SCHOLARLY ARTICLE

An Architectural Icon The Oklahoma Western District's Federal Courthouse

By Barbara Snow Gilbert

Is construction survived politics, brothel busting and a little 1950's style prudery. Now nearing its 50th anniversary, Oklahoma City's federal courthouse is an underappreciated reflection of its times.

1959 – Only in retrospect is it possible to see that relatively quiet year as a tipping point. On the surface, 1959 was all about style, speed and progress. "Barbie" made her debut. Cadillacs sported fins suggesting supersonic speeds. The microchip was invented.

"Old Glory" added two stars. Oklahoma City with its endless acres of annexed land for the anticipated suburban sprawl which was mostly still to come — perfectly exemplified America's optimism.

But 1959 had a more sober side, too. Downtown Oklahoma City was at the midpoint of the country's longest running racial sit-in.¹ Choices for half the population were extremely limited: in 1959, the University of Oklahoma's law school graduated a class of 88, only two of whom were women; "girls' sports" was an oxymoron.

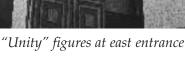
Not only domestic issues threatened the status quo in 1959. Castro came to power in Cuba, putting U.S. soil within easy missile range of a communist bloc state. And the first two Americans died in action in Vietnam.

In short, while on the surface 1959 seemed to be all about stylish exuberance, it was in fact a

year in which the first tremors of the monumental political and cultural shifts which would soon openly fracture American society could be felt. Perhaps more than any other governmental body, it would fall to the federal courts to preside over the fractious '60s. Thus, it was appropriate for reasons which no one attending dedication ceremonies could then have guessed, that in 1959 the cornerstone was set in Oklahoma City for a new United States courthouse.

Funding

By the mid-1950's, Oklahoma City's federal courts had completely outgrown their home in the traditional, Corinthian-columned building still known as "the



old post office building." But needs are not always met, and the memories of those working with the federal courts at the time confirm the consistent impression that it was Tenth Circuit Court of Appeals Judge Alfred P. Murrah who was the real mover behind the new courthouse.² Of course, funds for federal courthouses are appropriated by Congress, not judges. It was fortunate for the new courthouse's chances that

in the mid-'50s, Oklahoma was a solidly "blue state." The Democrats were running Congress and not only was Oklahoma's congressional delegation almost thoroughly Democratic, it was also thoroughly powerful. A list of the Democrats representing Oklahoma at the time makes the point: Sen. Robert S. Kerr and Sen. Mike Monroney; representatives Ed Edmondson, John Jarman, Toby Morris, Tom Steed and Carl Albert, the latter already a member of the House leadership, serving from 1952 until 1962 as majority whip.3

Even after the money was appropriated for the courthouse, however, there were real fears that the building might not materialize. The Republican administration (Eisenhower) was pushing economization measures and the courthouse's appropriation was set to expire automatically if condemnation proceedings were not finalized within a certain period of time. With tension in the air, it fell to Senior United States District Judge H. Dale Cook, then serving as first assistant United States attorney for the Western District of Oklahoma, to complete the necessary "takings" proceedings before United States District Judge Stephen S. Chandler.

It was a tricky assignment. For one thing, Assistant U.S. Attorney Cook was under instructions to take title to the allotted half-block of land in the name of the United States quickly so that the appropriation would not expire. He was also instructed, however, that the United States was not to take actual possession of the property until construction was ready to start. This was so that businesses located on the property could operate as long as possible. The only problem with this plan was that one of the businesses operating on the land included a hotel of questionable repute. Assistant U.S. Attorney

the only problem with this plan was that one of the businesses operating on the land included a hotel of questionable repute.

Cook lived in fear of a news story announcing "The federal government's newly acquired brothel business...." Fortunately for Judge Cook, the headlines never materialized and the hotel was eventually condemned and boarded up.

ARCHITECTURE

Bill Gumerson, now owner of his own "design and build" firm and son of courthouse architect

Dow Gumerson, was 11 or 12 vears old when his father closed his Enid office and moved his family and architectural firm to Oklahoma City to work on the courthouse project. With 157,757 square feet of floor space,⁴ the building had a 1959 price tag of \$7 million, the equivalent of \$46,900,000 in today's dollars.⁵ Architect Dow Gumerson designed and engineered the building, working with Dave Benham of Benham Engineering Company and Affiliates.⁶

According to the younger Gumerson, the original architectural plans showed no windows.

A windowless building might have been cutting-edge architecture at the time but more realistic heads prevailed and the plans were revised to include windows although, as built, the windows are small given the scale of the building. The final architectural plans are dated April 23, 1959. A whopping 25 contractors took them out with an eye toward submitting bids which were opened in Dallas in June of that year.⁷ Construction time was estimated at two years.⁸

And what was the result of all that time and money? A currently under-appreciated building which today, like much other mid-century architecture, many people love to hate. Bill Gumerson is a straight enough talker to put it bluntly: "The '50s were a time of ugly architecture." No one else polled about the courthouse went that far, but comments ranged from "nondescript," to "concrete box," to "at least it's better than Tulsa's federal courthouse." Perhaps Dow Gumerson's own description is the preferred one. In a 1959 article he described the building's "new look" as "dignified contemporary style."⁹

None of the people interviewed for this article, most of whom were practicing law in one form or another in downtown Oklahoma City in 1959, recalls any reluctance on the part of the

Oklahoma City bench or bar to abandon the Beaux-Arts classicism of the old post office building and move across the alley to the new federal courthouse.¹⁰ Magistrate Judge Ronald L. Howland's memory spans the move from one building to the other. As a former clerk for United States District Judge Fred A. Daugherty, Magistrate Judge Howland recalls that the new courthouse was not yet open for business when Judge Daugherty was sworn into service as a federal judge in late 1961, but that not long after that date the Western District moved.¹¹ The records corroborate Magistrate Judge Howland's memory, showing the courthouse open for business by 1962.¹² According to Magistrate

Judge Howland, there was no controversy over the courthouse's boxy style. Instead, he remembers everyone's excitement over coming to court in the state-of-the-art building which downtown lawyers referred to as "heading up the hill." (Perhaps only in Oklahoma could the rise between downtown and federal court be described as a hill.)

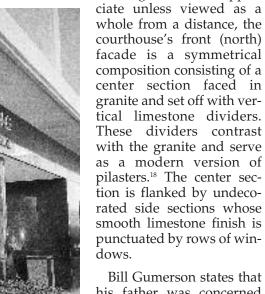
One of the building's most substantive innovations was that it provided large pre-trial conference rooms for each district judge.13 In 1959, pre-trial conferences, with their potential for streamlining cases and settlement, were a relatively new concept being pushed by the Westjudges.14 District ern According to the upbeat patter of one article, the

idea was that these large rooms, "[m]uch on the order of a library" and "adjoining [each judge's] office," would be furnished with "comfortable easy chairs that encourage informality."¹⁵ Sounding more like a resort lobby than a courthouse conference room, the pitch may have come across as a little too luxurious because the pre-trial rooms were a hard sell in Washington.¹⁶

The lack of controversy over the building's design is understandable when the building's architectural context is considered. In 1959,

modernism was the pre-eminent architectural design style, and for leaders of the profession it was really the only acceptable style. Architects who worked in the modern movement's international, minimalist and brutalist styles designed simple, unornamented buildings. Such buildings were often formed with blockish, geometric and repetitive shapes like those which compose the federal courthouse.

Love it or hate it, the federal courthouse is undeniably boxy.¹⁷ But it is the heft of the building's mass and its clean, straightforward (okay, boxy) lines which give the building its solemn character, appropriate for a courthouse. Although difficult to appre-



Bill Gumerson states that his father was concerned that the large scale of the federal courthouse not overwhelm the old post office building immediately to the south. The two buildings share the same city block, and architect Gumerson may have kept more than the

scale of the old post office building in mind when he drew his plans. Like the courthouse, the facade of the old post office building is composed of a center section flanked by two side sections and its center section is decorated with classical pilasters.

The courthouse's glass and marble entrance is set off by limestone walls on either side, erected in a saw-tooth pattern. Viewed from the street, these walls form accordion-style "pleats" with

Use of polished surfaces at front entrance:

black marble, granite, glass and aluminum

their "folded edges" to the street, a feature which adds movement and texture to the facade. The effect is that of a tightly spaced, contemporary colonnade.

Although some accuse the courthouse of reminding them of nothing so much as a bomb shelter, this particular criticism is ironic. The building served as an actual bomb shelter on April 19, 1995, when the



Destruction of the Murrah Building left a panoramic view of the Federal Courthouse to anchor the Oklahoma City National Memorial.

Alfred P. Murrah Federal Building was blown up immediately across the street to the north (see "A Special Word" at end of article). Almost all of the courthouse's lights and windows were shattered, turning the small-scaled windows from mere design choice into a life-saving feature.¹⁹ While the force of the blast sucked draperies out of the courthouse's empty windows to fly like surrender flags, no one in the courthouse died that day, and the building's structure survived largely undamaged.²⁰

CONSTRUCTION AND MATERIALS

Bill Gumerson recalls the building's construction years fondly, sounding surprised at how much he remembers. It must have been a boy's paradise, hanging around with his dad in the summertime while his father oversaw the project, moving constantly between the noisy construction zone and the Gumerson firm's architectural office just a block away. Son Gumerson remembers his father traveling to Washington, D.C., "to meet with the powers that be" regarding the building. He also remembers flying with his dad on his father's "Bonanza" airplane to the lumber mill in Savannah, Ga., where his father chose the wood for the paneling in the courtrooms. The trip was an eye-opening experience for the young Gumerson because integration issues were, in his words now, "swelling up." He was shocked by the deep south's in-yourface style of segregation, with water fountains and restrooms marked "colored" or for "whites only."

take То best advantage of the American walnut wood which Dow Gumerson handpicked that on Savannah trip, a labor intensive called process matchbooking" was used to install the walnut veneers which still adorn the main courtrooms. Matchbooking (also known as bookmatching) is a timeconsuming process which uses naturally occurring patterns to

create designs. In the case of wood, for example, it is the grain which provides the patterns; in the case of marble, it is the veining. The process requires cutting veneers and then slicing them open butterfly-style, to create two mirror images. Professionals call the process "matchbooking" because the veneers are cut to open like a book. The veneers must be sequenced in the order they were cut so that the craftsman who installs them can use the continuity of the natural material to create symmetrical designs which flow across the veneered surface.

Not only are all the walnut surfaces in the federal courthouse matchbooked, so are all the marbled surfaces. This must have been a monumental task because the courthouse makes extensive use of black and white marble, most with a faint greenish hue. The walls of the lobby on each floor are completely veneered in marble, and the public corridors are veneered four-sevenths of the way up in the manner of wainscoting. As a result of all the matchbooked marble, each floor has its own, dramatic personality.

Another example of the architect's use of polished natural surfaces is the building's terrazzo floors, one of the building's most unifying features. Terrazzo is composed of granite or marble chips mixed with a cementitious material. Bill Gumerson remembers watching the workmen trowel the terrazzo on site.²¹ Terrazzo is back in fashion now, and the courthouse's white and black terrazzo floors are a testament as to why. This lavish use of polished surfaces, both on the building's exterior and interior, lends a luxuriant, streamlined style to the building's heft and sobriety.

ART

Architect Dow Gumerson let the building's rich, sleek materials speak for themselves and added almost no other ornamentation to the building What minimal decare

building. What minimal decoration exists is found at the building's entrances. The east and west entrances are framed with repeating geometric designs executed in aluminum, classic examples of modern architecture's clean, uncluttered style. The building's only fine art consists of two bas relief sculptures, each a grouping of figures carved over the courthouse's side entrances.

Bill Gumerson remembers his father's excitement over the

choice of artists for these sculptures, Kansasborn Bernard Emerson Frazier. The younger Gumerson states, "it was a very big deal." Frazier was chosen for the federal building artwork over a dozen other sculptors who were under consideration. At the time, he was sculptor in residence at the University of Kansas and was a former director of the Philbrook Art Center in Tulsa where he studied American aboriginal art and started the annual national exhibition of painting by American Indians,²² influences which can be seen in the federal courthouse project.

Dow Gumerson's initial excitement over the choice of Frazier may have waned during the period of time which Bill Gumerson describes now as "interminable" and "agonizing." The limestone blocks, quarried from the same location as the building's exterior veneers, waited dormant on the construction site for years. The wait may have been partially due to what Bill Gumerson calls "a brouhaha" over one of Frazier's proposed, supposedly immodest, sculptures.

A March 23, 1960, newspaper article tells of Frazier's meeting with Lions Club members to display his clay models for the courthouse project.²³ The nude pictured in that article is so abstracted that it is difficult to tell whether it is masculine or feminine. It is anything but erotic by today's standards or, for that matter, by the standards of classical art. But the view is frontal. Whether it was the nudity, or whether it was even this particular clay model which led to the controversy is a mystery. The newspaper article simply reports that the clay models for "Dynamic Justice" and "Civic Virtue" were yet to be submitted to the General Services Administration officials in Washington for their opinions.²⁴ It

stated that, "[i]f they approve," "the artist will go to work with his hammer and chisel later this year."²⁵ It suffices to say that the figure pictured in the 1960 article does not appear in any of the figures as they were ultimately rendered, all of whom are clothed.

Perhaps the interference with his artistic vision somewhat soured Frazier on the project and affected his progress. That is just a guess.

The next reference to the sculptures found in newspaper archives is dated May 9, 1963, more than three years after the article describing the meeting with the Lions Club. That headline reads, "Artist Ready to Start U.S. Building Job."²⁶ The story refers to "long-delayed friezes" and quotes Frazier as stating that the sculptures "should begin taking shape within three weeks."²⁷

The article also states that Frazier was commissioned by the GSA to do the work for \$30,000.²⁸ By this time the sculptures had apparently morphed into their final form because the sculptures had new titles, their final ones, and were now referred to as "Destiny" (west entrance) and "Unity" (east entrance). The same article explains that Frazier had begun preliminary preparations in December of 1962 "when he leaned a set of steps...against the Harvey [street] entrance," and then proceeded to suffer a heart attack.²⁹ After that, the article reports deadpan, Frazier's "carving assistant took a small job in Toledo."³⁰

Whatever developments had turned a huge federal commission for public art into a project which an assistant would abandon for "a small job in Toledo," Frazier remained optimistic. "I intend to be working vigorously in two or three weeks," he is quoted as saying in 1963, "and have the work finished before the first hard freeze."³¹

The limestone

blocks, quarried from

the same location as

the building's exterior

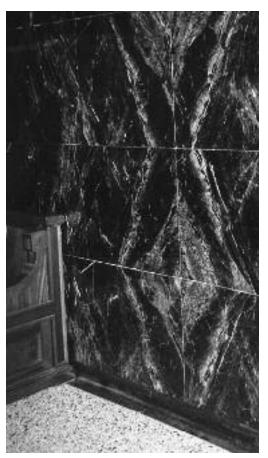
veneers...

Over two years after that statement, on Aug. 2, 1965, an article appeared in the Tribune entitled, Tulsa "'Freeze' Put on Sculptor's Work, OC Job Piecemeal." The lead goes like this: "When federal judges suggest you stop banging with the hammers, you stop, even if you're a distinguished sculptor such as Bernard Frazier."³² The slogging pace was due to the fact that Frazier and his assistants were making so much noise with their air hammers that the federal judges had "ordered him" to work only before 9 a.m. or after 5 p.m.³³ Frazier was starting work around 5 a.m. each day, laying off during business hours and then working again until 10 p.m.34 Adding to the difficulty, Frazier stated that "only rough work could be done by artificial light since the shadows could be deceiving."35 Frazier had, by then, spent the past 13 months working just on

the frieze above the east entrance.³⁶ The artist stated that he was "hoping the judges may relax their ruling."³⁷ Whether they did or not, is not known. But it took another two years for the work to be completed. By then, Frazier — with

his assistants, scaffolding, air hammers and night lights had become a downtown institution.

As finished, the east-side figures include a western plains Indian chieftain looking north, standing beside his princess. Of the figures to the left of this Native American couple, one wears a Puritan's bonnet and clutches a Bible, and one stands with an opened left palm. These "Unity" figures were finished in 1966. The west-side sculpture, representing "Destiny," is comprised of a male



An example of "bookmatched" marble

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and a female figure, both facing south with the female's left hand outstretched through a blazing flame. An eagle is perched at the couple's back and gazes northwest. Both sculptures are over 22 feet tall and protrude up to 16 inches from the building. "Destiny" was finished in 1967 and carries the artist's name and date inscribed at the lower right side. One suspects Frazier may have taken more joy in carving the finish date than in carving the images.

TODAY

Over the past two years, and after four or five attempts to find biodegradable chemicals which would safely clean the mold and grime off the courthouse's Indiana limestone facade, the courthouse's exterior has now been extensively cleaned, restoring the stone's original candle-

light-colored depth and warmth. The walnut paneling which Dow Gumerson chose by hand with his son at the lumber mill in Savannah has been stripped of its yellowed color and stained back to its original tone. The ceremonial court-

room has been extensively renovated, and four of that room's five original skylights have been uncovered so that the large courtroom once again has natural light.

The building's updated technical capabilities include a special hearing room for 10th Circuit argument and other long distance hearings and conferences. The hearing room is equipped with video conferencing equipment which automatically tracks the speaker.

All of the judges' chambers have been modernized. The

once innovative pre-trial conference rooms have been conformed to each judge's individual needs. In most cases the rooms do double duty as law libraries and informal meeting rooms. Judge Stephen P. Friot, who uses part of his conference room as a dining room, states, "We're lucky to have this courthouse; current federal building standards would have put district court judges in radically smaller spaces." Finally, a new entrance is planned for the building. The current plate glass entrance will be bumped

Author's note: I am deeply appreciative to the many people who helped with this article by allowing me to interview them and by otherwise contributing to this project. I extend my thanks to members of the Gumerson family, members of the bench and the bar, federal court and general services administration employees, and others, all of whom were very generous with their time.

1. The sit-in began at John A. Brown's department store on Aug. 22, 1958 and did not resolve until June 23, 1961, when Brown's agreed to end



Workers restoring courthouse front facade

out to meet the city's sidewalk easement, providing a glass fover with pedestrian doors facing east and west. The original aluminum letters which have marked the building's entrance for almost a half-century will be remounted as headers, street side on the new glass foyer to finish off the updated look.

All in all, Oklahoma City's federal courthouse is in excellent shape as it approaches it own mid-century mark. Although the building may never again be as loved as it was when it was first opened for business and lawyers headed "up the hill" to a gleaming new building of high style, it has been a faithful workhorse. Admittedly, there are buildings which are easier to appreciate. But love it or not, the courthouse deserves recognition as an iconic example of mid-century architecture which embodies both the promise, and the seriousness of purpose, which was 1959.

bias in its lunchroom and restrooms, and at its soda fountains.

2. Judge Murrah (age 32) was appointed United States District Judge by President Franklin D. Roosevelt in 1936. Judge Murrah was elevated by Roosevelt again in 1940 when Judge Murrah was appointed to the 10th Circuit where he served as chief judge from 1959 to 1970.

3. In 1959, the only Republican member of Oklahoma's delegation was Rep. Page Belcher. In 1975, John Jarman changed his party affiliation to Republican. Carl Albert became majority leader in 1962. He served as speaker of the United States House of Representatives from 1971 until 1976.

4. "Speed-Up in Cases Changes Courtroom Style, New Federal Building Here to be Different," The Daily Oklahoman, June 7,

1959, p. 11. 5. "Comparative value of the U.S. Dolar (Approximate), http://mykindred.com/cloud/TX/Documents/dollar, based on numerous indices including the Consumer Price Index, 1800-1972, Selected Groups, and Purchasing Power of the Consumer Dollar, 1913-7 (1967 ' 100), per the Handbook of Labor Statistics, 1973.

6. "Speed-Up in Cases Changes Courtroom Style," supra.

7. "Speed-Up in Cases Changes Courtroom Style," supra.

8. "Speed-Up in Cases Changes Court-

room Style," supra.

9. "Speed-Up in Cases Changes Courtroom Style," supra.

10. Beaux-Arts architecture describes the academic classical architectural style taught at the École des Beaux Arts in Paris where the style originated. The style influenced American architecture for decades in both the late 1800's and early 1900's. Beaux-Arts architecture emphasized mainstream Imperial Roman, Italian Renaissance, and French and Italian Baroque models of architecture. Exteriors were symmetrical. Interiors included grand entrances and stairways reminiscent of palace designs.

11. Hoverson, Gayle, "History United States District Court Western District of Oklahoma," April 4, 1989, p. 24 (prepared for then Chief Judge Ralph G. Thompson as a special project for the Centennial Celebration of the 1889 Land run) states that Judge Daugherty was appointed to the federal bench by President Kennedy on Oct. 11, 1961. 12 Id

13. See "Speed-Up in Cases Changes Courtroom Style," supra.

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17. Even dean of mid-century American architecture Philip Johnson, who introduced American architects to the then revolutionary international style of glass and steel grids, admitted later in his career that he became bored with the box. "Architect's Legacy Seen in Cities, Philip Johnson, 1906-2005," San Francisco Chronicle, Jan. 27, 2005, by John King, reporting death of Philip Johnson at age 98. King quoted Johnson's own writing from 1994: "I was a devoted disciple of Mies [van der Rohe]...but then I got bored with it," Johnson wrote, "I'm a jumper-arounder anyhow." In the later stages of his career, Johnson entered a new phase, working in the more eclectic and layman-friendly styles of post-modernism.

18. A pilaster is an upright architectural member which is rectangular in plan, and is structurally a pier but architecturally treated as a column. With a capital, shaft and base, a pilaster usually projects one third of its width or less from the wall and may be load-bearing or merely applied as surface decoration.

19. Nearly three-fourths of the injuries caused by the Murrah building bombing were caused by flying glass. A door in Judge Lee R. West's chambers shows the trajectories of glass shards which tracked across it during the blast. Judge Tim Leonard keeps two arrowhead-shaped pieces of glass in his desk drawer as a reminder of the thousands of similar pieces which covered his chambers after the bombing. At the moment of the explosion, Judge Ralph G. Thompson saw his chamber's windows bend and break. He reports that "daggers of broken glass" flew by him to embed in interior walls located more than two dozen feet away from the windows. The bench and counsel tables in Judge Stephen P. Friot's courtroom (then the courtroom of Judge Wayne E. Alley) were damaged when light fixtures fell; that damage is now preserved under glass for historical purposes.

20. When pictures were removed from the ceremonial courtroom for refurbishing projects, fine cracks attributed to the bombing were noticed in the walls. This relatively minor structural damage is remarkable given the force of the blast, which mangled the building's interior spaces and caused the building's ceilings to fall, leaving several courtrooms open to the sky.

21. The work was done by Southwest Terrazzo Company, a business established by the DeGiusti family after the elder DeGiustis immigrated from Italy. Three DeGiusti family members are now Oklahoma City attorneys who practice law in the federal courthouse which an earlier generation of their family helped build.

22. "Symbol of Justice Changes," The Daily Oklahoman, March 23, 1960, p.1.

23. Id.

24. Id.

25. Id.

26. "Artist Ready to Start U.S. Building Job," The Daily Oklahoman, May 9, 1963, page unavailable.

27. Id.

28. However, an undated and apparently unpublished article in courthouse archives states, somewhat ambiguously, that "both" sculptures were "commissioned for \$13,000."

20. "Artist Ready to Start U.S. Building Job," id.

30. Id. 31. Id.

32. "'Freeze' Put on Sculptor's Work, OC Job Piecemeal," Tulsa Tribune, Aug. 2, 1965, page unavailable (typographical error in original text has been corrected).

33. Id.

35. Id.

36. Id. 37. Id.

ABOUT THE AUTHOR



Barbara Snow Gilbert serves as a judicial law clerk to United States District Judge Stephen P. Friot. Formerly a shareholder with Crowe & Dunlevy, Gilbert is also a mediator and the author of several young adult novels. Her books have won state, national

and international awards, including two Oklahoma Book Awards.

A SPECIAL WORD

When the Murrah federal office building was constructed across the street to the north of the federal courthouse. panoramic views of the courthouse were largely cut off. As a consequence of the bombing, the federal courthouse's architectural structure and design are once again revealed. Bill Gumerson, son of architect Dow Gumerson, makes the point. "Before," he states, "you could never see the federal courthouse building." After a pause, he continues, emotion in his voice. "I am proud for my father that the building withstood the blast and can now serve as an important backdrop to what is there."

"Before," refers, obviously, to a time before the bombing when the Murrah building still stood; "what is there" refers to the Oklahoma City National Memorial, a park-like open space of trees, grass and a reflecting pool. Dedicated to "those who were killed, those who survived, and those changed forever," the memorial serves as a kind of town square. Its mood may have more in common with the repose of a cemetery than with the vivaciousness of most town squares, but it is the spot Oklahoma City is known for around the world, and it is a place where people gather. If it is not quite at downtown's geographical center, it is the city's emotional center. Buildings ring it like sentinels, of which the federal courthouse is the most imposing and protective, both literally and figuratively. It is a symbolic purpose which, in 1959, none of the people responsible for the building's existence could have guessed, but one of which each of them would have been proud.

^{34.} Id.