

After 13 years in court, Alton preservationists kept a highway from going through a public park

STORY AND PHOTOS
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ALTON — Motorists traveling along the highway which parallels the Mississippi River near the new bridge at Alton probably have no idea that the route is the result of a 13-year legal battle between local preservationists and some of the city's most powerful political forces.

The story began, said Robert St. Peters, the old Gulf Mobile & Ohio Railroad depot, built circa 1830 by Benjamin Godfrey, the founder of the neighboring town which bears his name, was torn down, ironically, the historic depot was demolished in order to build a new federal courthouse — just before the depot was to be nominated to the National Register of Historic Places.

During the Civil War, said St. Peters, Union troops were brought from the north to Alton by railroad and then marched to the

landings to waiting riverboats. When news of the proposed demolition became public knowledge, a group of about a dozen citizens, including St. Peters, met at the home of Rose Marie Sparrow and decided to launch a petition drive to save the old depot.

Although they managed to get 3,000 signatures, Mayor Paul Lenz, the City Council, the Alton Telegraph newspaper, and the First National Bank, which wanted to build a drive-up facility near the site, were all in favor of demolition. "They came in with the wrecking ball a week before it was to be nominated to the National Register," said St. Peters with dismay.

The 18-month dispute over the depot resulted in the founding of the Alton Area Landmarks Association, of which St. Peters was vice president, and the Alton Museum of History and Art, which split off from the Landmarks group. "One day in October 1973," recalled St. Peters, "there was a re-enactment

of the Lincoln-Douglas debate." The seventh and final debate in the series was held in Alton on Oct. 15, 1858. "A couple of hippies came along as we were standing here," St. Peters continued.

"They were passing out handbills saying IDOT (Illinois Department of Transportation) was going to build a highway through the Alton Common. At the next landmarks meeting, the members decided to get an injunction (something they never did) and for that they needed an attorney."

"We knew it was too hot of a potato for a local attorney," said St. Peters, "so we called the Environmental Defense Fund in Washington." The EDF recommended a young Chicago attorney named David Ader, who, as it happened, was in the middle of a court case trying to stop Interstate 80. Although they had very little money, the group decided to hire Ader. Over a period of 13 years, they managed to raise \$50,000 by selling stationery, publishing a book on

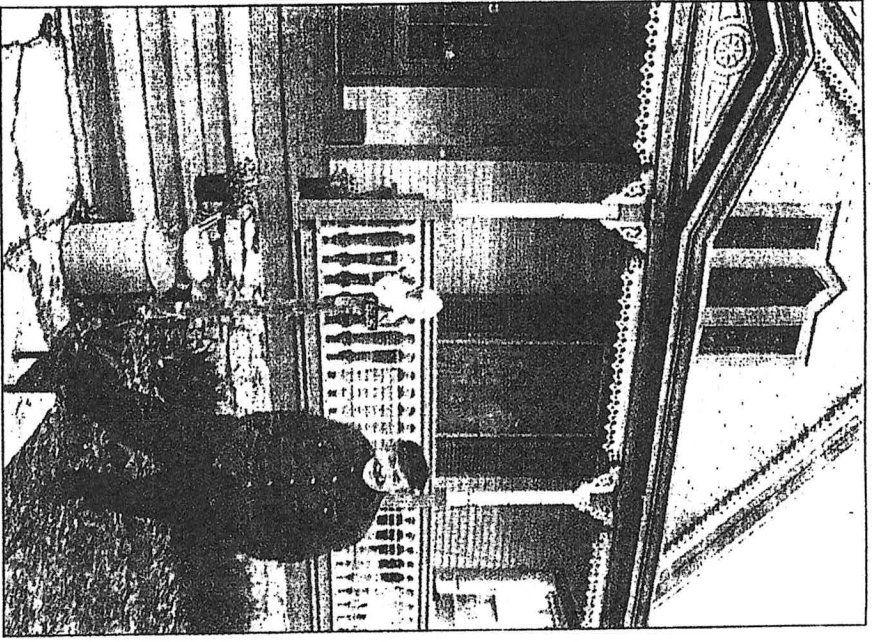
Alton landmarks, conducting house tours, resussing an old county atlas, and holding an 80-booth Arts and Crafts Fair, which is still an annual event in Alton.

According to the proposed plan, the new highway would go from Route 3 in Wood River parallel with the levee and from there to Henry Street, Baseball Diamond, also known as Easton Commons. The highway would then come down into Riverside Park, near the place the casino boat is now moored, destroying in the process the square where the Lincoln-Douglas debate was held.

"I sat down with some engineers in our group and we drew up a document suggesting they take a route along Front Street parallel to the park," said St. Peters. "We wanted an alternate route that wouldn't go through the park, so we contacted the architectural departments of Washington University and the University of Illinois to see if they would make a study. As it turned out, both of them were interested."

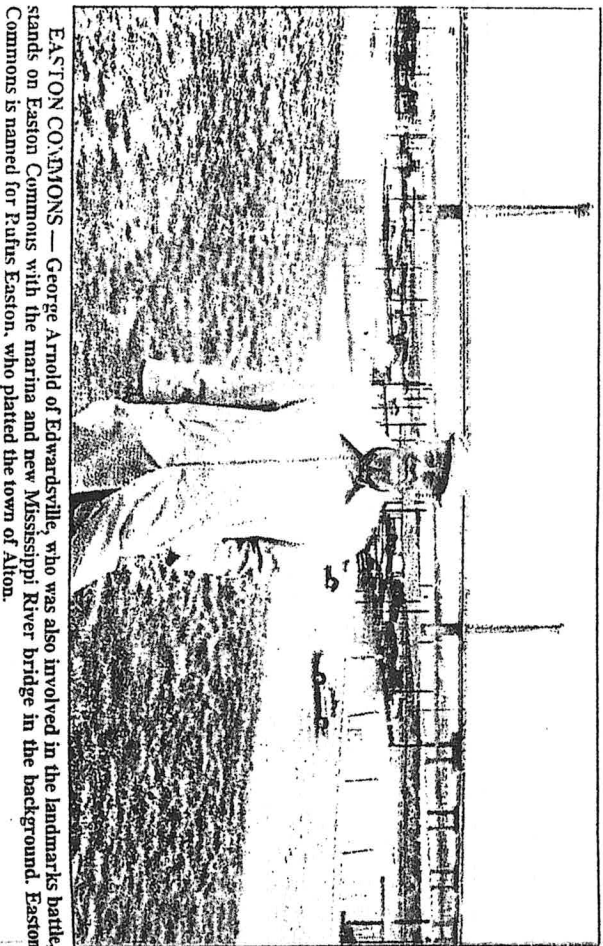
The professors and graduate students came to St. Peters' house and decided the U of I would make a study to reevaluate downtown, while the graduate students at Wash. U. would draw up plans for an alternate route. "They decided we should hold four or five public forums at the Stratford Hotel and allow both the opponents and proponents to speak," St. Peters noted.

"Harry Button, who was head of the Chamber of Commerce, said it would cost the city a thousand jobs," St. Peters recalled. The newspaper, the mayor and City Council, the First National Bank and some men from Owens-Illinois were also against the preservationists. To make matters worse, the attorney general of the state also defied IDOT's position. When the landmarks group tried to intervene at a court hearing held in December 1973, the judge wouldn't permit it because the attorney general already represented the people of the state. "It was David and Goliath," St. Peters recalled. "We were even called the 'lunatic fringe.'"



LANDMARKS LEADER — Robert St. Peters led the fight to prevent a new highway from going through Alton's riverfront parks. In the front of his house, St. Peters has an old boot scraper that was used at the rectory during the time when Alton was seat of the Catholic diocese.

Although the landmarks association was not permitted to intervene in court, individuals whose property was affected could be parties to the lawsuit to stop the highway from going through the park. One day Ader called and suggested that someone go over to the Mercantile Library in St. Louis and look up the old records and newspapers. "Go and see if they have anything relative to the public commons," Ader told St. Peters. George Arnold of Edwardsville, a member of the landmarks group, went to the Mercantile Library,



EASTON COMMONS — George Arnold of Edwardsville, who was also involved in the landmarks battle, stands on Easton Commons with the marina and new Mississippi River bridge in the background. Easton Commons is named for Rufus Easton, who platted the town of Alton.

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Park ...

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Easton had moved to Kansas City. "When I called her and explained our case as it related to the Easton family, I asked her if she had a son. 'Yes,' she answered, 'and his name is Alton!'"

Alton Easton, a direct descendant of the man who laid out the city of Alton, and his mother agreed to intervene in the case on behalf of the preservationists. "Mrs. Easton and Alton came here and they were like a fireball," chuckled St. Peters. "They just about flipped our opponents."

The landmarks people were congratulating themselves when Judge John DeLaurenti ruled that the highway should not go through the park, but their jubilation was short-lived when the city decided to appeal the case to the Appellate Court in Mt. Vernon. Once again the landmarks group won when the Appellate Court upheld the judge's decision. Undeterred, their opponents appealed to the Illinois Supreme Court, which refused to hear the case — meaning that the lower court's decision would stand.

"Just when we thought we had it in the bag," said St. Peters, the Alton Chamber of Commerce got state Rep. Jim McPike, who was majority leader of the House, to overturn the legal ruling with legislation. McPike introduced two or three bills saying that if land had been designated for a public purpose more than 50 years ago, that designation was no longer valid. St. Peters explained.

The landmarks people went to



RECALLING NAVY DAYS — George Arnold, LEFT, and Robert St. Peters, both of whom served in the Navy during World War II, discuss the aircraft carrier USS Franklin, on which St. Peters served. He has written two books about the ship, which was hit off the coast of Japan by two 500-pound bombs. The blast killed 921 men and wounded 200, but the disabled vessel made it all the way to the Brooklyn Naval Yard under her own power — the most damaged ship in naval history to make such a voyage. After his discharge from the service, St. Peters worked for 21 years for McDonnell Douglas.

Springfield to testify against the bill and it was defeated — only to be reintroduced the following year. "McPike finally got it approved," said George Arnold. "I remember our attorney, George Ader, saying to the Senate Executive Committee: 'What you are about to do is probably unconstitutional.'"

Ader then wrote a brief to the Illinois Supreme Court asking for a court order to retract the state legislation and a local Alton ordinance. On Jan. 29, 1987, a court order was filed in Edwardsville by

Judge Paul Riley ruling that the Easton and Russell Commons "as dedicated lands, are in the public trust, and the uses made of the said lands are therefore subject to the orders and directions of the court — to ensure that the dedicated public lands are used in conformity with their dedicators' intentions, and the Court's approval must therefore be obtained."

The judge further ordered that after the old Clark bridge was removed, the city of Alton had a continuing obligation to promote the use of the lands for park and parklike purposes "including wetland preservation" and "will pass such necessary ordinances or resolutions as may be required to effectuate the purposes of the dedicators." The court also ordered the repeal of all other ordinances inconsistent with this order.

"Judge Riley said he wasn't sure what Rufus Easton had in mind when he laid out the commons," said St. Peters, "but he was certain it wasn't a four-lane highway."

With Judge Riley's order, the 13 years of litigation came to an end. "As it turned out," said St. Peters, "IDOT was happy because the new bridge tied into the Front Street routing a lot better."

Russell Commons, once a landfill, has been turned into a park and the wetlands, which are prone to flooding, are being preserved for wildlife. Most importantly, Alton citizens still have access to their Riverrfront Park.

As for Bob St. Peters, he is still president of the Alton Area Landmarks Association. In retrospect, he said, "We all agreed after the depot was demolished: We lost that one, but we ain't going to lose the next one." And they didn't.



Submitted Photo

GOING TO COURT — This 1980 photo was taken in the Madison County Courthouse in Edwardsville by Robert Peters. Pictured ABOVE are members of the Alton Landmarks group and their attorney. LEFT TO RIGHT are: Jackie Monroe, Herb Wagenfeldt, Beverly Jacoby, attorney David Ader, Helen St. Peters, Emma Easton (a direct descendant of the man who platted Alton in 1818) and Paul Jacoby.

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