

# Court Decisions

## ***A century ago, neighborhood rivalry influenced the siting of two major courthouses***

by Richard Campanella *New Orleans Times-Picayune* InsideOut section, June 12, 2015

This spring marks the 100th anniversary of the John Minor Wisdom United States Court of Appeals Building. Home to the federal court's Fifth Circuit, the magnificent landmark at 600 Camp Street was initially conceived for a different purpose and nearly ended up at alternative locations. Its origins and destiny were intertwined with that of another massive government building, and our modern downtown cityscape would look quite different today had decisions played out differently.



*John Minor Wisdom U.S. Fifth Circuit Court of Appeals Building at 600 Camp Street; photo courtesy Court of Appeals*

It was the 1890s, and New Orleans was in the throes of modernization. Engineers drained the backswamp and installed new water and sewerage

systems; the recently reorganized Port of New Orleans updated wharves and streamlined shipping facilities, and more and more citizens had running water, electricity and telephones. Population neared the 300,000 mark, and New Orleans held its rank as the largest city in the South.

But there was one thing it didn't have: a real post office.

Certainly, postal services were available in the U.S. Customhouse at the foot of Canal Street. But that building, started in 1847, had been designed for other purposes, and the postmaster called its mail facility "a damp semi-cellar which often smells like a tomb [where] yellow fever can, perhaps, never find better encouragement...."

So motivated, the New Orleans Board of Trade and Cotton Exchange in 1899 took up the cause for a new federal post office.

That same year, state officials called for a new state courthouse to replace the small and crumbling, circa-1799 Cabildo on Jackson Square.

Siting these two big public buildings would form a topic of constant controversy between the historically rival neighborhoods on either side of Canal Street.

On the upper side was the present-day Central Business District, which had in earlier times been called Faubourg Ste. Marie, St. Mary or the American sector, but in this era was usually referred to as the First District.

On the lower side of Canal Street was the old neighborhood broadly referred to as “downtown” or the Second District, else the French or Creole quarters. (Unlike today, New Orleanians in those days did not use “downtown” to include what we now call the CBD.)

In 1901, the New Orleans Progressive Union, a predecessor of the Chamber of Commerce, lobbied to add \$1,250,000 to a Congressional bill, according to the *Daily Item*, “for a site and federal building worthy of the first city of the South.” A year later, Congress enacted legislation to acquire the land, pending local identification of a parcel matching certain criteria. The city thus organized a “Postoffice Commission” and tasked it to find a convenient space of at least 62,500 square feet, surrounded by streets on all sides, for no more than \$200,000.

Councilman James Zacharie reminded the commissioners that the city had also recently created a Courthouse Commission to find a site for the new state supreme court. Perhaps the two committees might, as a *Picayune* article reported, “confer [so that] valuable data and information could be obtained.”

Everybody seemed to have an opinion. Some commissioners felt it might be better “to have the two buildings standing near by....” Another suggested “that the post office should be closest to the newspaper offices” around 300 Camp St. and Natchez Alley, for they had to fetch and carry...to the post office, instead of having mail delivered.”

That suggestion would fuel later suspicions that the press had vested interests in this story, and as it became clear that both projects would raise property values and generate economic activity, so did activists in the adjacent neighborhoods. Rival factions vied to land either asset—or both—on their side of Canal Street.

Those advocating for the First District argued, according to *Picayune* reports, that “the growth of the city is upstream, and not towards the cemeteries [or downstream]. The Camp Street site is suited to the business interests of the city...” Concurred another, “all the big public buildings [should be] grouped around a park,” namely “Lafayette Square, having the City Hall there already...”

Citizens weighed in. One “old retired merchant” with “an ax to grind” proclaimed “the wholesale trade...is altogether above Canal Street” and that the optimal site was clearly “Baronne, Union, Perdido and Dryades... I would like to see things done right for New Orleans.” Another declared, “we do not want a Post Office in the rear of the city, surrounded by houses of prostitution... There will be no Mardi-Gras business with Uncle Sam’s money[!]”

To Uptown-minded commissioners, the idea of investing federal money downtown was preposterous. “I have the highest...admiration for the residents below Canal Street,” said one. “But,” he added, “the great majority of the letter-writing residents live above Canal Street.” Downtown had a glorious past, he allowed, but the future is Uptown: “If we were selecting a site sixty years ago it might have been well to locate the Postoffice down there, but now things are different ....”

Not so fast, responded downtowners.

French Quarter merchants argued their lower land values would ease budgetary constraints, while the new investment would reverse neighborhood decline. Besides, both the post office and state courthouse had always been downtown. Why not locate both buildings adjacently, perhaps on 800-900 Customhouse (now Iberville) or 200-300 Bourbon Street?

Those suggestions emanated from the prominent clothier John Anselmo Mercier, whose elegant emporium at Dauphine and Canal streets (predecessor of Maison Blanche) would profit handsomely from the foot traffic. So motivated, Mercier took out a front-page ad in the *Picayune* preemptively declaring, “Hurrah for Downtown. Downtown is Taking the Lead. Downtown Will Have the New Postoffice. Downtown Will Have the New Court House.”

Then there were those everyday folks who just wanted service, never mind the spoils. “I write on behalf of the working women of the city,” wrote one weary citizen, “who do not have the time to go six and eight blocks to the post office, and trust you will be our friend and locate the post office on Canal Street.”

By the time federal authorities visited in November 1902, the Postoffice Commission narrowed down the list to 600 Camp, 1100 Canal (today’s Loew’s Theater) and 900 Iberville.

While it grappled, the Courthouse Commission in February 1903 finally decided on 400 Royal Street for the state supreme court. Demolitions of a full block of century-old Creole townhouses began on June 1, 1903, and, seven years later, the Louisiana State Supreme Court would move into its gigantic new home.

But as for the post office site, commission members were, as the *Picayune* put it, “quite at sea.” To the list of



1910 site preparation at 600 Camp; photo courtesy Court of Appeals.

potential locations were added two Canal Street sites around the Basin intersection, Union at Dryades streets, the north or south side of Lafayette Square and a number of other parcels proffered by eager real estate agents.

As for 600 Camp, the commission had recommended that space, but the City Council rejected it because it contained two key city properties, a fire house and a library, for which the feds would be paying outrageously low prices.

People protested. Only a few years prior, an ordinance had merged earlier book collections

to form the New Orleans Public “Fisk Free” Library (1896) — and now citizens would lose their only public reading room, as well as a fire house, for so little in return? The undervalued land prices incurred additional objections from the New Orleans Taxpayers’ Protective Association, a fiscal watchdog group.

The breakthrough came in the form of Leslie M. Shaw, President Theodore Roosevelt’s secretary of the Treasury. Shaw, who visited in 1903 and got a carriage tour of all sites, found Camp Street to his liking, as it fulfilled the government’s criteria and benefited from its dignified position across City Hall, today’s Gallier Hall.

The commission and the council acquiesced, and in 1904, the federal government purchased the site for \$199,808.12, just under the \$200,000 cap.

(President of the Library Commission Frank Howard, hardly enthused over the impending doom of the Fisk Library, used the opportunity to advocate for a bigger, better library. In 1908, an imposing Roman Revival library opened at Lee Circle and would serve readers until the late 1950s when the modern main library opened on Loyola Avenue.)

In 1907, the 600 Camp Street site was cleared and plans were made to create Capedeville Street, to fulfill one final requirement that the building be completely surrounded by arteries. At the same time, a competition led

to the selection of the New York architectural firm Hale and Rogers to design the structure. After Hebert D. Hale died unexpectedly in 1908, partner James Gamble Rogers secured the contract.

Rogers set forth to design the First District's newest landmark, with programming to include not just a post office on the ground floor, but also the Federal Court of Appeals, circuit and district courts, the U.S. Marshal and the Weather Bureau.

Excavation of the basement, for wagons depositing and delivering mail, was commenced in 1910, after which wooden pilings were inserted into the soil by steam-operated pile drivers and a load-bearing frame of steel beams was erected.



*1910 excavation of basement and driving of pilings at 600 Camp; photo courtesy Court of Appeals.*

On January 28, 1911, a ceremony marked the laying of the cornerstone. Most of the edifice arose over the next two years, although budgetary and material needs delayed completion until spring 1915.

Everyone seemed to agree the splendid three-story Italian Renaissance Revival behemoth, measuring 198 feet by 323 feet and replete with the latest technologies, was worth the wait.

Rogers' edifice would evolve in its roles and position in the cityscape. Federal tenants came and went; the post office moved out in 1961, as did government offices and courts in 1963. It served as a high school for youths displaced by Hurricane Betsy in 1965, and after an early 1970s renovation, the U.S. Fifth Circuit Court of Appeals became the edifice's sole occupant.

And while Rogers' taste was impeccable, his timing was not. His majestic brand of neoclassical exuberance soon fell out of favor among architects, and his work, as well as that of his counterpart who designed the Beaux Arts-style Supreme Court on 400 Royal Street, came to be seen by some as dated.

That view has since matured to one of admiration and preservation, as well as appreciation of the roles that it and the state courthouse have played in the city's legal heritage.

Consider how different things might be today had both edifices ended up on Bourbon Street or Iberville Street—or if the federal building landed on Canal Street or the state building on the narrow Elk Place neutral ground, as was seriously proposed.

Instead, the John Minor Wisdom United States Court of Appeals Building and the Louisiana Supreme Court each ended up in the heart of the two historically rival neighborhoods that today, together, comprise downtown New Orleans.

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May 1910 scene of 600 Camp work site shows St. Patrick's Church at left and First Presbyterian Church at right; photo courtesy Court of Appeals