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 National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form.* 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.

1. Name of Property

Historic name Douglas County Courthouse – (Additional Documentation)

Other names/site number DO09:0124-015

Name of related multiple property listing County Courthouses of Nebraska

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

2. Location

Street & Number 1701 Farnam Street

City or town Omaha State Nebraska County Douglas

Not for publication [] Vicinity []

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this [X] 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 at the following level(s) of significance: [] national [] statewide [X] local

Applicable National Register Criteria: [X] A [] B [X] C [] D

SHPO/Director 9/27/21

Signature of certifying official/Title: **Date**

History Nebraska – State Historic Preservation Office

State or Federal agency/bureau or Tribal Government

In my opinion, the property [] meets [] does not meet the National Register criteria.

Signature of Commenting Official **Date**

Title **State of Federal agency/bureau or Tribal Government**

4. National Park Service Certification

I, hereby, certify that this property is:

[ ] entered in the National Register.
[ ] determined eligible for the National Register.
[ ] determined not eligible for the National Register.
[ ] removed from the National Register.
[ ] other, (explain):

Signature of Keeper **Date of Action**

Douglas County Courthouse (Boundary Increase & Additional Documentation)
Name of Property

Douglas County, Nebraska
County and State

5. Classification

Ownership of Property (Check as many boxes as apply)

[] Private
[X] Public-local
[] Public-state
[] Public-federal

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

[X] 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
		Sites
		Structures
		Objects
1	0	Total

Number of contributing resources previously listed in the National Register 1

6. Function or Use

Historic Functions (Enter categories from instructions.)
GOVERNMENT: courthouse
GOVERNMENT: correctional facility

Current Functions (Enter categories from instructions.)
GOVERNMENT: courthouse
GOVERNMENT: city hall
GOVERNMENT: government office

7. Description

Architectural Classification (Enter categories from instructions.)
LATE 19TH AND 20TH CENTURY REVIVALS: French Renaissance

Materials (enter categories from instructions.)
Principal exterior materials of the property: Courthouse: Limestone (façade); Granite (foundation)

Description

Summary Paragraph (Briefly describe the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

The 1909-12 Douglas County Courthouse occupies a two-acre site nestled among the highrises of downtown Omaha, Nebraska. The Courthouse is deeply recessed from Farnam Street to the north and is separated from that route by a spacious lawn that contains both an axial and a semi-circular sidewalk. Other buildings in the immediate vicinity span a wide range of styles, dates, scales, and purposes (mostly commercial) but with few still serving their original purpose, unlike the courthouse.

The Courthouse is a symmetrical, U-shaped French Renaissance Revival edifice consisting of five stories over a full basement. Decorative stonework original to the building is plentiful on the courthouse's exterior. Though the original character and integrity of the exterior remains intact, the courthouse retains little of its early-20th-century character. Alterations have been numerous and constant, commencing in 1919 when a riot and an accompanying fire damaged the upper floors. The most unaffected portion of the building is the rotunda, whose polychromatic terrazzo flooring incorporates civic motifs; balconies, wainscoting, and piers in this area are sheathed with marble.

Narrative Description (Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable.)

This description includes the contributing resources of the Douglas County Courthouse (DO09:0124-015 subject of 1979 nomination).

Setting:
The Douglas County Courthouse stretches across about the equivalent of two city blocks long (east to west), one city block deep (north to south). The Courthouse's limestone facade, little changed on the exterior, is striking in the urban setting of downtown Omaha. Nearby buildings represent a wide range of styles, dates, scales, and purposes, but the Courthouse alone among them continues to serve the purpose for which it was built more than 100 years ago. In contrast to the Courthouse, to the north stands the imposing WoodmenLife Tower, headquarters of the WoodmenLife insurance company, which was built in 1969.

Douglas County is the most populous county in Nebraska (estimated at 571,327 in 2019 by the U.S. Census Bureau[1]) and Omaha, the county seat, is the most populous city within the county. Omaha is also the most populous city in Nebraska (estimated as 478,192 in 2019 by the U.S. Census Bureau), over a total area of about 127 miles (2010)[2]. With its location in the middle of the country, in a relatively flat area, abutting the Missouri River, Omaha was an early hub for trading, railroads and telegraph service, which helped establish Omaha as a metropolitan center in a state that is otherwise largely rural. Omaha was established in 1854 after the Omaha (*Umo^{n}ho^n* or *Uma^{n}ha^n*) Tribe ceded much of east Central Nebraska. Douglas County was also established in 1854. Douglas County is named after U.S. senator Stephen Douglas, who introduced a bill to create the 1854 Kansas-Nebraska Act, paving the way for statehood.[3]

Omaha is roughly within the east central area of Douglas County. Downtown Omaha is in the easternmost, oldest part of the city, on the Missouri River. As part of downtown, the Courthouse is surrounded by urban development. The area is

[1] U.S. Census Bureau. "Quick Facts: Douglas County, Nebraska." https://www.census.gov/quickfacts/fact/table/douglascountynebraska/PST045219
[2] U.S. Census Bureau. "Quick Facts: Omaha city, Nebraska." https://www.census.gov/quickfacts/fact/table/omahacitynebraska/PST045219
[3] Douglas County, Nebraska. "About DC." https://www.douglascounty-ne.gov/about-dc, accessed June 2021.

home to major commercial interests, including Fortune 500 companies such as Union Pacific, Berkshire Hathaway, and Mutual of Omaha, not far from the site. Smaller shops and restaurants are concentrated mostly in the walkable "Old Market" area of downtown, known for its cobblestone streets, which is to the east though within walking distance of the Courthouse. Other buildings near the site are largely a variety of commercial structures with some repurposed as apartments or condominiums. The farther west one moves from this site, the more suburban the Omaha landscape becomes.

Demographically, Omaha's population is 77.5% White, 12.4% Black or African American, and 13.9% Hispanic or Latino.[4] Historically, a large concentration of the city's Black population has lived north of downtown, with much of the Hispanic population residing south of downtown. These groups helped shape the unique character of these neighborhoods, but population trends also point to a continued pattern of racial segregation and inequity in Omaha. This is significant to this nomination because these persistent patterns began when Black Americans moved north to Omaha as part of the Great Migration at the turn of the 19th century. Many Black Omahans still live in the same area where their predecessors settled more than 100 years ago, thanks in large part to government-sanctioned redlining practices in housing lending. This is significant to the courthouse's nomination, because animosity from White men returning from WWI directed toward the newer Black workers precipitated the lynching of Will Brown, as described in Section 8. [5]

<u>Courthouse Courtyard</u>

The Courthouse courtyard which lies behind the courthouse sandwiched between the back of the courthouse and Farnam Street is also notable for its architectural and landscape value to the Courthouse. Surrounded by a stone walkway that also cuts inward to the back entrance through the grass areas, the whole site creates a grandiose entrance. Arguably one of the most notable features of the courtyard are the four lamp posts, which form a square shepherding people into the courthouse from the back. These marble lamps also feature marble posts, much like the rest of the structure, but have green-stained copper lamp bases that come out in a swirly pattern. Each lamp post has 5 lamps, four smaller ones that surround the much bigger lamp that is situated centrally between the four smaller lamps. While not a part of the original nomination, a discussion of the courtyard is important because it is an integral part of the courthouse nowadays, but it used to be the old French Renaissance Revival Courthouse, built in 1858.[6] Today, the current courtyard is but a shell of the former courthouse that once stood there, while the new courthouse is a symbol of Omaha's growth from mid-western gateway city to prominent culture, architecture, and administrative center of the midwest.

Figure 1; Early Omaha Views: Courthouse Construction, found in the Bostwick-Frohardt Collection, Image, BF15-334(01), 1912.

<u>Courthouse interior:</u>

Following the original nomination, the exterior of the Courthouse remains mostly intact from the year built.

As of 2020, the first floor holds the workers compensation court, adult probation district court, the county attorney criminal division, and conciliation court. On the 2nd floor is the large criminal traffic division court, four smaller county courts (226-

[4] U.S. Census Bureau. "Quick Facts: Omaha city, Nebraska."
[5] Finn, John (2013). "Mapping Segregation." https://www.arcgis.com/apps/Cascade/index.html?appid=5ccb9580d7a9489c918d57ab04af7296
[6] Arthur Wakeley, *Omaha: the Gate City*, Chicago: S.J. Clarke Publishing Company, 1917, 131-132.

229), prosecutor's office, and numerous offices and work areas. The 3rd floor holds the larger District Court #15 and #16, and also the clerk of the district court's office. Floors 3-5 have a large open round space in the center that opens to the rotunda. The 4th floor likewise holds District Courts 408-414 with judges' chambers and jury rooms, along with the offices of the district court referee. The 5th floor contains the District Court rooms 1-7, with accompanying judge's chambers and jury rooms for each. There are three or four elevators on each floor, south of the recessed space of the rotunda, with a separate elevator in the northwest quadrant of the building for the space set apart to be used as a jail on the 6th floor. The rest of the sixth floor contains office and workspaces (see exhibit B).

As of 2020, the 1st floor of the Courthouse includes the workers compensation court, adult probation district court, the county attorney criminal division, and conciliation court. From the original marble staircase, the landing from the second to the first floor has wide arced steps leading into the hallway. The first floor is mostly reconstructed for utilitarian office purposes and obtained significant fire damage. Flooring is ceramic tile and lighting consists of flush-recessed spotlights with an industrial style chandelier. Doors are glass with one glass sidelight and a rectangular fanlight with wordage to signify which offices are found. Offices are standard spaces. The first floor does not have unique trim and is painted neutrally. The first floor sits below the main level and main entrance but does have multiple outdoor exits, mainly on the South elevation.

On the 2nd floor is the large criminal traffic division court, four smaller county courts (226-229), prosecutor's office, and numerous offices and work areas. Entrance to the foyer is dimly lit and separated from the rotunda. Moving into the rotunda reveals immense character. The circular space incorporates office entries, clerk stations, and courtroom waiting. Three elevators and an original marble staircase remain in the South portion of the rotunda. The four balconies are visible from the main level. The North entry to the rotunda consists of three rectangular doors similar in character. Doors are fully glass with wooden framing and half glass sidelights. Rectangular fanlights above each door are glass with thick wooden trim. The wooden portion of doors, fanlight, and sidelights are decorated with metallic rosettes. The door header forms an ornate marble entablature and a cornice with dentil fretwork, and ornate corbelling that borders portions of the doorframe and indicates a separation of marble from plaster walls. Crown molding through the rotunda space is decorated with rosettes, leaves, pearl beading, carved anthelion, and dentil fretwork. Marble pilasters are evenly spaced and indicate the transition of plaster and marble paneling. Small globe lighting is evenly distributed along the center rotunda balcony. Chandeliers are exposed lightbulbs with ornate leaving and pearl design with rosettes matching those of the door frames.

Floors 3-6 have a large open balcony space in the center that opens to the rotunda. The third-floor elevator portion is entirely marble, with pilasters and corner detail matching that of the second floor. Crown molding includes teal dentil fretwork and gold pearl beading and consistently referenced on the following floors. Courtrooms are decorated with personalized backsplashes and are not historically unique on this floor. Doors are solid wood and have one glass sidelight with rectangular fanlights that have name plaques or are tinted. The 3rd floor holds the larger District Court #15 and #16, and also the clerk of the district court's office. The 4th floor likewise holds District Courts 408-414 with judges chambers and jury rooms, along with the offices of the district court referee. The 5th floor contains the District Court rooms 1-7, with accompanying judge's chambers and jury rooms for each. There are three elevators on each floor, south of the recessed space of the rotunda, with a separate elevator in the northwest quadrant of the building for the space formerly used as a jail on the 6th floor. The rest of the sixth floor contains office and workspaces (see CAD drawings).

Discussion of Alterations:

Notable alterations include the construction of office spaces on each floor, additional lighting and materiality changes, and the inclusion of a second staircase on the North side of the building. The first floor was most affected by the fire and includes entirely renovated hallways, office spaces, and facilities. The first floor remains the least historical character and utilizes glass, plastic casing, and plaster only. The second floor has been decorated with pilasters, plaster crown molding, and chandeliers that are consistent in historical style and seek to enhance the overall historical character by exactly copying original décor. Office spaces and the renovation of the traffic division court to include a semi-circular kiosk station are significant alterations on this second floor. The third, fourth, fifth and sixth floors are heavily similar and are modified similarly to the second floor with plaster pilasters, crown molding, and trim. Doorways and offices are similar to the first

level, glass and plastic casing. Office spaces and courtrooms are wallpapered. Courtroom backsplashes are determined by judges and modified frequently. Balconies of the third, fourth, and sixth floor are fitted with an extra brass hand railing.

The sixth-floor hallway and youth courtroom are plainly undecorated and modified for functionality. The sixth floor includes a partial and curved balcony that does not circulate the entire rotunda. A half level is visible from the balcony. This level is not accessible to the public and is historically utilized as a jail space but may be accessed from the sixth floor. This space continues to be utilized as a temporary holding area and is not decorative. Only three courtrooms remain characteristic of the time period. Courtroom #15 has not been modified beyond technical advancements.

Concluding Statement of Integrity/Mitigation**:**

Only three courtrooms remain characteristic of the time period of construction. Courtroom #15 has not been modified beyond technical advancements and includes original seating, wooden framework, and modified but true to original, scroll, hammer and cornucopia décor. Despite the loss of character in the majority of the courtrooms and office spaces, entering courtroom #15 is surreal and is transcendent. Bullet inflictions are visible on the third-floor balcony and remain a notable alteration that emphasizes the larger historical context. All alterations are consistent with historical design and modernized safety requirements. Upon entrance and exploration of the Courthouse, it is clear this building retains significant early 1900's disposition.

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.

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.

Areas of Significance
(Enter categories from instructions.)
Social History
Politics/Government
Architecture

Period of Significance
1909 - 1971

Significant Dates
September 28, 1919 – Mob riot and lynching of Will Brown

Significant Person
(Complete if Criterion B is marked above.)
N/A

Cultural Affiliation
N/A

Architect/Builder
John Latenser, Sr. (Architect – Courthouse)

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

The Douglas County Courthouse has been a noted landmark in the architecture, social history, and local politics of the City of Omaha and Douglas County since its construction began in 1909 (completed in 1912). Previously listed under Criterion C: Architecture in 1979, this Additional Documentation serves to recognize the property's significance in Social History as the focal point of two brutal, racially motivated lynchings in Douglas County. In 1891, George Smith, alias Joe Coe, was pulled from the courthouse by a mob and lynched across the street. Nineteen-nineteen is a significant date as it marks the year of the Will Brown lynching. The Courthouse also served as the seat of Douglas County government since 1912, including the City of Omaha in 1974, which was not reflected in the original nomination. Finally, the Douglas County Courthouse remains architecturally significant to Omaha and Nebraska as an exemplar of the French Renaissance Revival, designed by John Latenser, Sr.

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Name Change
As addressed below under Boundary Increase, the 1979 nomination of the Douglas County Courthouse included just the courthouse, not all functionally-related and physically connected properties.

Boundary Increase
The Douglas County Courthouse nomination included the title building and surrounding land. The property was bounded by Farnam Street to the north, 17th Street to the east, Harney Street to the south, with 18th Street serving as the western boundary. With the closing of 18th Street between Farnam and Harney streets and the 1974 construction of the Omaha-Douglas Civic Center, a boundary change is required to accurately reflect the boundaries of the courthouse. Additionally, the 1979 nomination erroneously calculated four acres of nominated land even though the verbal description and maps do not support that number; the actual acreage was approximately two acres.

Architecture:
The Douglas County Courthouse was listed in the National Register of Historic Places on October 11, 1979 under Criterion C: Architecture. This Additional Documentation does not request any change to that designation. For Criterion C justification, see the original nomination form[7].

Social History:
The social tension that plagued the city of Omaha in the early 1900s resulted in a devastating history and stigma surrounding the building itself. The political racism exhibited in the courtroom was advocated against by the National Association for the Advancement of Colored People (NAACP). The NAACP had attended court hearings since their formation in 1918. Rev. John Albert Williams was determined to unite the Black community against intimidation by local whites. The exploitation of black individuals, black face, violence, and political inequity damaged the social culture of African Americans. Persistent segregation and Jim Crow laws continued to limit the ability of African American families and individuals to thrive.

The NAACP quickly became involved in social defense, economic and political defense, and efforts to promote unity between racial groups. Ira Johnson and three other black men were accused in the assault of white women. The *Monitor* was a "National Weekly Newspaper Devoted to the Interests of Colored Americans," edited and published by Rev. John Williams and the NAACP as its official publication. espite having an alibi and a lack of concrete evidence, Johnson was found guilty. *The Monitor* noted, "The Johnson

[7] Daniel Kidd, "Douglas County Courthouse," National Register of Historic Places Registration Form, (NPS #79003683), listed October 11, 1979.

verdict should teach us all a lesson in these abnormal days when times are out of joint."[8] It was shortly after that Eugene Scott was shot and killed by the Omaha Police Department, who were later found not guilty. These rising tensions were met with more advocacy from the NAACP in political and social arenas. Threats were made against the NAACP and people of color without any regard for potential consequences. Unfortunately, the NAACP's valiant efforts could do little to persuade majority white public opinion, and the court of public opinion continued to turn a blind eye to due legal process for African American citizens.

The consequences of such an attitude came to a head during the violent "Red Summer" of 1919 that swept across the nation. On September 28, 1919, an armed white mob lynched Will Brown, who had been accused of raping a white woman. Brown was being held in the courthouse's fourth floor jail when members of the mob set the courthouse on fire and seized Brown from his jail cell. Thousands of white men and women watched as a rope was placed around Brown's neck before he was beaten, dragged, and hanged from a pole at nearby 18th & Harney, which at the time served as the courthouse's southwest corner. Will Brown's lifeless body was then shot at for twenty minutes before being lowered, tied to a police car, and dragged several blocks to 17th & Dodge. There, participants set Brown's remains on fire before triumphantly dragging him through the streets of downtown Omaha.[9]

Several local officials became part of the fray on the dark day of September 28. When the mob descended onto the Douglas County Courthouse to seize Will Brown, Mayor Ed Smith and Police Chief Marshall Eberstein attempted to reason with the crowd. The mob overpowered Eberstein and the police officers who were trying to stave off the mob's entry into the building. Members of the mob rained blows upon Smith, placing a noose around his neck after he cried out that he would not give up Brown. Smith was nearly lynched beforel someone came to remove the rope and police took the unconscious man to the hospital. Harry Zimmerman, the city commissioner, also tried in vain to address the crowd, who responded with threats to lynch him.[10]

The mob continued to throw gasoline on the burning courthouse as their numbers and the furor of the riot grew. Gunshots rang out, and to this day, there are marks from bullets inside the courthouse building. When firefighters arrived, rioters destroyed the hoses and used the ladders to scale the face of the courthouse. Police officers who had been attempting to guard the prisoners soon were threatened by the flames and their cries for help were refused as the mob demanded that Brown be handed over. About 30 rioters managed to enter the building to extract Brown, even as smoke filled the building. There are varying accounts as to how the rioters eventually got ahold of Brown, with one account that the sheriff was forced to surrender him to save the trapped officers, another that other Black prisoners seized and handed over Brown to placate the violent mob, and another that several young rioters followed instructions on a note to give up Brown to save the white prisoners. Regardless, Brown was taken down to the mob that waited to hang him.[11]

There has been speculation that the initial attacks that sparked the riots were done by men in black face who were operatives of Dennison's machine. A turncoat reportedly had informed police of this, and this was corroborated by police apprehending at least one white male who was in blackface at the time of arrest.[12]

Local officials and citizens blamed the police force for not doing enough to control the mob and prevent the lynching and damage to the courthouse. A grand jury issued a report detailing their findings, summarized in the *Bee* paper published on November 20, 1919, on this presumption and other charges related to the riot and lynching. The report noted, "We feel that the absence of the chief of police and the police commissioner at the critical and crucial period between 3:30 and 6 o'clock was unfortunate, and we feel that they should have been on the job before 6 o' clock. It was apparent that there was a lack of coordination and leadership among the

[8] Monitor, November 1919.
[9] Robinson, Cynthia L. (2020). WILL BROWN. Unpublished summary submitted to the Equal Justice Initiative for inclusion on a historical marker dedicated to Will Brown and lynching in the U.S.
[10] Menard, O. D., "Lest We Forget: The Lynching of Will Brown, Omaha's 1919 Race Riot," *Nebraska History*, 2010, 91, 158.
[11] Menard, O. D., "Lest We Forget: The Lynching of Will Brown, Omaha's 1919 Race Riot," *Nebraska History*, 2010, 91, 160.
[12] Menard, O.D., *River City Empire, Tom Dennison's Omaha*, Bison Books, November 2013.

police force."[13] In fact, a cadre of military personnel from Fort Omaha had to be brought in in an attempt to control the crowd at the last moment; a member of this contingent testified before the grand jury that the police force should have been able to control the mob with a moderate number of officers present.

To prevent other potentially inadequate responses in the future, the jury went on to recommend that the city provide for a better resourced police force. The jury noted that the city is responsible for taking this next step, not the police force leadership. Nonetheless, the report tepidly concludes that, "It is always easy to blame someone or something when things go wrong. We should be as prone to praise good acts and effort. There is much to commend when it is understood that the task of maintaining law and order and ferreting out crime is harder than before the war"; and "These are abnormal times,"[14] stopping short of condemning the police force or officers for neglect and instead encouraging citizens to support the police force in their generally admirable efforts to maintain law and order.

Unfortunately, this incident was not extraordinary given the state of race relations in 1919. When many workers left their jobs for World War I, Black workers moved north to take advantage of the labor shortage and escape Jim Crow. Some came to Omaha to work in the meat processing facilities. However, when the workers returned from war, labor disputes and discontent arose, and Black communities became targets for violence and lynching in what became known as the "Red Summer" of 1919. Sensationalist newspapers, including Omaha's own *Bee*, contributed to the racial animosity. Tom Dennison, who controlled much of Omaha's political power behind the scenes, allegedly colluded with the Republican newspaper the *Omaha Daily Bee* and their renowned editor Victor Rosewater to heap doubt onto the reformers aligned with Mayor Smith. Rosewater himself was a delegate to the 1908 Republican National Convention and became its chair in 1912.[15] What the Bee did by attacking police officers and stirring up racial tensions was undermine the appearance of control that Mayor Ed Smith had over the city. Dennison's "machine" defeated Smith in the next election.[16]

Lynchings at the time were often popular forms of public "entertainment" that would attract even families. The size of the crowd on September 28 was estimated between 5,000 and 20,000.[17] Not every bystander enjoyed the spectacle, but few intervened. Actor Henry Fonda recalled the horror of witnessing the riot at age 14 from his father's printing office, which had a view overlooking the courthouse. In a 1975 TV interview, Fonda said, "My father never talked about it. He never preached about it. We both just were observers. […] It was the most horrendous sight I'd ever seen. […] All I

Figure 2; The burning of William Brown; found in the Library of Congress, Omaha, Nebraska ,September 28, Photograph. https://www.loc.gov/item/95518061/.

[13] "Admission of grand jury police heads were asleep on job in riot comes day Bee editor is found guilty of contempt." *Omaha daily bee*. Omaha, NE. November. 20, 1919. *Chronicling America: Historic American Newspapers*. Lib. of Congress. https://chroniclingamerica.loc.gov/lccn/sn99021999/1919-11-20/ed-1/seq-2/
[14] "Omaha Mob Hangs and Burns Negro who Assaulted Girl." *Omaha Daily Bee,* September 29, 1919. https://chroniclingamerica.loc.gov/lccn/sn99021999/1919-09-29/ed-1/seq-1/, accessed October 1, 2020.
[15] "Victor Rosewater", *Nebraska State Historical Society*, January 4, 2008, https://www.nebraskahistory.org/publish/publicat/timeline/rosewater-victor.htm, accessed September 22, 2021.
[16] Menard, O. D., "Lest We Forget: The Lynching of Will Brown, Omaha's 1919 Race Riot," Nebraska History, 2010, 91, 162.
[17] Menard, O. D., "Lest We Forget: The Lynching of Will Brown, Omaha's 1919 Race Riot," Nebraska History, 2010, 91, 161.

could think of was that young black man dangling at the end of a rope.[18]"

In spite of a few half-hearted prosecutions, no one was ever convicted for the murder of Will Brown. The grand jury, who somehow struggled to find witnesses, reported that the causes of the riot must have been similar to those in other cities at the time: "Unmentionable assaults on females; contempt for authority and laws; economic conditions; strikes and lockouts; unsettled soldiers; class hatred; and social unrest. Bolsheviks, sovietism, and anarchists took advantage of these conditions to provoke a riot and bring down the city's government."[19] Though it is impossible to tie Dennison and his machine directly to the riots, the fuel that his exploits added to the fire is widely regarded as a contributing, if not a deciding, factor in the riots and culminating murder of Brown. Smith was defeated in the next election. [20]

Brown was not the first or only African American to be lynched in Omaha. In 1891, George "Joe Coe" Smith, a 50-year-old husband and father, was falsely accused of the rape and murder of a white child. Much like Brown, Smith was arrested, then seized from the Douglas County jail and beaten to death, his lifeless body hanged from a pole at 17th & Harney.[21]

The loss of hope following the lynching of Will Brown precipitated the dissolution of the local NAACP. The October 2, 1919 issue of the *Monitor*, showed photos of the riot and the mob burning Brown's body, while the October 9 issue showed an image of the courthouse being burned.[22] These photos were graphic and demonstrated the ferocity of racial tensions within the city in 1919. The NAACP remained active through involvement in a case involving a YMCA for colored people, activism against pool segregation, and some other activities, but were not substantial in their numbers. The loss of hope following the lynching of Will Brown eventually cooled the activity of the local NAACP. The October 2, 1919, issue of the Monitor showed photos of the riot and the mob burning Brown's body, while the October 9 issue showed an image of the courthouse being burned. These photos were graphic and demonstrated the ferocity of racial tensions within the city in 1919.

Figure 3; Will Brown; found in *Omaha's Riot in Story and Picture,* "Will Brown, Victim of Mob's Wrath", University of Nebraska- Omaha Educational Publishing Company, Photograph, Omaha, Nebraska, 1919.

In 2019, one hundred years after Will Brown was seized from the courthouse and lynched, a public memorial ceremony was held on the courthouse steps to recognize Will Brown and this shameful chapter in Omaha's history. The event included a long and distinguished list of local speakers in addition to Eliot Spillers, a representative from the Equal Justice Initiative (EJI). Based out of Montgomery, Alabama, the EJI is an organization dedicated to racial justice and telling the truth of the history of lynching in the United States. Spillers traveled to Omaha for the ceremony to give remarks on behalf of EJI to an estimated crowd of 400 community members.[23]

[18] Hogan, S. (2018). "Turning on the Light: Henry Fonda and Will Brown." Rogerebert.com https://www.rogerebert.com/features/turning-on-the-light-henry-fonda-and-will-brown, accessed November 4, 2020. Ginzburg, R. (1988, 1962). *100 Years of Lynchings.* Baltimore, MD, Black Classic Press.
[19] "Wave of Lawlessness has Spread to Omaha." *The Monitor,* vol. V, no. 13. Omaha, NE. October 2, 1919.
[20] Menard, O. D., "Lest We Forget: The Lynching of Will Brown, Omaha's 1919 Race Riot," Nebraska History, 2010, 91, 152-165.
[21] "Story of the Assault on the Jail." *Omaha Daily Bee,* Omaha, NE, October 9-10, 1891. https://chroniclingamerica.loc.gov/lccn/sn99021999/1891-10-10/ed-1/seq-1/, accessed October 1, 2020.
[22] "Wave of Lawlessness has Spread to Omaha." *The Monitor,* vol. V, no. 13. Omaha, NE. October 2, 1919.
[23] "Hundreds Gather in Omaha for Community Soil Collection." Equal Justice Initiative. October 1, 2019. https://eji.org/news/hundreds-gather-in-omaha-for-community-soil-collection/ Accessed November 1, 2020.

As part of this ceremony, soil was collected from the courthouse lawn and placed into glass jars, bearing Brown's name, by many of the speakers. One jar traveled back to the EJI's National Memorial for Peace and Justice in Montgomery to be displayed with soil samples from other communities across the nation that bore witness to lynchings.

A similar ceremony was held in 2021 in honor of the installation of a historical marker on the courthouse lawn to commemorate Will Brown.

Summary

As such, this additional documentation proposes an update to the earlier Douglas County Courthouse, adding Criterion A to the nomination with the vital social history that the courthouse has become known for over the years. A National Register Additional Documentation update is a great way to highlight this social history and unique Omaha civil rights story.

9. Major Bibliographic References

Bibliography (Insert bibliography here – cite the books, articles and other sources used in preparing this form.)

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U.S. Census Bureau. "Quick Facts: Omaha city, Nebraska." https://www.census.gov/quickfacts/fact/table/omahacitynebraska/PST045219

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"Wave of Lawlessness has Spread to Omaha." *The Monitor,* vol. V, no. 13. Omaha, NE. October 2, 1919.

Previous documentation on file (NPS):

- ___ preliminary determination of individual listing (36 CFR 67 has been requested)
- X 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 #
- ___ recorded by Historic American Landscape Survey #

Primary location of additional data:

- ___ State Historic Preservation Office
- ___ Other State agency
- ___ Federal agency
- ___ Local government
- ___ University
- ___ Other (Name of repository)

Historic Resources Survey Number (if assigned): DO09:0124-015

10. Geographical Data

Acreage of property 1.713319 USGS Quadrangle Omaha North, Nebraska-Iowa

Latitude/Longitude Coordinates

Datum if other than WGS84:

1. Latitude 41.257149 Longitude -95.939169
2. Latitude Longitude

Douglas County Courthouse (Boundary Increase & Additional Documentation) | Douglas County, Nebraska

Name of Property | **County and State**

3. Latitude | Longitude
4. Latitude | Longitude

Verbal Boundary Description (Describe the boundaries of the property.)

Douglas County Courthouse: CITY LOTS LOT LOT 0; parcel number is 0313630000 (original)

Boundary Justification (Explain why the boundaries were selected.)

The historic property boundary is Farnam Street on the north, South 17th Street to the east, Harney Street to the south, and the beginning of the connector to the west. The current property contains the connector between the Civic Center nearby and the Courthouse, but the connector and the Civic Center were both built within the last fifty years. Additionally the connector was built after the Civic Center, so their initial physical space was not tied together in any ways, meaning they should be treated as separate entities for now.

The proposed boundary includes all land historically associated with the Douglas County Courthouse and Omaha-Douglas Civic Center.

11. Form Prepared By

name/title Charise Alexander Adams
organization Creighton University Kingfisher Institute / Omaha Community Council for Racial Justice and Reconciliation: Charise Alexander
date March 9, 2021
street & number 1006 N. 20th St.
telephone 307-340-0131
city or town Omaha
state NE
zip code 68164
email charisea@creighton.edu

name/title Anna Headlee
organization University of Nebraska- Lincoln / Community and Regional Planning
date March 9, 2021
street & number 1400 R St.
telephone 402-681-4153
city or town Lincoln
state NE
zip code 68588
email aheadlee3@huskers.unl.edu

name/title Megan Patent-Nygren
organization University of Nebraska-Lincoln / Community and Regional Planning
date March 9, 2021
street & number 1400 R St.
telephone 402-472-2190
city or town Lincoln
state NE
zip code
email mpatentnygren2@unl.edu

Additional Documentation

Submit the following items with the completed form:

Douglas County Courthouse (Boundary Increase & Additional Documentation) | Douglas County, Nebraska

Name of Property | **County and State**

- **Maps:** A **USGS map** or equivalent (7.5 or 15 minute series) indicating the property's location. (See exhibit A)

- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to map. (see exhibit B)

- **Additional items:** (Check with the SHPO for any additional items.)

Boundary Map

Douglas County Courthouse (Boundary Increase & Additional Documentation) — Douglas County, Nebraska

Name of Property — **County and State**

Photo Log

Name of Property: Douglas County Courthouse **and Omaha-Douglas Civic Center**

City or Vicinity: Omaha County: Douglas State: Nebraska

Photographer: Frank Ordia Date Photographed: 12-4-20

1 North elevation of contributing resource DO09:0124-015, Douglas County Courthouse

2 East view of Courthouse, connector, and Civic Center

3 Main entry to the second floor of the Courthouse

4 South West staircase in Courthouse

5 Landing from the East staircase to the first floor of the Courthouse

6 First floor of the Courthouse

7 Bullet damage from the riot on the balcony of the third floor

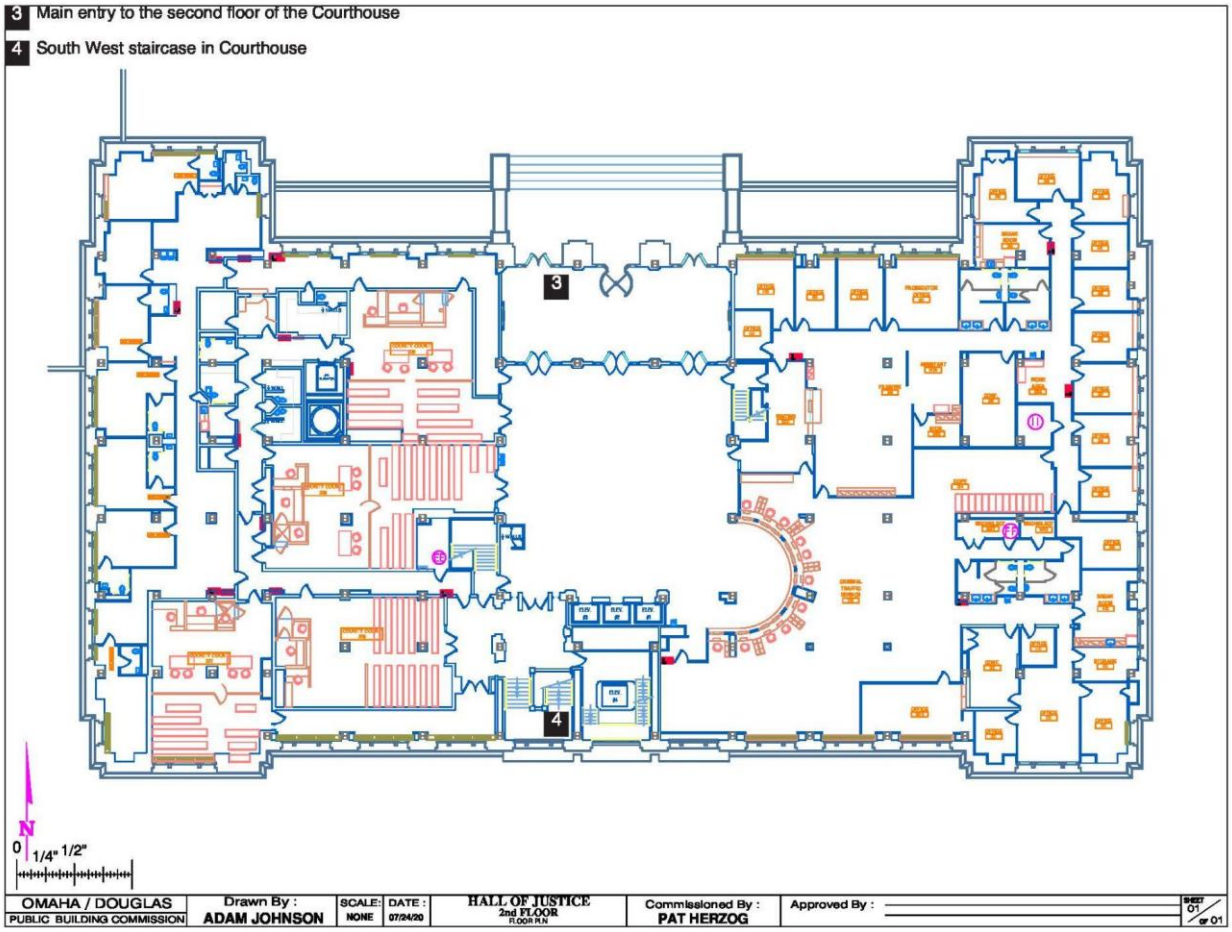
8 Sixth floor balcony and a half-portioned balcony of level seven

9 Fifth floor view of balcony space

10 Originally fitted courtroom 506 on the fifth floor

11 Downwards facing view of rotunda space for main level, third and fourth floors of the courthouse

12 Courtroom on the sixth floor


3 Main entry to the second floor of the Courthouse
4 South West staircase in Courthouse
3
4
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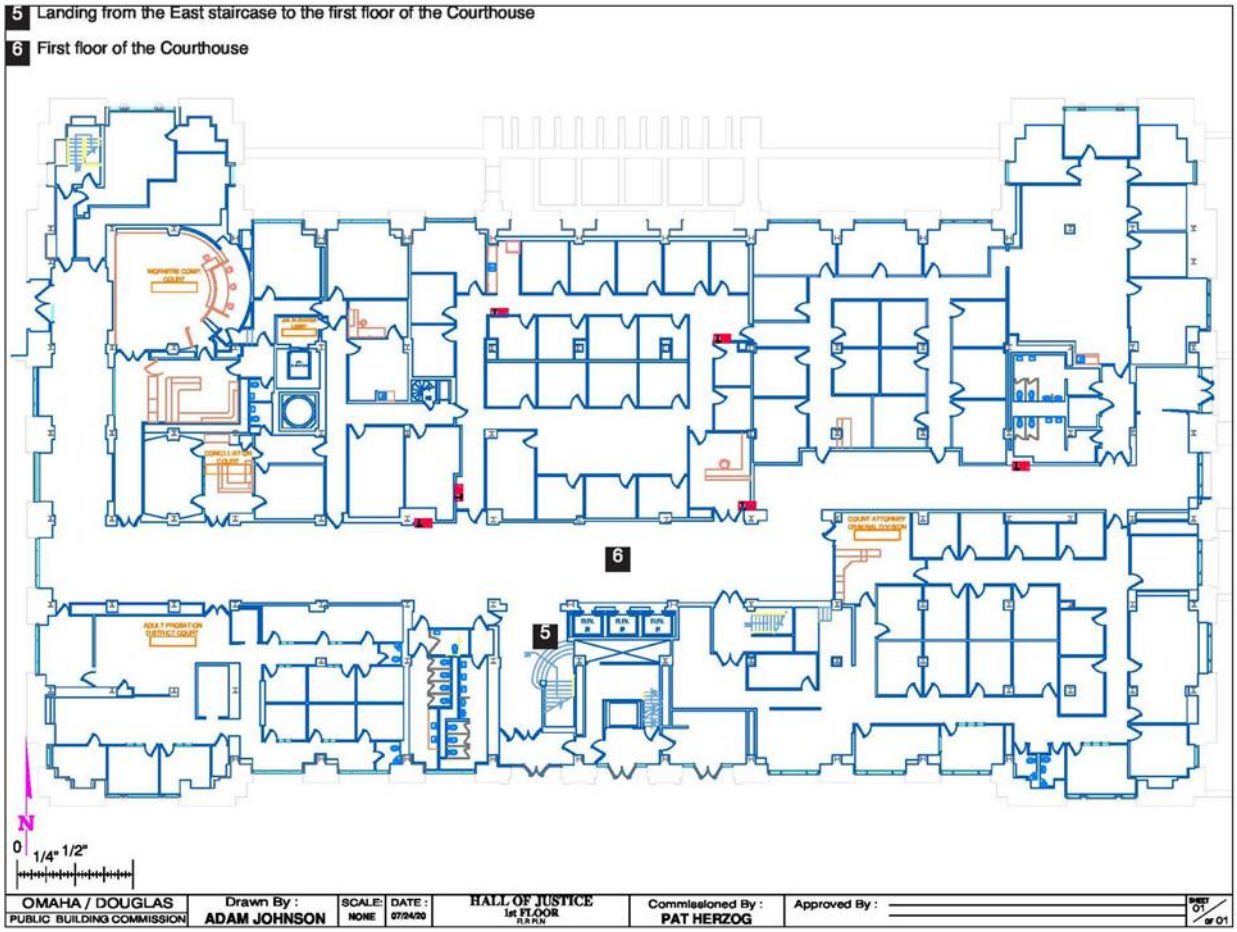
0 1/4" 1/2"
OMAHA / DOUGLAS
PUBLIC BUILDING COMMISSION
Drawn By :
ADAM JOHNSON
SCALE:
NONE
DATE :
07/24/20
HALL OF JUSTICE
2nd FLOOR
FLOOR PLN
Commissioned By :
PAT HERZOG
Approved By :
SHEET
01
OF 01


5 Landing from the East staircase to the first floor of the Courthouse
6 First floor of the Courthouse
6
5
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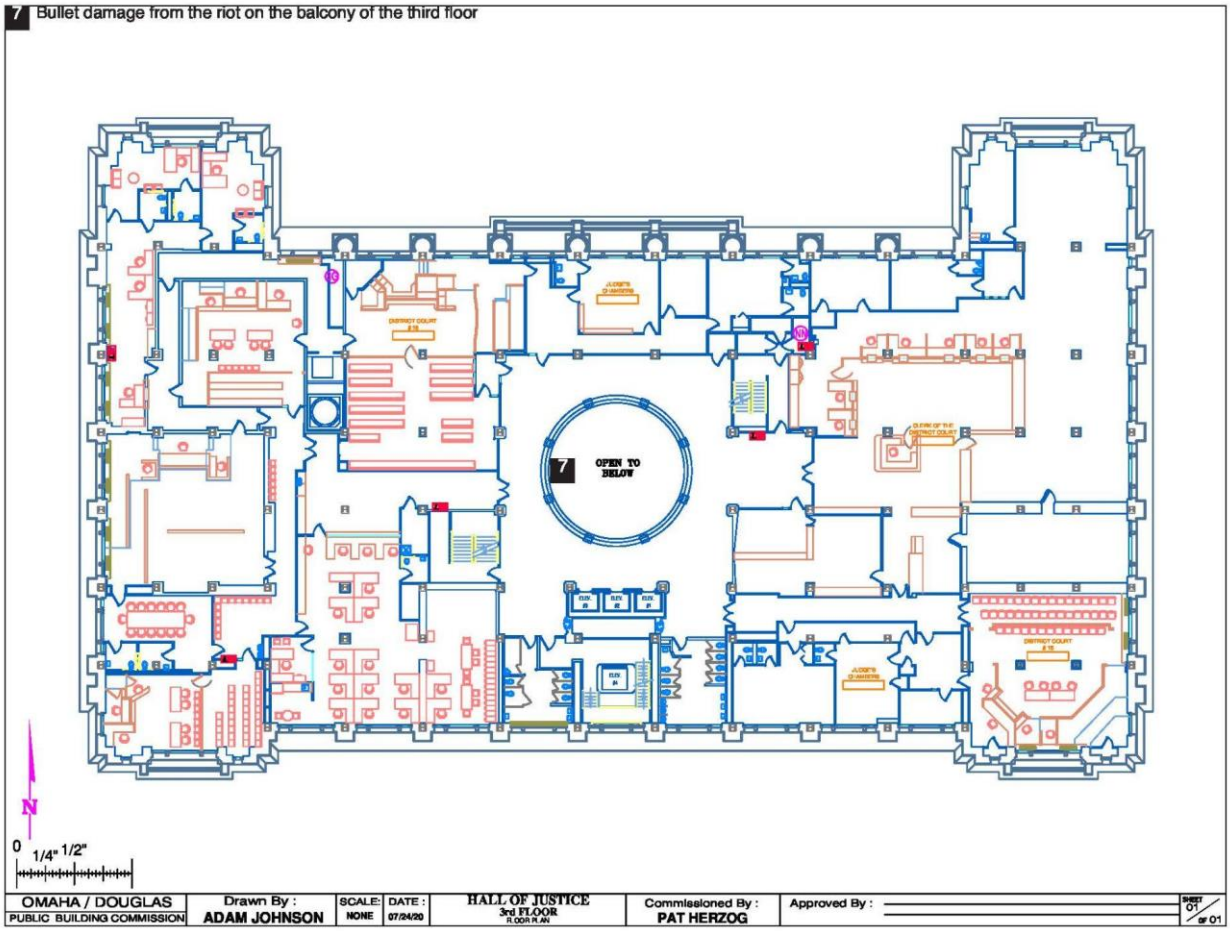
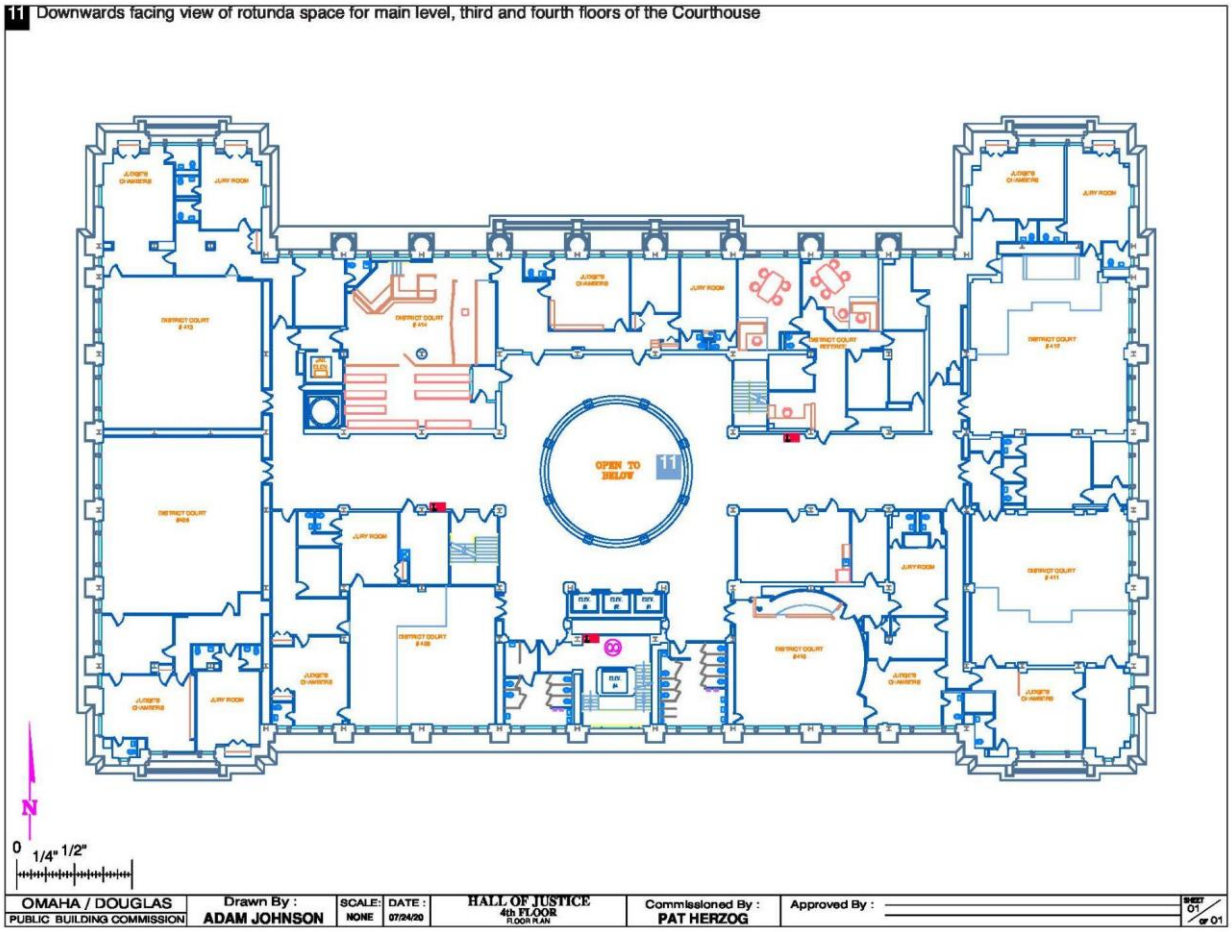
0 1/4" 1/2"
OMAHA / DOUGLAS
PUBLIC BUILDING COMMISSION
Drawn By :
ADAM JOHNSON
SCALE: NONE
DATE : 07/24/20
HALL OF JUSTICE
1st FLOOR
Commissioned By :
PAT HERZOG
Approved By :
SHEET 01 of 01

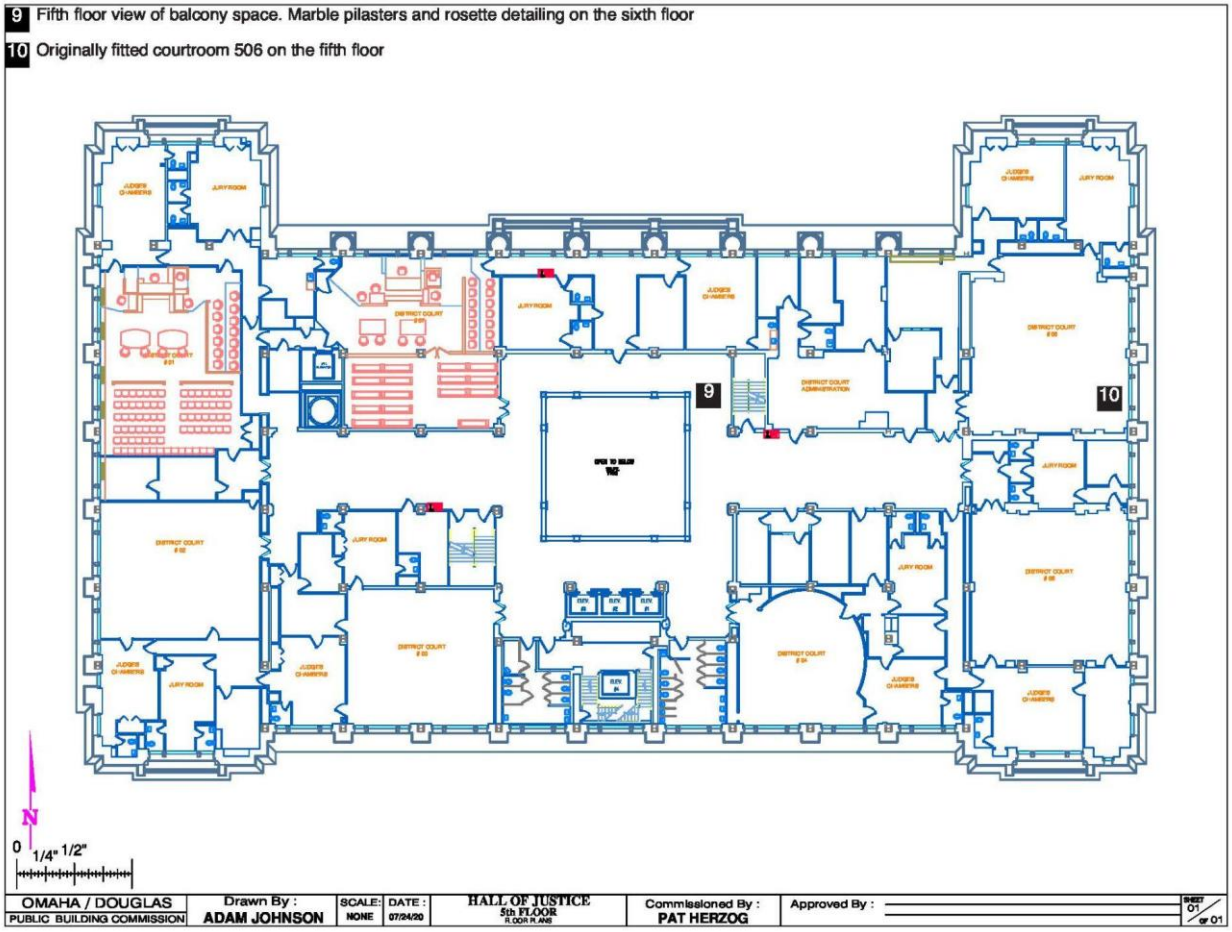
Douglas County Courthouse (Boundary Increase & Additional Documentation) | Douglas County, Nebraska

Name of Property | **County and State**



11 Downwards facing view of rotunda space for main level, third and fourth floors of the Courthouse




9 Fifth floor view of balcony space. Marble pilasters and rosette detailing on the sixth floor
10 Originally fitted courtroom 506 on the fifth floor
9
10
N
0 1/4" 1/2"
OMAHA / DOUGLAS
PUBLIC BUILDING COMMISSION
Drawn By :
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NONE
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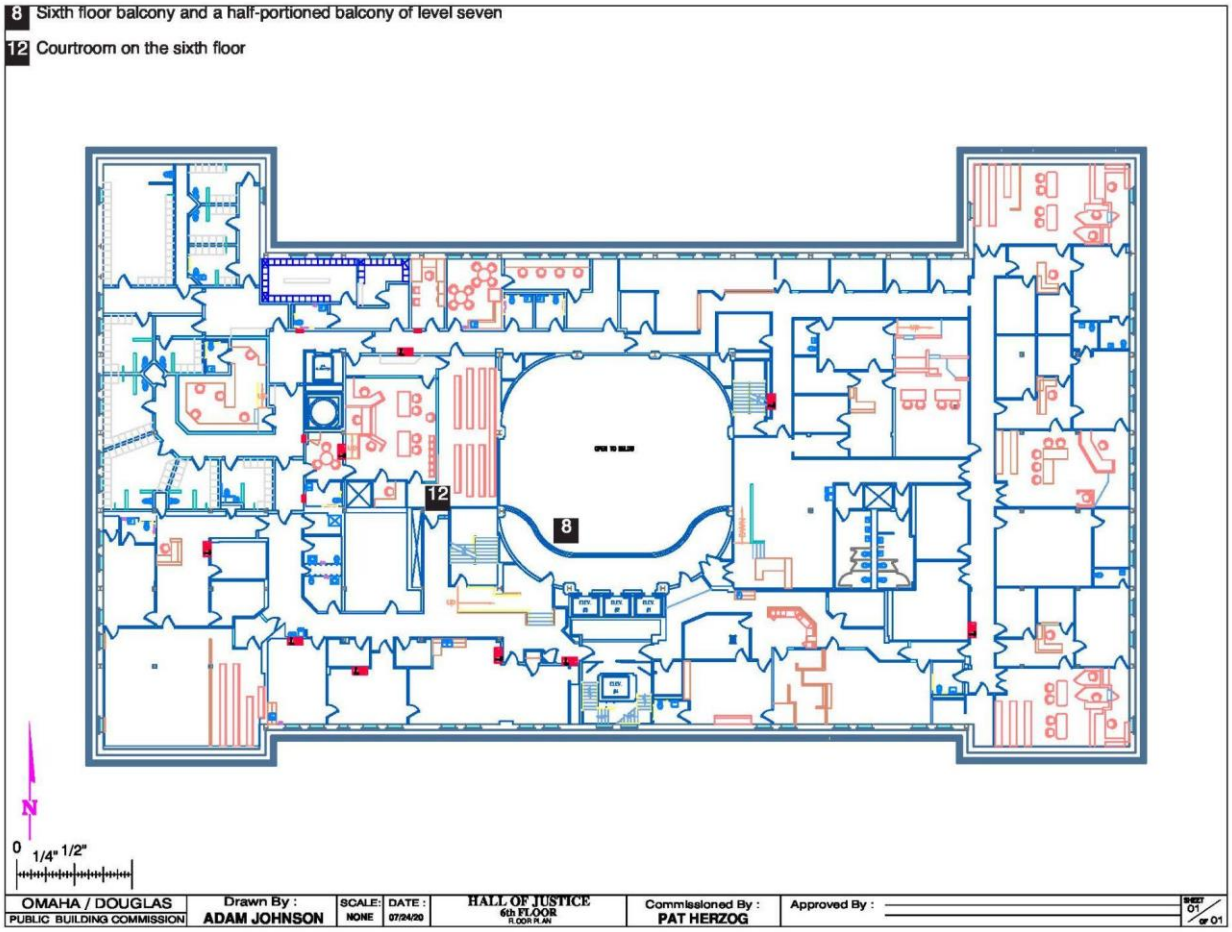
HALL OF JUSTICE
5th FLOOR
Commissioned By :
PAT HERZOG
Approved By :
SHEET
01
OF 01

Douglas County Courthouse (Boundary Increase & Additional Documentation)

Name of Property

Douglas County, Nebraska

County and State



Douglas County Courthouse (Boundary Increase & Additional Documentation) | Douglas County, Nebraska

Name of Property | **County and State**

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

1. North elevation of contributing resource DO09:0124-015, Douglas County Courthouse and courtyard. Camera facing South.

2. East view of courthouse, connector, and nearby civic center.

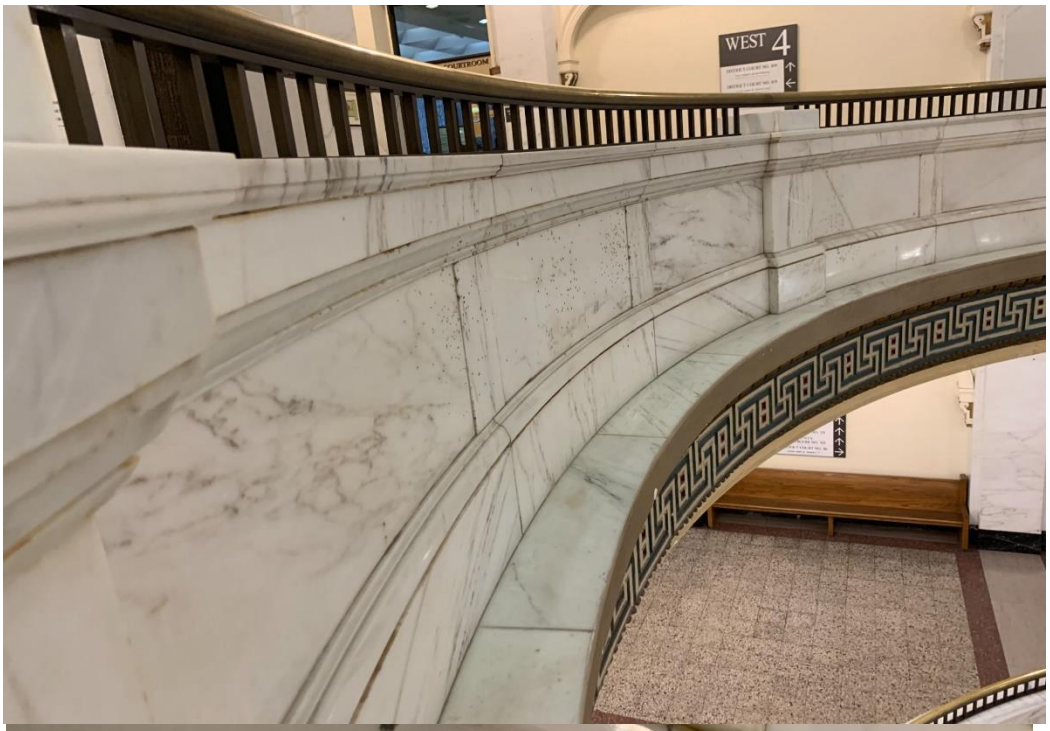
3. Main entry to the main level of the courthouse. Camera facing West.

4. South West staircase in courthouse, original marble railings and landing. Modified with modern safety railings. This is not the main entryway.

5. Landing from the East staircase to the 1st floor of the courthouse. Camera facing South and staircase is on the west portion of the building.

6. First floor of the courthouse sustained fire damage during the race riot, resulting in major remodeling. Camera facing East.

7. Bullet damage from the riot on the balcony of the third floor. Photographed from the third floor, bullet inflection points can be seen on the South East facing portion of the balcony.



8. Fifth floor view of rotunda space, camera facing South East corner of courthouse. Visual of sixth floor balcony and a half-portioned balcony of level seven.

9. Fifth floor view of balcony space. Marble pilasters and rosette detailing on the sixth floor. Marble railing is originally maintained with an additional safety measure modified, with resemblance of original character.

10. Originally fitted courtroom 506 on the fifth floor. Camera is facing the North and pilasters circumference the room, with original woodwork and detailing. Occasional upkeep for safety and quality.

11. Downwards facing view of rotunda space for main level, third and fourth floors of the courthouse. Original flooring is maintained in the main level.

12. General describing characteristics of modernized court rooms of the courthouse. Camera is facing North West.

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.460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 100 hours per response including 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 Office of Planning and Performance Management. U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.