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Battling for the Mississippi River

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In the 1790s, a sandbar appeared in the Mississippi River between St. Louis and Illinois. It continued to grow until the 1830s, when it was about a mile long with large cottonwood trees. As it grew, Bloody Island began to alter the flow of the Mississippi River, pushing more and more of the main channel to the eastern side of the island and away from the St. Louis harbor. St. Louis had become one of the largest metropolitan areas in the west, thanks in part to settlements on the Illinois side of the river. The most prominent was Illinoistown, which served as a gateway to St. Louis, which then served as a gateway to the frontier west.

The City of St. Louis consulted the U.S. Army Corps of Engineers to improve the main channel so that it remained on the western side of the island. In 1837, a young army lieutenant named Robert E. Lee (yes, the future Confederate general), proposed a plan to build a series of dikes to reduce the size of the channel on the east side of Bloody Island. Assisting him was Montgomery C. Meigs (yes, the Union Quartermaster General who suggested Lee's land in Virginia become Arlington National Cemetery in part to humiliate Lee).

Illinoisans feared this work would have a negative impact on their future. Citizens in Quincy and Alton worried this work might harm their ports on the Mississippi, and some in Illinoistown believed it would cause the Mississippi to flood and destroy their town. However, one Illinoistown resident supported the project: Samuel Wiggins, who owned most of Bloody Island by virtue of his ferry monopoly. He believed that his land would become significantly more valuable.

Due to a lack of congressional appropriations, Lee completed his work in 1840, but the project remained unfinished. The City of St. Louis then assumed control of the project and began depositing large rocks between Bloody Island and the town of Venice, Illinois to create a dike. This work led to a major point of contention between Illinois and St. Louis. Illinois claimed the eastern part of the river and objected to St. Louis encroaching on its territory. Upset that St. Louis failed to secure approval from Illinois, the State of Illinois filed an injunction against the City of St. Louis in the St. Clair County Circuit Court, claiming that the work amounted to a nuisance. Judge Gustave Koerner dissolved the injunction and dismissed the bill. The State of

Illinois appealed the decision to the Illinois Supreme Court in *People v. City of St. Louis*, 10 Ill. 351 (1848).

Justice John D. Caton wrote the opinion for the Court. He noted that about 5/8 of the Mississippi River flows to the west of Bloody Island, and that the west (main) channel can handle all forms of boats. The east channel can handle all boats in high water and most boats in low water, which does not negate it as a navigable channel. Caton recognized the public right of the east channel, and that the obstruction St. Louis created went against the public interest. The Supreme Court reversed the lower court decision and granted the injunction. Caton did not answer the principle question over whether the actions of the City of St. Louis were a nuisance or not. Caton suggested that was a question for the legislature to decide.

The City of St. Louis continued to work on the dike despite the injunction. At the next legislative session in 1849, the Illinois General Assembly passed a resolution settling the issues with St. Louis. The city would construct a safe and large highway over the dike. Wiggins and the other owners of the property on the island and main shore would secure the undisturbed right of way to the public over it forever without tax or toll.

After the dikes were completed in the early 1850s, they were successful in deepening the channel on the west side of Bloody Island, creating a better port for St. Louis. As expected, sediment washed up between Bloody Island and Illinois, completely filling it by the late 1850s, and today, Bloody Island no longer exists and is attached to the Illinois mainland as part of the city of East St. Louis (formerly Illinoistown). Much of Bloody Island became railyards, benefiting Illinois as well as St. Louis.

The legislative agreement ended the Bloody Island dike disagreement, which almost resulted in armed conflict between Missouri and Illinois. Ironically, armed conflict might have been a fitting way to settle those differences because Bloody Island had been used for decades as a dueling site. Long-time U.S. Senator from Missouri Thomas Hart Benton participated in at least two duels, killing a man before becoming senator. Future president Abraham Lincoln and future Illinois Supreme Court justice James Shields traveled to Bloody Island for a duel, but their seconds intervened before anyone got hurt.