

1299

United States Department of the Interior  
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES  
REGISTRATION FORM

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name United States Court House - Aiken, South Carolina

other names/site number Charles E. Simons, Jr. Federal Court House (preferred)

2. Location

street & number 223 Park Avenue, SW N/A not for publication  
city or town Aiken N/A vicinity  
state South Carolina code SC county Aiken code 003 zip code 29801

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this  nomination  request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property  meets  does not meet the National Register Criteria. I recommend that this property be considered significant  nationally  statewide  locally. ( See continuation sheet for additional comments.)

Baloch James Camp 10.28.03  
Signature of certifying official Date  
Federal Preservation Officer, U.S. General Services Administration  
State or Federal agency and bureau

In my opinion, the property  meets  does not meet the National Register criteria. ( See continuation sheet for additional comments.)

Mary W. Edwards 12/2/02  
Signature of certifying official Date  
S.C. State Historic Preservation Office, S.C. Department of Archives & History  
State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that this property is:

- entered in the National Register  
 See continuation sheet.
- determined eligible for the  
National Register  
 See continuation sheet.
- determined not eligible for the  
National Register
- removed from the National Register
- other (explain): \_\_\_\_\_

Signature of the Keeper

Date of Action

Edson H. Beall

12/10/03

Charles E. Simons, Jr. Federal Court House  
Name of Property

Aiken County, SC  
County and State

**5. Classification**

**Ownership of Property**  
(Check as many boxes as apply)

- private
- public-local
- public-State
- public-Federal

**Category of Property**  
(Check only one box)

- building(s)
- district
- site
- structure
- object

**Number of Resources within Property**  
(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
1	0	buildings
0	0	sites
0	0	structures
0	0	objects
1	0	Total

**Name of related multiple property listing**  
(Enter "N/A" if property is not part of a multiple property listing.)  
N/A

**Number of contributing resources previously listed in the National Register**  
0

**6. Function or Use**

**Historic Functions**  
(Enter categories from instructions)

Cat: GOVERNMENT Sub: courthouse  
GOVERNMENT Sub: government office

**Current Functions**  
(Enter categories from instructions)

Cat: GOVERNMENT Sub: courthouse  
GOVERNMENT Sub: government office

**7. Description**

**Architectural Classification**  
(Enter categories from instructions)  
Georgian Revival

**Materials**  
(Enter categories from instructions)  
foundation CONCRETE

walls BRICK  
 roof ASPHALT  
 other GRANITE, WOOD, STEEL

**Narrative Description**

(Describe the historic and current condition of the property on one or more continuation sheets.)

Charles E. Simons, Jr. Federal Court House  
Name of Property

Aiken County, SC  
County and State

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

- X A Property is associated with events that have made a significant contribution to the broad patterns of our history.
B Property is associated with the lives of persons significant in our past.
X C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
D Property has yielded, or is likely to yield, information important in prehistory or history.

Areas of Significance

(Enter categories from instructions)

- ART
ARCHITECTURE
POLITICS/GOVERNMENT

Period of Significance

1935-1938

Significant Dates

1935-1938

Criteria Considerations

(Mark "X" in all the boxes that apply.)

Property is:

- A owned by a religious institution or used for religious purposes.
B removed from its original location.
C a birthplace or a grave.
D a cemetery.
E a reconstructed building, object, or structure.
F a commemorative property.
G less than 50 years of age or achieved significance within the past 50 years.

Significant Person

(Complete if Criterion B is marked above)

N/A

Cultural Affiliation

N/A

Architect/Builder

Lafaye and Lafaye, architect
Ray M. Lee, builder

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested.
previously listed in the National Register
previously determined eligible by the National Register
designated a National Historic Landmark
recorded by Historic American Buildings Survey #
recorded by Historic American Engineering Record #

Primary Location of Additional Data:

- State Historic Preservation Office
Other State agency
X Federal agency (GSA)
Local government
X University
X Other
Name of repository:
Aiken City Library

Charles E. Simons, Jr. Federal Court House  
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10. Geographical Data

Acreage of Property less than one acre

UTM References

(Place additional UTM references on a continuation sheet)

1	<u>17</u>	<u>432887</u>	<u>3713282</u>	3	<u>          </u>	<u>          </u>	<u>          </u>
	Zone	Easting	Northing		Zone	Easting	Northing
2	<u>          </u>	<u>          </u>	<u>          </u>	4	<u>          </u>	<u>          </u>	<u>          </u>
	Zone	Easting	Northing		Zone	Easting	Northing

See continuation sheet.

Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Jeffrey M. Jensen, Historic Preservation and Fine Arts Specialist (GSA) and Staci Catron-Sullivan, Georgia State University Graduate Student

organization U.S. General Services Administration date November 27, 2001

street & number 77 Forsyth Street, Suite 450 telephone (404) 562-1354

city or town Atlanta state GA zip code 30303

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

- A USGS map (7.5 or 15 minute series) indicating the property's location.
- A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items

(Check with the SHPO or FPO for any additional items)

Property Owner

(Complete this item at the request of the SHPO or FPO.)

name \_\_\_\_\_

street & number \_\_\_\_\_ telephone \_\_\_\_\_

city or town \_\_\_\_\_ state \_\_\_\_\_ zip code \_\_\_\_\_

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 18.1 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Project (1024-0018), Washington, DC 20503.

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National Park Service**

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section 7 Page 1

Charles E. Simons, Jr. Federal Court House  
name of property

Aiken County, SC  
county and State

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**Description**

The Charles E. Simons, Jr. Federal Court House, located in Aiken, Aiken County, South Carolina, is a two-story brick government building with a half-basement. Designed in the Georgian Revival style by Columbia, South Carolina architects Lafaye and Lafaye, and constructed in 1935, the steel-framed building has housed the Federal courts and Federal agencies since its completion. The courthouse occupies a prominent place in downtown Aiken on Park Avenue, a main boulevard. The built environment surrounding the courthouse is a mixture of early 20<sup>th</sup> century and contemporary commercial buildings currently housing shops, restaurants, and professional offices.

The Simons Court House is a large rectangular building with a five bay, symmetrical front façade facing north. In front of the building is a small grass lawn with two small trees, a flagpole to the left and a brick and stone sign to the right identifying the building as the Charles E. Simons, Jr. Federal Court House. A concrete pathway leading from the street is lined with low shrubbery on both sides, terminating into cast stone steps with wrought iron railings that span the third bay. The front of the building has a small landing with two decorative cast iron lampposts flanking the entranceway. An unobtrusive handicap ramp has been added to the left near the cornerstone of the building. The building has a two-foot brick base topped with a white granite belt course (approximately 1 foot in height) that connects with the main red brick façade of the building at the bottom of the first story. The central three bays of the front façade project slightly forward, and the use of four engaged granite Tuscan columns supporting a plain entablature suggest a portico. The entablature contains the words "United States Court House" in recessed bronze lettering, and is supported on each end by granite pilasters. The tabernacle framed main entry is surmounted by a plain pediment with dentiled molding in the tympanum. Two scrolled brackets hold the pediment. Within this enframing are metal and glass double doors with a plain glass transom. At the first story, the second and fourth bays have eight over eight, double-hung windows with a stone lug sill and are capped with a projecting brick voussoirs with a granite keystone. The second story contains eight over eight double-hung windows in the second and fourth bays, and a ten over ten three-part window over the main entry. A masonry cornice is located above the entablature, and defines the base of a brick parapet that runs the length of the front façade and the first three bays of each side façade. The low-pitched, composition roof is not visible from street level due to the parapet.

The sides and back of the building mirror the restrained Georgian Revival style of the front. The north three bays of each ten-bay side continue the fenestration and decorative elements found in the belt course and cornice of the front as well as the eight over eight, double-hung windows with projecting brick voussoirs. The ten-bay east and west façades are nearly identical in design except for the second-story opening in the ninth bay of the west façade, which has been bricked in to provide space for a vault on the interior of the second floor; the second bay of the west façade that contains a glass and metal door providing a side entrance to the building; and the second bay of the east façade that has an eight over eight double-hung window with an eight-pane transom. The fourth through eighth bays of the east side and third through seventh bays on the west side are recessed and have six over six double-hung windows on both stories except for the six over six double-hung windows with six-pane transoms in the central section of the second story where the courtroom is located. The ninth and ten bays of the east side and the first and second bays of the west side project forward and have six over six double-hung windows. The five-bay rear façade has a brick chimney in the third bay and has paired six over six double-hung windows in the second and fourth bays.

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Charles E. Simons, Jr. Federal Court House  
name of property

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**Description (continued)**

Although many interior spaces have been altered over the years, much of the original character of the building remains, particularly in the notable public spaces of the courtroom and courtroom lobby. Throughout the building, even in the secondary spaces, many of the original doors, light fixtures and hardware, terrazzo flooring, moldings, and plaster walls are intact and in good condition.

The most important interior space is the courtroom, which maintains the formal presence implicit in Federal court space design. The courtroom walls have oak paneling to the base of the windows. Above the paneling are plaster walls containing rectangular acoustic panels framed in picture molding. Havana brown, fluted wooden pilasters run between the windows and rise to the cornice. Wide ceiling cornices are richly decorated with a burnt-orange frieze featuring an alternating fleur-de-lis and bullseye pattern, which is repeated throughout the room. The room is divided by an oak partition separating the audience space from the judge, jury, and attorneys. Three oak doorways at the north end lead directly to the gallery that contains rows of oak benches. The ceiling is finished with double beams with simple moldings, and has retained its original decorative glass light fixtures. The judge presides at the head of the room from a large oak bench. Behind this space is a large WPA-era mural by Stefan Hirsch titled "Justice as Protector and Avenger." The mural depicts lady justice as a simply clothed figure in red, white, and blue, alternately protecting the oppressed while prosecuting the evil elements in society. The painting dates from 1938 and has remained covered by a thick curtain since that time, because it is viewed as a possible distraction to court proceedings.

The exterior and interior of the Charles E. Simons, Jr. Federal Court House are in excellent condition and retain much of their original materials and character. This historic building is a good representation of the fine craftsmanship of this period. The courtroom also has a unique mural directly connecting it to a specific period in American history.

**Statement of Significance**

The Charles E. Simons, Jr. Federal Court House in Aiken, Aiken County, South Carolina is being nominated for the National Register of Historic Places at the local level of significance under Criterion A for its association with the federal construction programs created to relieve the economic crisis of the Depression Era, and at the local level of significance under Criterion C under the categories of architecture, politics/government and art. The building is an excellent example of a Georgian Revival building, which was not only a popular style for government buildings in smaller towns in the 1920s and 1930s, but also reflected a resurgent national interest in using elements from the Colonial Period as an inspiration for current designs in architecture. It is among the most notable buildings constructed in Aiken in the 1930s, and retains much of its historic integrity and design character. The building also contains a mural titled "Justice as Protector and Avenger" commissioned under the Section of Painting and Sculpture of the U.S. Treasury Department that reflects a growing movement of Social Realism found in American art during the Depression Era. The Simons Court House is a good example of federal buildings constructed during the first half of the 20<sup>th</sup> century, and continues in its historic function as a federal courthouse today.

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Charles E. Simons, Jr. Federal Court House  
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**Statement of Significance (continued)**

In 1926, Congress passed the Public Buildings Act that began an unprecedented nationwide federal building program. As part of this act, the office of the Supervising Architect of the Department of the Treasury was given responsibility for designing and constructing all public federal buildings. From a national perspective, the construction of the Charles E. Simons, Jr. Federal Court House was one of the many public building projects undertaken during the early part of the Depression. The 1931 Federal Employment Stabilization Act, which allowed the President and Congress to authorize additional appropriations for construction projects to facilitate employment, also contributed to the growth in the construction of public buildings during the Depression. Other federal legislation, including the Public Works Administration (PWA) established under the National Industrial Recovery Act in 1933, added additional resources to communities throughout the United States. In the 1930's, the construction of public buildings, such as the courthouse in Aiken, provided economic hope and employment to communities throughout the country.

In the early 1930s, South Carolina Senator James F. Byrnes began a campaign to have federal money spent to construct buildings in his home state in the cities of Greenwood, Anderson, Columbia, Greenville, and Aiken. By the middle of 1933, Senator Byrnes had convinced Congress to appropriate the funds for several of the buildings, including Aiken, and the Department of the Treasury began to develop these projects for South Carolina. Later that year, the government purchased a lot at 223 Park Ave., SW from Mrs. Hastings H. Wyman, Sr., and contracted for design plans for the building with the Columbia, South Carolina architectural firm of Lafaye and Lafaye, which was formed by the two Lafaye brothers, George E. and Robert S., in 1919. Generally at this time, government architects in Washington, D.C. designed all federal building projects, but due to the ambitious federal building program being initiated under the rubric of the various New Deal programs, and the imperative under these programs to provide employment to the un- or underemployed, it became both necessary and programmatic for work to be contracted out. Lafaye and Lafaye created a restrained Georgian Revival plan that reflected a vision for federal buildings established in 1901 by the Supervising Architect of the Treasury John Knox Taylor, and carried on by his successor, Louis Simon. Simon maintained a similar vision of architectural style for the other contemporary small town federal buildings constructed in Anderson and Greenwood. Though the Aiken project was temporarily delayed as the United States government reorganized the way in which it constructed federal facilities through the creation of the Public Works Administration (PWA), by March of 1934, the PWA notified Second South Carolina District Congressman Hampton P. Fulmer that \$190,000 had been secured for the construction of the federal courthouse on the previously purchased lot in Aiken.

On March 9, 1935, the PWA awarded the contract to construct the facility to the Ray M. Lee Company of Atlanta, Georgia for \$78,839. Much of the balance of the appropriated funds was set aside for furnishings, finishes, and equipment. By April of 1936, a crew of fifty men began excavation of the basement, and the building was substantially completed ten months later in February 1937. Due to a devastating flood in Johnstown, Pennsylvania, delivery of equipment and furnishings for the building was held up for some time, but the then-named United States Court House was finally occupied by the United States District Court for the first time the last week of September 1937.<sup>1</sup>

The name of the courthouse was changed to the Charles E. Simons Federal Court House in 1986 as a "fitting tribute to a man who dedicated thirty-five years of his life to the Federal Bench and had served as the Chief Judge of the District Court for six years."<sup>2</sup>

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<sup>1</sup> Much of this information is taken from the *Journal and Review*, Aiken, South Carolina.

<sup>2</sup> Senator Strom Thurmond-Congressional Record Summary, 10/27/1999 <http://www.ca5.uscourts.gov/congrec/99oct/19991027.htm>

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**Statement of Significance (continued)**

Like many buildings constructed under New Deal programs such as the PWA, the federal courthouse sent a significant message to the people of Aiken, Aiken County, and the western region of South Carolina about the federal government's commitment to the economic well being of the region during the trying times of the Great Depression. Numerous other improvements were being made in Aiken during the early thirties to boost the economy, including the construction of a \$145,000 50-bed county hospital, a county courthouse, a local airport and a city pump station. A 1935 Aiken Centennial Celebration publication characterized the city at the time of the Federal Courthouse's construction by stating: "Aiken boasts a splendid waterworks and sewerage system, a county hospital, a public library, a city-owned theater building, a well-equipped fire department, and many things that go to make up a well-rounded community and do credit to a city of an even larger population."<sup>3</sup> As Aiken positioned itself as a small-town with big city amenities, the presence of the Federal government went a long way to fulfilling this goal.

On January 7, 1937, the Treasury Department invited Stefan Hirsch to submit ideas for a mural to be placed behind the judge's bench in the courtroom. Hirsch, then an art instructor at Bennington College in Vermont, accepted the invitation, but with the caveat that his work might express thoughts and ideas offensive to southerners living in the then "Jim Crow" South. Hirsch wrote to Edward E. Rowan, the superintendent of the Treasury's Section of Painting and Sculpture, "While I believe that the artist's social philosophy can and should express the thought of the people, this is only feasible in a culture which has occupied itself traditionally with such integration of artistic thought into popular thinking." Hirsch submitted a sketch for the work showing a central female figure representing justice, flanked by two panels representing those protected by justice on the right, and the criminal elements of society being avenged by justice on the left. Though Rowan asked Hirsch perhaps to brighten up the right panel, and tone down the left, Hirsch was paid \$2,200 to execute his vision, which was completed in August 1938. Hirsch titled the piece "Justice as Protector and Avenger."

Hirsch described his vision at the time of its completion as an attempt to "create a symbolic figure of 'Justice' with gestures indicating the meting out of justice to the deserving and undeserving." Her placid face "shows no partiality," however her left hand pushes away crime with a "condemning gesture," while her right uplifts those needing protection. He concludes, "In all three panels, I have attempted to reduce the number of characteristic and mood-instilling objects and details to a minimum to avoid the anecdotal atmosphere in favor of the fundamental and elemental one."

The completed painting did not please presiding Judge Frank K. Myers once he saw it in September. He wrote to the Treasury soon after, "I was very much surprised to find that without consulting or advising me, a mural painting of what is referred to by the painter as 'contemporary art' had been placed behind the judge's bench in the Aiken courthouse." He then added, "You are advised that this piece of work is so offensive to me that, at my own expense, I had it covered as soon as possible after the opening of court, and that, as long as I preside in the Aiken court, it will not be displayed." At the time of its completion, the central, epic figure was perceived possibly to be a mulatto woman--although Hirsch used a white woman for his model--and this did not keep with the "Southern conception of art." As time has passed, however, and attitudes have changed, the courts now view the painting as too busy and distracting to the public and attorneys to provide a proper backdrop to court proceedings.

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<sup>3</sup> Aiken (S.C.) Centennial Commission, Centennial celebration commemorating the founding of Aiken, South Carolina, April 4th-6th, 1935 (Aiken, SC: The Commission, 1935) 3.



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**Statement of Significance (continued)**

Despite the attempts of the Treasury Department, and later the General Services Administration, the mural has remained behind curtains since its installation. The curtains are opened to allow the public to view the artwork when requested.<sup>4</sup>

Since its completion in 1937, the Simons Federal Court House has retained most of its original historic character. Renovations have served to upgrade electrical, HVAC, security, accessibility, and parking. The appearance of the exterior façades remains how it was when the building was built, and the important public spaces such as the lobby, hallway, staircase, courtroom lobby, and, most notably, the courtroom maintain their architectural integrity. Overall, the Simons Federal Court House retains a high degree of integrity of setting, location, design, materials, workmanship, feeling, and association. While modifications have occurred, they have not impacted the building's ability to convey its historic significance as a federal building, nor its architectural significance as a good example of a Georgian Revival style public building. Furthermore, the mural in the courtroom not only reflects an important period of unprecedented government support for the arts in the United States as well as being an outstanding illustration of the social realist style of this period, it also tells a significant ongoing story about the negotiated place of art in American society. The mural also represents the work of a nationally recognized artist, whose art is in many public and private collections, including the Museum of Modern Art, the Whitney Museum of American Art, and the Metropolitan Museum of Art. Despite its modest size, the Simons Courthouse clearly imparts an important federal presence in Aiken, and its continued use as a federal courthouse has been significant in the preservation and support of the vitality of the town's downtown corridor.

**Bibliography**

Aiken (S.C.) Centennial Commission. Centennial celebration commemorating the founding of Aiken, South Carolina, April 4th-6th, 1935. Aiken, SC: The Commission, 1935.

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Cole, Will. The Many Faces of Aiken: A Pictorial History. Norfolk, VA: The Donning Company, 1985.

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MacDowell, Dorothy Kelly. An Aiken Scrapbook: A Picture Narrative of Aiken and Aiken County, SC. V.1. Aiken, SC: Aiken Historical Society, 1982.

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Swennson, Lise C. and Nancy M. Higgins, eds. New Deal Art in South Carolina: Government Supported Images from the Great Depression. Columbia, SC: South Carolina State Museum, 1990.

Whiffen, Marcus. American Architecture, 1607-1976. Cambridge, MA: MIT Press, 1981.

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<sup>4</sup> Quotes taken from the Columbia, South Carolina *State*, Section B, Page 1, December 29, 1974.

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**Verbal boundary description**

The property occupies 127.80 feet facing northeast on Park Ave, SW between Chesterfield St. S. and York St. SE. The property's lot is nearly a perfect rectangle running southwest away from Park Ave., SW for 179.79 feet, with the back lot line being 127.41 feet (see map).

**Verbal boundary justification**

The verbal boundary is taken from the original plans and documentation of the property.