Pittsburgh’s Missing Mural
By Dan Parker, Court of Appeals Librarian--Pittsburgh

The Joseph F. Weis Jr. Courthouse in Pittsburgh is awash with stories. There are tall tales of a ghost that stalks the high floors of the building making his presence known by a whiff of cigar smoke and whimsical accounts of long-ago judges now remembered more for their eccentricities than for their jurisprudence. But no anecdote is told more often nor with as many variations as the Tale of the Missing Mural.

During the Great Depression, the Treasury Department Section of Fine Arts (often simply referred to as “the Section”) instituted a program of civic art projects to provide work for artists and to improve the aesthetics of America’s public buildings. Upon reviewing submitted proposals, “the Section” recommended Kindred McLeary, a professor of architecture at Carnegie Tech (now Carnegie Mellon University), to paint a mural in one of the then three courtrooms as part of the federally funded project.

Mr. McLeary’s design Modern Justice depicted a rather grim Lady Justice in the center, holding a sword and scales, effectively mediating the competing forces of modern life. The mural, when finished in 1936, measured fifteen by nine-feet and was affixed to the wall in what was then Courtroom 2, but what is now known as Courtroom 8-B. Described by some critics as a “difficult composition”, the mural hung in the courtroom until approximately 1952 when it was removed. The cause of the mural’s removal and what became of it, has spawned several competing stories and everyone, it seems, has their favorite version of events.
Some say the McLeary mural sustained water damage and was painted over. Others subscribe to the theory that it partially fell from the wall during a trial and so exasperated Chief Judge Wallace S. Gourley that he told the Building Superintendent Walter P. Berner to “get rid of it”. Still others say the mural was just not to Judge Gourley’s taste (aesthetically or politically) and he simply exercised his discretion in ordering its removal. Finally, some say it all came down to money, the cost of repairing and re-attaching the mural to the wall was such that the judge decided removal was the more cost-effective solution.

Recently, a chance encounter at the Weis Courthouse with Arthur Page, an art historian and restoration expert, shed new light on the ongoing mystery of the missing mural. Mr. Page was in Pittsburgh overseeing restoration work on the two remaining Depression Era murals in the courthouse and he graciously took time to clarify some points that punch holes in the overpaint theory. The wall where the mural was located does show evidence of water damage, some repairs to the plaster, and re-painting. Mr. Page went on to say that shallow test holes drilled into the plaster revealed that there is no canvas underneath. As he further explained, Kindred McLeary was not a muralist by training. So rather than painting directly on the plaster, the Modern Justice mural was painted on a canvas which was then affixed to the wall. McLeary’s contract with the Treasury called for using a lead white and linseed oil epoxy—which would set in-place like cement—to affix the painting to the wall. The likelihood of the mural falling or slipping from such a bond is highly improbable. There is, he said, clear evidence in the patched plaster that at least some portions of the canvas and its epoxy backing were forcibly removed from the wall. This would likely have caused considerable damage to the canvas unless it was done by someone skilled in conservation. The result, Mr. Page opined, is that the canvas was in such a poor state after removal that it was disposed of entirely. Subsequent research, using materials received from the
National Archives, shows that McLeary declined to use the adhesive specified in the contract, opting instead to use a dextrin asbestos preparation. Dextrin, a plant starch derivative, is unfortunately soluble in warm water. This information lends credence to the theory that upon sustaining water damage from a leak on the floors above, the heavy canvas began to peel away from the courtroom wall, culminating in its partial collapse. Whereupon Judge Gourley ordered its removal.

Hon. Wallace S. Gourley circa 1964

As any reader of popular history knows, there must be a hero and a villain in every story. If the creator of the lost work of art, Kindred McLeary, is the hero; then much to his discredit, Judge Gourley is often cast as the villain. The judge had something of a reputation as a gruff, taciturn curmudgeon, so it is easy to see how he could have been maligned by the press and by Alice McLeary Kitzinger, the artist’s former wife, for his part in the tale. It was his decision to have the mural removed and for years afterward, whenever she commented upon the missing mural, the former Mrs. McLeary blamed Judge Gourley for its destruction. Based on all the evidence though, it is unlikely that the mural was an object of Judge Gourley’s caprice. His personality aside, Gourley was not recorded as having any opinion about the Modern Justice mural either as a piece of art or as a social commentary.

In all probability, the Modern Justice mural was the victim of a series of unfortunate events. First the decision by Kindred McLeary to paint on canvas rather than directly on the courtroom wall, next the use of the nonstandard epoxy, and finally the just plain bad luck that there was a water leak that caused the adhesive to weaken and the mural to slip. The plaster scarring, evidence of the mural having been pried from the wall, probably has more to do with an unhappy maintenance crew doing what was a particular dirty job than it does with any malice toward the artwork. And just to clear up another fiction related to the mural, when it partially collapsed, Judge Gourley was not conducting a trial, he wasn’t even in the courtroom. He is quoted in a local newspaper that it “must’ve been his lucky day” that he wasn’t on the bench when the painting came down.

As to whether the mural is still extant either as a fragment or whole and stored away in long overlooked crates fascinates all those who hear a story of its removal. Assuming that it was at least partially water
damaged and that it came off the wall with some force--becoming torn in the process and with chunks of plaster attached to the canvas--it is unlikely that any part of it was preserved.

During the 2006 courthouse renovations, Michael Palus, who was serving as Courtroom Deputy Clerk to the then Chief Judge of the Western District of Pennsylvania, the Hon. Gary L. Lancaster, undertook a top to bottom search of the courthouse looking for the mural. His hunt yielded no surviving bits of the painting. Similarly, as “missing mural mania” once again gripped the courthouse crowd in Pittsburgh during the early winter of 2024, Joanne Beatty, a Court Security Officer, and retired PA State Trooper, searched for evidence of the mural in all the various nooks and crannies of the massive building with no new clues to the artwork’s existence coming to light. As much its pains courthouse staff, art lovers and history buffs to admit it, the Kindred McLeary mural Modern Justice is gone, likely forever, and the Joseph F. Weis, Jr. Courthouse is the poorer for its loss.

Courtroom 8-B in the Joseph F. Weis, Jr. Federal Courthouse circa 2024