



THE CALIFORNIA SUPREME COURT

Historical Society

NEWSLETTER • SPRING/SUMMER 2011



CLOSE-UP OF THE STUDY BY ARTHUR MATHEWS FOR HIS MURAL, “THE COMMONWEALTH,” INSTALLED IN 1924 IN THE SAN FRANCISCO COURTROOM OF THE CALIFORNIA SUPREME COURT, BUT LOST DURING LATER RENOVATIONS (FULL STORY, INCLUDING THE CURRENT MURAL BY WILLARD DIXON, ON PAGES 2–6). SANTA BARBARA MUSEUM OF ART, GIFT OF HAROLD WAGNER

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The lost mural, “The Commonwealth” by Arthur Mathews, as it appeared at the Supreme Court.

BLACK-AND-WHITE PHOTO OF COLOR MURAL, MOULIN STUDIOS

“The Commonwealth” — A Lost Art

BY RAY MCDEVITT

In the spring of 1924, a mural was installed in the California Supreme Court’s elegant new courtroom in San Francisco. The mural was painted by Arthur Mathews, one of California’s most famous artists. Entitled “The Commonwealth,” it was intended to present a vision of a prosperous, harmonious, and cultivated Arcadian state. Hung directly behind the justices’ bench, it was nearly as long as a school bus. Three decades later, the mural was removed during a renovation of the courtroom. It has not been seen for the last 60 years.

This article tells the story of that mural, its creator, its strange fate, and its successor.

THE ARTIST

Arthur Mathews was born in Wisconsin in 1860. By the time he was six, his family had moved to California and he grew up in the Bay Area. Even as a young boy, his passion for art was evident. From the age of ten he learned drafting in his father’s construction/architectural business. A few years later he began formal training, taking lessons from an Oakland artist. As a young man he combined work as an illustrator with study at the San Francisco Art Association’s School of Design. In 1885 he traveled to Paris, enrolling in the Académie Julian, whose faculty followed the classical academic

tradition associated with the Parisian École des Beaux-Arts. Its curriculum emphasized mastering the fundamentals of technique. Mathews excelled; he was awarded prizes by the Académie and for three consecutive years his student paintings were accepted for exhibition in the prestigious Parisian salons.

Upon his return to San Francisco in 1889, he began teaching at the California School of Design. The following year he was appointed its director. Over the ensuing sixteen years, many of California’s best artists of the first half of the twentieth century were his students, among them Granville Redmond, Percy Gray, Maynard Dixon and Gottardo Piazzoni. (His wife, Lucia, a former student, could justly be included in this distinguished company. Arthur enthusiastically supported Lucia’s artistic ambitions, for example, arranging for her to study with James McNeill Whistler at his studio in Paris. Lucia became an accomplished artist in her own right — a talented painter, graphic artist, and furniture designer who helped popularize the Arts and Crafts movement in California.)

Beginning in the 1890s, Arthur Mathews received commissions from wealthy Californians for decorative murals to embellish their large homes. His first public commission came in 1902 from the Oakland Public Library. Arguably his most significant murals were

twelve panels depicting historical epochs of California, to be installed in the rotunda of the State Capitol. In 1913, announcing the Legislature's appropriation of funding for the murals, the State Board of Control said:

In Mr. Mathews' hands, our history will not only be history. It will be a pageant of beauty. Mathews is known to be a true poet in paint. His work in mural decoration has been compared by competent critics to that of such world-famous masters as [John Singer] Sargent . . . The Board of Control feels that in selecting Mathews it has recognized a Californian whose work is on the high artistic level where public work of such importance should be placed.

These murals display a romanticized and idealized historical account of both the Spanish settling of California and the later American transformation. But they also present a vision of California's future that is appealing to contemporary Californians — a pastoral, agrarian society somehow able to support a population of artists, scholars and musicians. They are undeniably gorgeous.

Other major commissions followed: the Panama Pacific International Exhibition held in San Francisco in 1915; a mural celebrating craftsmen and builders for the Mechanics Institute Library in 1917; and many decorative works for banks, theaters, cemeteries, etc., throughout the 1920s.

Mathews was thus at the zenith of his career in 1923, acknowledged as one of California's great painters and its preeminent muralist, when he was selected to prepare a mural to be installed in the Supreme Court's courtroom in the new State Building, then under construction in San Francisco's Civic Center.

Tectonic forces were re-shaping the artistic world as the twentieth century moved on. Within a few more decades, Mathews' style was out of fashion. The last exhibition of his work, during his lifetime, was at the 1939–40 World's Fair held on Treasure Island in San Francisco

Bay. Although Mathews had been at the very center of the PPIE in 1915, now only one painting of his was shown and that was relegated to a sideline exhibit of "historical" pieces. He died in 1945, just short of his 85th birthday.

In recent years, critical appreciation of Mathews' technical mastery and vision has restored his reputation as one of California's great artists.

THE MURAL

The courtroom mural was impressive in scale. Fourteen feet in height and thirty-four feet long, it covered the entire wall behind the judges' bench. Many of its elements are characteristic of Mathews' murals, landscapes, and figurative paintings. The palette is subdued, consistent with the tawny shades of late summer and the diffused light of late afternoon. Highlights are provided in blue and gold — California's state colors. The trees are familiar: eucalyptus, pine, oak and redwood. The scene is densely populated with figures representative of aspects of California life, as well as by overtly symbolic figures, some drawn from those depicted on the Great Seal of California. Mathews explained the work at some length, in a statement published by San Francisco's premier legal publisher, *The Recorder*:

The Seal of the State offered materials for the picture as perceived. Under the legend of "Eureka," and the Western Sun, Athena or Minerva (the tutelary deity of Athens and patroness of the sciences, arts and industries and, furthermore, the presiding genius of the courts) abides near the Western Seas, armed cap-a-pie, wise in peace and war. On the sea is a ship; a miner wields a pick in the middle distance; a full cornucopia is near and the grizzly flanks the group.

To change the figures of speech, save Athena and the bear, and to reshape the whole to fit the panel does not necessarily alter the sense of the idea back of the design of our State Seal. Therefore the



Preliminary study by Arthur Mathews for his mural, "The Commonwealth."

SANTA BARBARA MUSEUM OF ART, GIFT OF HAROLD WAGNER

substance in it was accepted as the people's voice — their ideal of a state's composition and purpose.

So Athena and the grizzly were placed somewhat formally in a loosely symmetrical California landscape, in front of a semicircular seat and facing a font — the source of wisdom — from which flowed the traditions of the tribes, whose principle the parent drank and then gave to the child. Around them were grouped the spinner — industry, mechanics, merchandizing — and the whole background by the City, the Sea and the Ship. The "Marriage Ceremony" going on in the center was no concern of theirs; they were at work or play in [the] park or at the wharves. Dominating the rest, a portico and a tower were put at the back — one the familiar leading feature of the civil monument and the other that of the religious shrine — the two serving as a reminder of the dual origin of the law. And to balance the space, the country life entered opposite the City and around the seat, holding Poetry, Philosophy and the Plastic Art, from its flower beds, grain fields and orchards Beauty and Youth bring their offerings and blessings to the bride.

Among us Bride and Groom may represent, figuratively, the reciprocal nature of the man and his institutions: Age (gathered wisdom) reads to him from the Book (the rule of the order) sanctioning the union; by the latter's elbow is the bearer of the crown or ring binding it; the left one holds the Tablet — on which might be written the Constitution that restrains all alike; and back of him is the holder of the sheathed sword — at once a threat of vengeance and a promise of security.

Some appreciation for the amount of care and attention Mathews devoted to producing this allegorical extravaganza can be gained from a letter he wrote on April 11, 1924, the day after his mural was installed in the courtroom:

This nice morning I am taking my first moments of real "comfort," after eighteen months of anxiety and hard labor. If this is chaotic — these lines — it is because I am weary of design — "composition, color, paints, words, spaces, lines, spots, tone — architecture, symbols, traditions, scriptures, the law, principles, order etc." And the reason is, I yesterday placed my "Mural" (a canvas 14 by 34 feet) for the Supreme Court Room, State Building.

THE FATE OF THE MURAL

In the early 1950s, the State Building was expanded, principally through the addition of a plain, glass-walled annex which made no effort to blend with the restrained neo-classical architecture of the original building. At the same time, the courtroom underwent an extensive

modernization. The graceful coffered dome and skylight were hidden by a new dropped ceiling and fluorescent lighting. The architectural detail on the walls was covered in brown Naugahyde. The Mathews mural was removed, replaced by a large gold-painted replica of the State Seal, hung against a backing of heavy dark blue drapery. The mural was rolled up and stored away.

The 1989 Loma Prieta earthquake caused such substantial structural damage that the State Building had to be vacated. The seven-story 1950s annex was demolished, replaced by the new fourteen-story Hiram Johnson Building. The original 1920s State Building (renamed the Earl Warren Building) received a complete seismic upgrade and a thorough, historically sensitive rehabilitation. A new generation seized the opportunity to undo the 1950s modernization of the courtroom, which now looked more like vandalism. In an effort to restore the courtroom to its original appearance, the dropped ceiling was removed, as was the Naugahyde, and the justices' bench was redesigned to capture the spirit of the original. But the Mathews mural proved to be irreplaceable — for the simple reason that no one could find it. It had never been seen after the 1950 renovation. A search had been undertaken in the 1970s, but without success.

Barbara George, wife of then-Chief Justice Ronald M. George and member of the California Arts Council, was named Chair of the Art Committee of the San Francisco Civic Center Complex. In that capacity, she initiated a new effort to locate the mural. As she recalled, "We made a wide-ranging search that included courtrooms, storerooms, historical societies, and art collections around the State." But it could not be found, and its whereabouts remain a mystery today.

"The Commonwealth" has thus joined an illustrious company of lost art, including a Donatello statue of Joshua which disappeared from the Duomo in Florence during the eighteenth century, a Jan van Eyck triptych removed from the cathedral at Ypres and lost during the Napoleonic occupation of the Netherlands, and a painting of Venus by Titian which was lost from the Spanish Royal Collection in Madrid.

THE REPLACEMENT FOR THE MURAL

When it became apparent that the Mathews mural would not be found, a competition was held to award a commission for a new mural. Over eighty submissions were received. After these were narrowed to four finalists, the ultimate selection was made by the justices themselves. The justices entrusted the challenge of creating a contemporary mural to the noted California artist Willard Dixon. Dixon's mural, "The Eastern Sierra in Fall" (12 feet high x 35 feet long), has approximately the same dimensions as "The Commonwealth." In other respects it is very different. There are no human figures (allegorical or representational) and no grand buildings.



Today's competition-winning mural, "The Eastern Sierra in Fall," by Willard Dixon.

PHOTO: WILLIAM A. PORTER

Rather, the mural depicts a wide landscape with the massive Sierra range in the center, a pale late-afternoon sky above, and a broad meadow in the foreground. The only evidence of human settlement is a small cabin, some fencing, and a few grazing cattle.

Barbara George recalls that one of the goals for the new mural was for it to convey a sense of tranquility, relieving the anxiety of nervous advocates. This calm and balanced composition seems well-suited to achieve that objective.

Kent Richland, a past president and current member of the Society's board of directors and an experienced appellate attorney, when asked for his impressions of the new mural, offered the following thoughtful response:

I have had the opportunity to argue several times in that beautiful courtroom, and I have always loved the mural. I remember the first time I argued in that new courtroom, shortly after the State Building reopened following earthquake retrofitting. . . . Walking into the new courtroom was a revelation. Everything about it contributed to a sense of dignity and significance of the tasks being undertaken there, from the amphitheater configuration making every seat a good one, to the color scheme of warm wood and blue fabric, to the intricately designed ceiling, to the high bench that was nevertheless relatively close to where the advocate stood. But the mural was — and is — truly breathtaking. It somehow distills the spiritual essence of California, standing as a constant reminder to the advocate facing it that his or her efforts will leave an important imprint on this beautiful place in

which we are so privileged to live. I'm not sure I felt any calming effect — not much can calm me down before an important oral argument. But certainly the mural imparted to me a sense of awe and appreciation, and no doubt that contributed to the significance to me of that event as well as every subsequent argument in that courtroom.

VESTIGES OF THE MURAL

Although the location (and, indeed, the existence) of the Mathews mural remains unknown, two smaller versions have been located and are now installed in the Earl Warren Building.

The first item was discovered during the search for the mural itself, at the Santa Barbara Museum of Art. This was a study — a smaller, preliminary version of the mural used by the artist as a reference while creating the final, full-scale painting. (It is this study that is shown in the photograph on page 3.) Barbara George arranged for the study to be photographed and, with assistance from artist Brian Isobe, transferred to canvas. This image, identical in size to the study (2 feet 6 inches x 6 feet 4 inches), now hangs in the fifth floor entrance to the justices' chambers.

The second discovery was fortuitous. A few years ago, a law clerk for one of the Court's justices brought an old black-and-white photograph to work. Some lawyer friends of his had just purchased it at a Santa Rosa secondhand store. Because the photograph showed the justices of the Court standing in the courtroom and appeared to have been taken in the 1920s or 1930s, the clerk suspected that it would be of interest to Jake Dear, the Court's Chief Supervising Attorney and head of

chambers for then–Chief Justice George. Jake, a long-time member of the Society’s board of directors and the Court’s unofficial historian, looked at the photo with shock and delight. Directly above the justices was a complete, sharply-focused image of the long-lost Mathews mural. Until then, despite diligent searches, no photograph of the mural had ever been seen. Jake immediately recognized the importance of the photograph. A careful inspection revealed the legend “Moulin Studios” and a reference number on the back. Jake promptly asked the clerk’s office to call Moulin Studios (venerable San Francisco photographers), which still had the negative. The Court obtained a large print, which now hangs directly outside the entrance to the courtroom on the fourth floor of the Earl Warren Building.

The final mural shown in the photograph is, as one would expect, far more detailed than the smaller study. The individual figures can readily be distinguished and correlated with Mathews’ *dramatis personae* quoted above. It is evident that Mathews faithfully followed the design shown in the study when preparing the final mural.

Both the copy of the study and the photograph are open to public view.

CONCLUSION

Billy Collins, a former American poet laureate, wrote a clever poem called “The Death of Allegory.” It begins:

*I am wondering what became of all those tall abstractions
that used to pose, robed and statuesque, in paintings . . .*

*Truth cantering on a powerful horse,
Chastity, eyes downcast, fluttering with veils.
Each one was marble come to life, a thought in a coat,
Courtesy bowing with one hand always extended . . .*

*They are all retired now, consigned to a Florida for
tropes*

It is true that twenty-first-century artists are unlikely to populate a mural with figures symbolizing Youth, Beauty, Poetry, etc. It is also true that the figures in “The Commonwealth” do not fully reflect the racial and cultural diversity that characterizes California.

But it is equally true that the mural was a masterpiece of representational art and a faithful expression of the sensibilities of the period in which it was created. The work is both aspirational and nostalgic. The right portion of the mural shows the wooded landscape of pre-industrial California in which Mathews spent the first fifty years of his life. To the left, the fishermen use boats powered by sail, not steam, and the workers are individual craftsmen, not tied to an assembly line. In the center of “The Commonwealth” both the architecture and the ceremonial assembly portray a society in which law plays a decisive and constructive role.



Now on display in the Earl Warren Building — new enlarged print of the Moulin Studios photo. Standing behind the bench are: CENTER, Chief Justice William H. Waste, and, LEFT TO RIGHT, Associate Justices John W. Preston, John W. Shenk, Emmet Seawell, John E. Richards, Jesse W. Curtis, William H. Langdon.

The justices’ photo can be dated to 1927-32, when all were on the Court, but the date of the mural photo is unknown. A compelling indicator that these are two separate photos is the difference in scale. The mural is 34 feet wide. The seven justices standing almost shoulder to shoulder could not reach a width of more than 21 feet, nor could the justices be as tall from head to foot as the 14-foot mural above them.

The combined photo does, however, have historical value as a portrait of the justices and, above all, as the lead to the only known photo of the lost mural.

BLACK-AND-WHITE PHOTO OF COLOR MURAL,
MOULIN STUDIOS

It is very sad that this admirable piece of our cultural heritage has been lost. We can hope it will one day be recovered.

NOTE ON SOURCES

Much of the information in this article is drawn from two publications. The first is Harvey Jones’s superb book *The Art of Arthur and Lucia Mathews* (Pomegranate, San Francisco, 2006). As Kevin Starr observes in his Foreword, Jones was “the acknowledged expert on the life of this extraordinary couple” and the large-format book contains full-color reproductions of much of their work. The second is a handsome illustrated booklet entitled, *Art and Architecture: San Francisco Civic Center Complex* (State of California, 2001) to which both Barbara George and Jake Dear contributed. ★