

# the Court Historian

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## Constructing Justice: An Exhibit of Courthouse Photographs at the Federal Judicial Center

Throughout much of the history of the United States, federal courthouses have been one of the most common points of contact between citizens and their government. Since the earliest days of

the judiciary, these buildings have presented in bricks and mortar (or steel and glass) a tangible image of the federal courts. The history of the design and construction of these courthouses provides a perspective on the growing importance of the judiciary and the expansion of its role in public life. In an exhibit at the Federal Judicial Center, photographs selected from the

collection of the Office of the Supervising Architect depict the variety of buildings serving the judiciary during an era of tremendous growth. From 1852 to 1939, the Office of the Supervising Architect of the U.S. Treasury designed and oversaw the construction of federal buildings throughout the nation. Often a combination of courthouse, customhouse, and post office, these structures extended the authority of the federal government to every region of the country. Newly settled towns vied with large cities for the placement of federal offices that might make their communities administrative and commercial centers. The new buildings lent a prestige to the federal courts, which previously had met in an assortment of state offices and rented buildings. Over nine decades, the architectural styles varied from the restrained classicism of the 1850s, to the brooding Romanesque of the late-nineteenth century, to the clean-lined Art Deco of the

New Deal era. Throughout these years, however, the forms and vocabulary of classical architecture predominated. The supervising architect and staff designed most of the courthouses, but during a brief period in the early twentieth century Congress authorized the hiring of private architects. Some of the most prestigious firms in the country competed for commissions and created grand, Beaux Arts style buildings that had all the appearances of a state capitol. Many buildings were of the latest engineering design as well as of the prevailing architectural fashion, and as early as the 1850s they featured cast iron and other fireproof materials. But the vitality of the federal courts threatened the long-term preservation of many of the buildings, in spite of their architectural distinction and advanced methods of construction. As caseloads increased and courts absorbed more and more room, even some of the most monumental and expensive courthouses faced the wrecker's ball, to provide space for larger federal buildings.

The twenty-eight buildings represented in the Federal Judicial Center exhibit reflect the varied history of courthouses built during this period. The small, virtually unchanged Windsor, Vermont, building of 1859 is the oldest continuously used courthouse and post office in the country. Others experienced a far more turbulent history. The courthouse of Galveston, Texas, fell into Confederate hands. In Richmond, Virginia, the courthouse served as the presidential office of Jefferson Davis.

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Scranton-Pa

*The U.S. Post Office and Courthouse, Scranton, Pennsylvania (1911). The deed transferring title of this property to the U.S. government reserved for the previous owners the right to construct subterranean passageways "to reach and mine any coal or other materials belonging to other lands or premises." This Beaux Arts structure, built between 1890 and 1894, was razed by the government in 1930 to make way for a larger courthouse and post office.*

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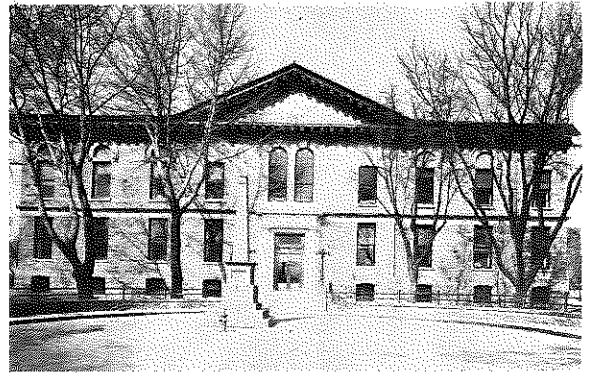
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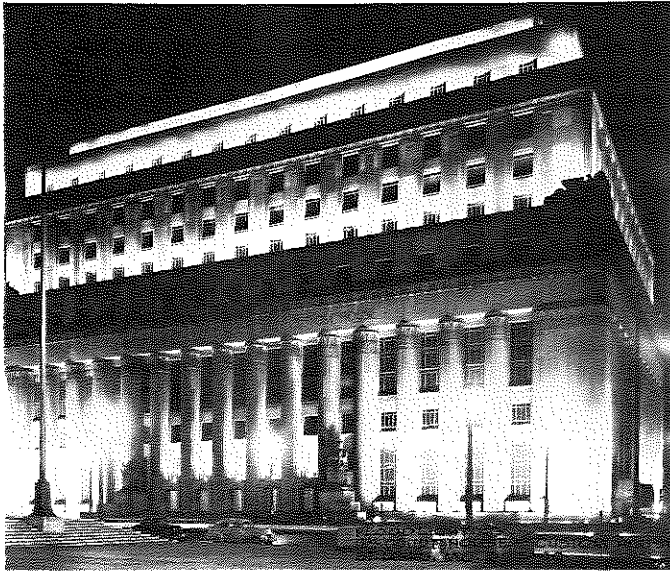
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*Constructing Justice (continued from page 1)*

Davis later appeared in the same building, once again a federal courthouse, following his indictment on charges of treason. Chicago's courthouse, the largest and most expensive to date when it was completed in 1905, survived a bombing by the Industrial Workers of the World in 1920 and was the site of Al Capone's trial on income tax evasion. This landmark in Chicago's Loop eventually



The photographs selected by the Federal Judicial History Office are from the collection of the Public Buildings Service of the General Services Administration in the Still Pictures Branch of the National Archives.



*The St. Louis Courthouse and Customhouse (above), constructed in 1935 and still in use, was characteristic of many federal buildings from the New Deal era. The ten-story structure, with setbacks typical of Art Deco architecture, featured dramatic lighting that showed the building to best advantage at night, as in this photograph from 1940.*

proved too small for the courts and was demolished in 1965 to make way for a complex designed by modernist Mies Van Der Rohe. Although long gone, the ambitious building projects of Dallas, Texas, Kansas City, Missouri, and Scranton, Pennsylvania, served as symbols not only of the federal judiciary but also of the booming late-nineteenth-century

centers of commerce and industry. The elegant classical buildings in dozens of smaller cities like Huntington, West Virginia, Missoula, Montana, or Biloxi, Mississippi, helped define an American style of public architecture that was quickly imitated in the buildings of state and municipal governments.

**Directory of Historic Courthouses**

The FJHO seeks to locate and identify photographs and other images of historic federal courthouses. Several court historical societies and libraries have researched the various meeting places of their courts and located historic images. The FJHO is interested in learning about such projects and will incorporate the findings in a comprehensive database of courthouse images. Any historical societies, libraries, or individuals interested in researching courthouse photographs can contact our office for advice and information. We also can provide information about images already included in the database of historic courthouses.

**Forthcoming Publications from the Federal Judicial History Office**

*Ammi B. Young, the first supervising architect, designed the federal building in Santa Fe, New Mexico (top right), for the territorial courts and other government offices. The first story was completed in 1853, after which the building remained unfinished for more than thirty years. In 1887 and 1888, Congress appropriated money for the completion of the courthouse according to Young's plans. The building continues to serve as the U.S. District Court.*

*The Papers of Federal Judges; A Guide to Their Preservation* will be available in early 1996 from the Federal Judicial History Office. The FJHO has prepared the manual in response to numerous requests for advice and information on the disposition of the papers of federal judges. The chambers papers and other documents distinct from the official record are the personal property of the judge, who has complete authority over all decisions regarding their preservation and availability for research. In the past, these records frequently have been lost, leaving an incomplete picture of the history of the federal judiciary. Because many of these documents represent an important record of the work of the federal courts and contribute to public understanding of the responsibilities of judges as well as their individual accomplishments, archival repositories are eager to accept the

collections of federal judges. Judges who donate their papers will be able to arrange for the transfer and storage of noncurrent records even before such records are available for research. The manual describes the significance of judges' chambers papers, offers recommendations for their management and storage, and suggests guidelines for the selection of a proper repository to house the collection. The FJHO will answer any additional questions individuals might have regarding the preservation of judges' papers or the selection of a suitable repository.

*The Directory of Manuscript Collections of Federal Judges*, to be published in 1996, will provide information on more than 5,000 manuscript collections containing items related to federal

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# Diversifying the Judiciary: An Oral History of Women on the Federal Bench

For many years women were given few opportunities to serve as federal judges. Genevieve Cline became the first woman on a federal court in 1928 when Calvin Coolidge appointed her to the recently renamed U.S. Customs Court. Florence Allen was the first woman to serve on a federal court of appeals when Franklin Roosevelt appointed her to the Sixth Circuit in 1934. No further judicial appointments of women followed until 1950 when Harry Truman appointed Burnita Shelton Matthews as a judge on the district court for the District of Columbia. None of these appointments marked the introduction of a significant number of women to the federal bench. As recently as 1977, only eight women had served as life-tenured judges on federal courts.

Beginning in the late 1970s, however, the number of women judges increased dramatically. President Carter appointed 11 women to the U.S. courts of appeals and 29 women to the federal district courts. Presidents Reagan and Bush further diversified the federal bench by appointing 66 women to federal judgeships during their terms. As of July 1, 1995, 151 women had won confirmation since Florence Allen's appointment in 1934, and of those, 142 are currently sitting. The appointment to the federal bench of these women, as well as a

number of African-Americans, Hispanics, and Asian-Americans, represents one of the most significant changes in the makeup of the federal judiciary over the past 200 years.

To record the experiences of individual women judges and to help understand the broader trends that made possible the appointment of women to the federal bench, Sarah Wilson, Judicial Fellow for the Federal Judicial Center in 1994-95, initiated an oral history project focusing on members of the first generation of women judges. Wilson interviewed more than twenty women judges on the federal district, appellate, and Supreme courts. The interviews examine the origins of the judges' interest in the law, their experiences in law school and the legal profession before the 1970s, and the process by which they were appointed to the federal bench. Wilson also explored the role played by citizens' groups and professional organizations committed to increasing the number of women on the federal bench and documented many of the women judges' achievements as attorneys in legal work affecting women.

Tapes and transcripts of the interviews will eventually be made available for researchers, and excerpts will appear in a report to be published by the Federal Judicial Center in 1996. ❖

## Forthcoming Publications (continued from page 2)

judges. More than 900 of the entries describe the collections of individual judges. One of the most serious obstacles to the compilation of comprehensive histories of the judiciary has been the scarcity of judicial collections and the difficulty of locating those that exist. The Federal Judicial History Office has conducted a four-year search of major repositories and various catalogs to identify collections scattered at libraries and historical societies throughout the nation. Entries provide the name of the repository, the size of the collections, possible access restrictions, and the relationship of the material to the judicial career of the individual. The directory is the first to gather in one place references to judicial collections, and it will assist researchers who have had difficulty locating all the collections relevant for a specific study. The publication will be the foundation for an electronic catalog that can be updated regularly and will be made available on-line. The FJHO welcomes information regarding additional judicial collections available for research and invites judges who arrange for the donation of their papers to notify the office for inclusion in the directory. ❖

## Recent Publications Related to the History of the Federal Judiciary

- Michael J. Brodhead. *David J. Brewer: The Life of a Supreme Court Justice, 1837-1910*. Carbondale: Southern Illinois University Press, 1994.
- Warren E. Burger. *It Is So Ordered: A Constitution Unfolds*. New York: William Morrow, 1995.
- James W. Ely, Jr. *The Chief Justiceship of Melville W. Fuller, 1888-1910*. Columbia: University of South Carolina Press, 1995.
- David Frederick. *Rugged Justice: The Ninth Circuit Court of Appeals and the American West, 1891-1941*. Berkeley: University of California Press, 1994.
- David Garrow. *Liberty and Sexuality: The Right to Privacy and the Making of Roe v. Wade*. New York: Macmillan Publishing Company, 1994.
- Gerald Gunther. *Learned Hand: The Man and the Judge*. New York: Alfred Knopf, 1994.
- John C. Jeffries, Jr. *Justice Lewis F. Powell, Jr.* New York: Charles Scribner's Sons, 1994.
- Lawrence H. Larsen. *Federal Justice in Western Missouri; The Judges, the Cases, the Times*. Columbia: University of Missouri Press, 1994.

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*Recent Publications  
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- William E. Leuchtenberg. *The Supreme Court Reborn; The Constitutional Revolution in the Age of Roosevelt*. New York: Oxford University Press, 1995.
- Charles J. McClain. *In Search of Equality; The Chinese Struggle Against Discrimination in Nineteenth-Century America*. Berkeley: University of California Press, 1994.
- Roger K. Newman. *Hugo Black; A Biography*. New York: Pantheon Books, 1994.
- William G. Ross. *A Muted Fury; Populists, Progressives, and Labor Unions Confront the Courts, 1890-1937*. Princeton: Princeton University Press, 1994.
- Tinsley E. Yarbrough. *Judicial Enigma; The First Justice Harlan*. New York: Oxford University Press, 1995.
- Documentary History of the Supreme Court of the United States, 1789-1800*. Maeva Marcus et al., eds. Vol. 5. *Suits Against States*. New York: Columbia University Press, 1994.

## Resources of the History Office

The Federal Judicial History Office encourages all federal court historical societies and programs to provide information about their various activities. The History Office maintains a directory of all oral history projects related to the federal judiciary and a bibliography of historical works about federal judges and the courts, as well as a directory of manuscript collections containing the papers of federal judges (see Forthcoming Publications, page 2). We also have compiled extensive biographical files on all judges who have served the federal judiciary since 1789. We welcome reference requests from the courts, historical societies, and researchers interested in the historical development of the federal court system.

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