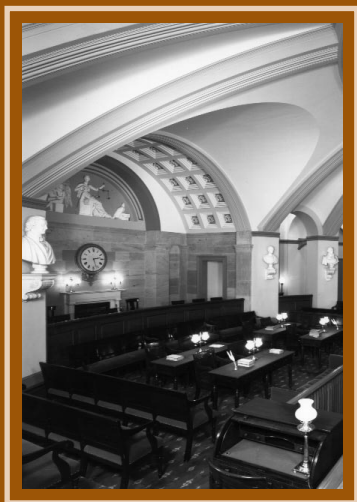


THE OLD SUPREME
COURT CHAMBER
1810-1860

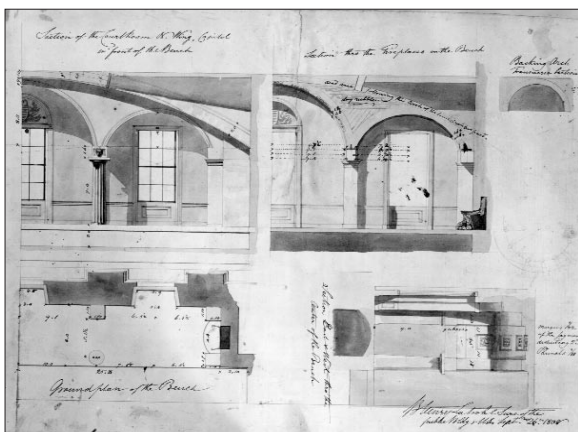


THE OLD SUPREME COURT CHAMBER 1810–1860



Historical Highlights

Located on the ground floor of the original north wing of the Capitol Building, this space served as the Senate chamber from 1800 to 1808. It was here that the first joint session of Congress was held in the new capital city of Washington on November 22, 1800, and President Thomas Jefferson was inaugurated in 1801 and 1805. Architect Benjamin Henry Latrobe proposed extensive modifications to the area in 1807, which included moving the Senate to the second floor and constructing a chamber for the Supreme Court of the



Working drawing for the Supreme Court Chamber by Benjamin Henry Latrobe, September 26, 1808

United States directly below (in the space previously occupied by the Senate). The Court had been meeting in a small committee room in the north wing since 1801. The Capitol, however, was never intended to be its permanent home; a separate building for the Court was long discussed, but was not completed until 1935.

The work on the Supreme Court chamber did not proceed without difficulties. Cost overruns were a problem, and Congress was slow in appropriating funds to continue the project. In September 1808 construction superintendent John Lenthall was killed when he prematurely removed props supporting the chamber's vaulted ceiling, causing it to collapse. But by August 1809 the massive vault had been rebuilt on an even more ambitious scale. Often likened to an umbrella or a pumpkin, it was a triumph both structurally and aesthetically.

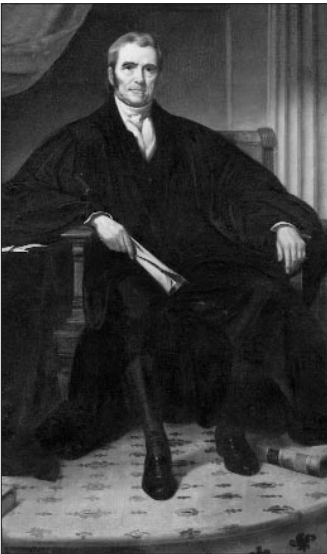
The Supreme Court had barely gotten used to its new chamber when the War of 1812 commenced and the British marched on Washington, setting the Capitol ablaze. The chamber withstood the damage, but for the sake of safety Latrobe dismantled the vault and built it for the third and last time as part of the necessary repairs to the building. Architect Charles Bulfinch continued the work after Latrobe's resignation in 1817, and the chamber was completed by February 1819.

The Supreme Court met in this chamber for the next 41 years, during which time many landmark decisions were handed down from the bench. In February 1819, shortly after the Court reoccupied its chamber, the justices decided the case of *Dartmouth College v. Woodward*. A year earlier, the Court had heard arguments in this case in a cramped committee room, pending reconstruction of its war-damaged chamber. Daniel Webster, a Dartmouth alumnus and former U.S. representa-



The U.S. Capitol, 1846; the Supreme Court was located in the Senate wing, on ground level at right

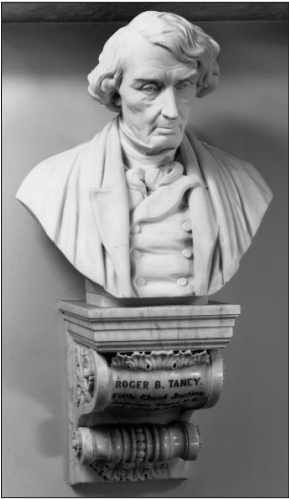
tive from New Hampshire, argued for the college against a New Hampshire law that placed the private school under state control. In an eloquent appeal, Webster declared, “It is, Sir, as I have said, a small college. And yet there are those who love it!” Despite the emotion of his plea, it was Webster’s legal reasoning that most influenced the Court, which ruled that the contract clause of the Constitution protects private corporate charters.



John Marshall by Richard Brooke after W.D. Washington, 1858 (detail)

The case became a landmark defense of contracts.

The dominant figure in the Supreme Court for over 35 years was Chief Justice John Marshall. In a series of notable decisions, Marshall firmly established the role of the Court as the authoritative interpreter of the Constitution. Besides the Dartmouth College



Roger B. Taney by Augustus Saint-Gaudens, 1877

case, many of Marshall's basic constitutional opinions were handed down in this small chamber. These included *McCulloch v. Maryland*, *Gibbons v. Ogden*, and *Brown v. Maryland*.

The second major period of Supreme Court history began with the appointment of Roger B. Taney as chief justice in 1835.

While federal supremacy had been the keystone of John Marshall's tenure, the Taney Court emphasized states' rights and the Tenth Amendment, which maintains that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The Court's decision in the *Dred Scott* case, delivered on March 6, 1857, was representative of this interpretation of the Constitution. The case involved Dred Scott, a slave to an army surgeon, who accompanied his master into free territories. After his owner died in 1846, Scott sued the estate's executor, John F.A. Sandford, for his freedom, since he had lived for four years on free soil. The case reached the Supreme Court a decade later.

In delivering the majority opinion in *Dred Scott v. Sandford* (the court's misspelling), Taney declared that African Americans had never been citizens of the United States and that Congress had no power to exclude slavery from the territories. The Court thus invalidated the Missouri Compromise, which had barred slavery from those lands acquired in the Louisiana Purchase that were north of the 36° 30' north latitude.

Throughout the court's occupancy of this chamber, judges, lawyers, and visitors were critical of its location. One contemporary reporter wrote in dismay of finding the Court in a "dark, low, subterranean apartment." Another observer blamed the early deaths of some justices on the chamber's dampness and bad ventilation. The room's lighting was the focus of most criticism, however. The chamber was dependent upon natural light from only three windows and auxiliary lamps around the room. Try as the Court might, lighting was never adequate and the room was constantly described as dim, dingy, or gloomy.

The Supreme Court continued to meet in this chamber until 1860, when it moved directly above to the room recently vacated by the Senate. The old courtroom then served as a law library until 1950, and later was used as a committee room and storage facility. It was restored to its 1850s appearance in 1975 under the direction of the U.S. Senate Commission on Art.

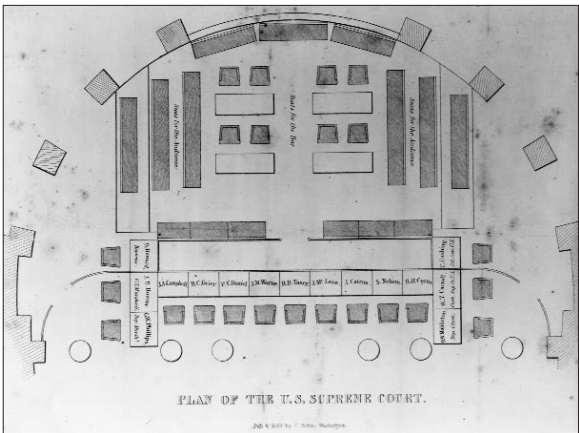


Old Supreme Court Chamber when used as a law library, ca. 1920

Art Highlights

The furniture arrangement in the chamber is based upon mid-19th century descriptions and a floor plan which appeared in *Bohn's Handbook of Washington* in 1854. Over 50 percent of the furnishings are original; these include various justices' desks and chairs, several settees, tables and chairs, and the busts of the first five chief justices.

Along the east wall are nine justice's desks and chairs. The chairs are typical of styles adopted by the members around 1860, that were popular with the Court well into this century. Court officials were seated at both ends of the bench: to the justices' right, the deputy clerk, the clerk of the Supreme Court, and the attorney general; to their left, the deputy marshal, marshal, and the official reporter of the Court. At a lower level and separated from the bench by a wooden balustrade is the area that was reserved for attorneys presenting cases before the Court.



Floor plan of the U.S. Supreme Court Chamber, published in Bohn's Handbook of Washington, 1854

The design of the carpet was taken from a posthumous portrait of John Marshall, painted in 1858 by W.D. Washington. The artist incorporated details from the mid-19th century Supreme Court chamber in this portrait, a copy of which hangs in the House wing of the Capitol.



Wall clock made by Simon Willard, 1837

The large wall clock placed over the west mantel was ordered for the courtroom by Roger B. Taney in 1837, one year after he became chief justice. The clock was made by Simon Willard, a Boston clockmaker. Tradition holds that Chief Justice Taney, frustrated by the other justices' lack of punctuality ordered the large timepiece in the chamber and always had it set five minutes fast so that there could be no excuses for tardiness. Today, the clock is still set five minutes ahead.

Facing the bench is the relief *Justice*, sculpted by Carlo Franzoni in 1817. The allegorical group is dominated by the figure of Justice with scales upraised in her left hand, her right hand resting on an unsheathed sword. At the feet of Justice, an eagle guards several bound volumes representing the written laws. The third figure, signifying the

Facing the bench is the relief *Justice*, sculpted by Carlo Franzoni in 1817. The allegorical group is dominated by the figure of Justice with scales upraised in her left hand, her right hand resting on an unsheathed sword. At the feet of Justice, an eagle guards several bound volumes representing the written laws. The third figure, signifying the



The restored Old Supreme Court Chamber



Justice by Carlo Franzoni, 1817

new nation, is a winged youth seated before a rising sun and holding a large tablet symbolizing the Constitution.

Marble busts of the earliest chief justices have been returned to their original locations in the room. In order of service, those represented are: John Jay (1789–1795), John Rutledge (1795), Oliver Ellsworth (1796–1800), and John Marshall (1801–1835). In recognition of his service in this chamber, a bust of Roger B. Taney (1836–1864) is on view in the Robing Room.



John Jay by John Frazee, 1831

Latrobe drawing and John Marshall portrait courtesy Architect of the Capitol

Prepared under the direction of the U.S. Senate Commission on Art by the Office of Senate Curator

