Boulder, Colo.:Pruett Publishing Co., 1990).

### Reading 3

Reading 3 was adapted from Donald Dosch, *The Old Courthouse: Americans Build a Forum on the Frontier* (Jefferson National Expansion Historical Association, 1979).

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#### **Additional Resources**

The Old Courthouse in St. Louis: Yesterday and Today covers only part of the Dred Scott case, the development of the transcontinental railroad, and the history of St. Louis. Below are materials for further exploration of the subjects this lesson considers.

## **Library of Congress**

The Library of Congress <u>Dred Scott v. Sanford Web Guide</u> provides a collection of primary documents, including newspaper articles about the decision, Abraham Lincoln's and Frederick Douglass' responses to the decision, and court records.

### **Gateway Arch National Park**

The Park site provides an <u>overview of the Dred Scott Case</u> as well as information about the African American community in St. Louis at the time and slavery in Missouri.

### **Teaching with Historic Places Lesson Plans**

Explore the concept of freedom in the antebellum United States by <u>learning about Mary Ann Shadd Cary</u>, an African American woman born free in a slave state, who also lived through the Dred Scott Decision. <u>The Lewis and Clark Expedition: Documenting the Uncharted Northwest</u> lesson plan explores the movement of Americans into the western part of the continent.

### The Gilder Lehrman Institute of American History

The Institute introduces politics and powers in their <u>interactive web feature</u> containing videos, images, and primary sources.

#### **Missouri Courts**

<u>Discover Missouri Courts</u> provides lesson plans and activities about civics, Missouri law, and the court system, as well as current events.





