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## SYMPOSIUM

### REDEDICATION OF THE FEDERAL COURTHOUSE IN INDIANAPOLIS THE 100TH ANNIVERSARY OF THE LAYING OF THE CORNERSTONE MARCH 25, 2003

JUSTICE THEODORE R. BOEHM\*

It is an honor to represent the judiciary of the State of Indiana at this happy and significant occasion. Today we celebrate the achievements of the past and the promise of the future in this great landmark. But one cannot mark such an event without recalling that our sons and daughters are once again engaged in a struggle in a foreign land. I know you, and all Americans, hope and pray for their safe return and an early and successful end to the conflict. In the meantime, it is up to us to continue to build the judiciary and other strong institutions that bind the nation together, as well as the physical embodiments of those institutions such as this magnificent century-old courthouse.

Exactly a century ago, the *Indianapolis News* reported “plenty of sunshine, music and people”<sup>1</sup> at the laying of the cornerstone. Included among the crowd were the workers who were to place and set the cornerstone and who, according to the *News*, “wore white duck trousers or new overalls” and “seemed to take an active interest in the affair.”<sup>2</sup> Judged by the length of the speeches that day, which were reported verbatim in the press, even appearing to hold their attention was no small achievement and one well beyond the power of most present day orators, certainly mine.

Despite this happy launch, construction of this building was, as you might suspect, not without its challenges. Five days after the cornerstone was laid, the *News* reported that a strike of bricklayers threatened the project.<sup>3</sup> Then, we are told, the stonecutters from Southern Indiana turned out to speak no English and these good German craftsmen were without a foreman to direct the project. At that point, assistance from the State of Indiana was requested, and I am happy to

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1. *Corner Stone Formally Laid, Various Civic and Military Organizations and Prominent Citizens Participated*, INDIANAPOLIS NEWS, Mar. 25, 1903, at 1.

2. *Id.*

3. *May Delay Work on Federal Building, Threatened Strike of Bricklayers May Interfere*, INDIANAPOLIS NEWS, Mar. 30, 1903, at 15.

report that my predecessors in state government were able to come to the aid of their federal colleagues. A person with both the requisite knowledge of stonecutting and the necessary German language skills was located—in the Michigan City penitentiary. After completing work on the project he returned to serve out the balance of his sentence. I am sure you understand that this would not have been able to be accomplished without the careful foresight and assistance of the Indiana State Judiciary. We are always happy to help out where we can.

I hope you will forgive a personal note. This is the first time I have had the privilege of addressing the federal bench from this altitude. For twenty-five years I labored as a lowly lawyer practicing for the most part in this building and groveling in the pits below the bench. And for the vast majority of time, the same four judges constituted the bench in the Southern District of Indiana, Indianapolis Division. So I began my career bowing and scraping equally to the kind and patient suggestions of Chief Judge Steckler and the stern scowls of Judge Holder. For a quarter of a century, not much changed—not the judges, not the building, and not the practice of law.

Frequently my cases involved lawyers from other parts of the country, usually big cities. Invariably their first comment was “What a great courtroom.” And their first questions were “Don’t you have any security here?” and “How is it that you know everybody?” The days of security-free federal courtrooms are gone, as is the time when the bar was small enough that we usually had dealt with the local opponent before and knew we were likely to do so again.

Despite these changes the dignity and grace of this building remain a constant. Public buildings are indeed both an embodiment and reminder of our public life. Small children learn through direct visual impression the importance of what goes on here. Adults appreciate the detail, planning and sacrifice it took to put this structure into place. The keynote speaker of a century ago dubbed this building “the abode of national justice.”<sup>4</sup> Those who built the federal building of 1903 knew they were making a contribution for the ages. It stood then and it stands now as a proud symbol of an independent judiciary. We can repay that foresight only by enhancing it as the needs grow, but always preserving its original majesty.

It was highly controversial in the middle 1980s when Governor Orr led a restoration of our state capitol. That building was completed in 1888, and the ensuing century it had been allowed to deteriorate into a rabbit warren of small cubicles, temporary structures that stood for decades in various states of disrepair, and an assortment of unidentifiable electrical and ventilating devices. Today no one doubts the wisdom of taking the time and spending the money to restore the state capitol to its original splendor. Our federal building has been mercifully spared the abuse visited upon the State House, but inevitably some touching up was necessary. Beginning in 1992 that was undertaken. Now the federal building at its centennial remains a magnificent monument to the foresight of our predecessors and the wisdom of preservation.

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4. *Corner Stone Formally Laid*, *supra* note 1.

As we celebrate this achievement, let us again be reminded that these buildings, and the republic they serve, did not come easy. We are the caretakers of both and must tend them carefully, for ourselves and for future generations. Particularly in times of national stress, this requires vigilance, perspective, and a sense of history.

I have learned since becoming a Justice of our court that the judiciary in Indiana functions somewhat differently and much more amicably than its counterparts in many states. Anecdotal reports from judges in other parts of the country often suggest adversary relations between trial and appellate benches, between courts of different or overlapping jurisdictions, and between the state and federal judiciaries. Not so in Indiana. I hope not presumptuously, I regard each of the federal judicial officers as a friend and colleague. It is a great pleasure to join them in celebrating a century of achievement in this elegant edifice and marveling at the magnificent structure our forebears created and we now rededicate.