

Winston E. Arnow, the man and the building, are now joined for posterity on this 20th day of May 2011. It is well that we recognize the enormous impact Judge Arnow had on this community by presiding as he did with such courage from this stately building..

What is it that drew these two 20th century creations together ? How was it that this man born a few years before World War 1 in a small town 350 miles from Pensacola became the first judicial occupant and the dominant presence in this post office and courthouse built on the eve of World War II ?

Both were created from good stock, both met the inevitable challenges that life inflicts, adapted to changes that occur in the midst of historic events, and survived the hurts that man and nature heap on people and things. That this Spanish Colonial Revival structure on the Gulf of Mexico now bear the name of a descendant of Spanish Minorcans who came to the Atlantic coast of Florida before the American Revolution adds a special significance to this dedication and naming. That they are now one is a cause to celebrate.

First,

THE MAN.

Winston E. Arnow acquired his nickname “BO” as a youngster growing up in the small community of Micanopy, near Gainesville. Is it any wonder that Bo Arnow was a loyal Gator all his days ? Judge Roger Vinson, a veteran Navy and private pilot, recalls that he once offered Judge Arnow a ride in his private airplane to a judges’ meeting. Everything was fine until Judge Arnow noticed before boarding that Judge Vinson’s plane was the then popular “**Seminole**” model. Always ready with a quip, Judge Arnow allowed that he wasn’t certain how safe

he'd be flying in that *FSU aircraft* !

That flight was completed safely, with Judge Arnow's loyalty to the University of Florida intact. Long before there was the current rivalry between the two state universities in Gainesville and Tallahassee, and while still an undergraduate, Bo Arnow demonstrated his leadership by organizing the first Gator Growl, the flagship homecoming event. In 1972, his alma mater honored him with its Distinguished Alumni Award.

In an ironic twist, his beloved Gators achieved a presence in Pensacola as an unintended result of one of his most controversial orders. In 1973, Judge Arnow enjoined a local high school from the use of the Confederate flag and the name "Rebels", provoking demonstrations on campus. When the students ultimately chose "Gators" as their new mascot, no one was more surprised than the judge, who confessed to me that "if those kids knew where I went to school, they sure as hell would never have chosen **that** name !"

Bo Arnow's family was involved in the business, professional and civic life in the Gainesville area for seven generations before he was born 100 years ago. His own father held public office in Alachua County, and although Winston Arnow had built a successful private law practice. public service was in the genes. After World War II Army service, lawyer Arnow continued as a reserve officer, served as a municipal judge and then on the Alachua County School Board for 20 years. It was in his parting words to his school board colleagues that we gain an insight into the feelings of this 57 year old lawyer about to leave his ancestral community to become the first resident federal judge in over 30 years in a town that knew him not. Said the new Judge Winston E. Arnow to his Gainesville friends:

"We need the kind of spirit in which a man can stand up with tears in his eyes in proud support of his country."

This old fashioned patriotism came with him to Pensacola, where one of

his most pleasant duties as a federal judge was to naturalize new citizens. By his active involvement he made these public ceremonies moving experiences for everyone; and Judge Arnow added a precedent which is continued in this court to this day - he stood and took the oath of allegiance along with the new citizens. As a fellow judge observed: this was like getting your battery charged !

In other ways as well, it did not take long for Pensacola to learn that a new judge was definitely in town. Having served as the first law clerk on the Florida Supreme Court, and having authored a book on civil procedure while building his flourishing law practice, Winston Arnow was quite skilled in handling litigation. The practice of law was changing, and Judge Arnow was the catalyst in the Northern District of Florida. It was his belief that a controversy was the lawyer's to manage **until** counsel filed suit, then it became the **court's** case to manage and resolve. Today, this may seem nothing new, but when Judge Arnow breezed into town 40 years ago to take charge, such an idea was well nigh revolutionary !

The late 1960's was also a time of continuing unrest across the land, much of it focusing on the southern states. School desegregation, new civil rights issues, and an accelerating American role in Vietnam were among the flashpoints that often ended up in federal courts. Federal judges in the South were called upon to deal with novel legal issues for which there were often no precedents, but which became divisive public controversies. Judge Arnow was not spared in this challenging period, and with his consummate legal skills, devotion to his constitutional duties, and his moral compass unwavering, he dealt bravely with whatever came his way.

The 1970's brought Watergate, other national, state and local issues that were also novel, and these often ended up on Judge Arnow's docket. He bore the brunt of much public ridicule, but never flinched in getting to a resolution as soon as he could. Off the bench, whether hunting, fishing, or otherwise socializing, Judge Arnow would sometimes get ribbed about

his controversial rulings, but he could parry back with his quick wit and self-deprecating good will to dissipate even the most sarcastic critic.

The 1980's brought more and often different legal challenges, and Judge Arnow continued to take his share of the heavy lifting. In whatever decade, whatever the issue may have been, and whatever the consequences, Winston Arnow never varied from the personal and professional integrity that are his hallmark. But through it all, he remained a man other men liked to be with. A perfect gentleman around women, Bo Arnow was still able to mix it up socially with whatever other men threw his way , not vulgar, petty or demeaning, just a nimble sense of humor.

Even in chambers, with his robe off, he could find something humorous in what was going on. His strict code of conduct was well known, and woe be it to the violator who crossed the line. In one criminal case, while the jury was deliberating, Judge Arnow was discussing with counsel the conduct of the defendant's alibi witness, who the judge was certain was not truthful. After encouraging me, as United States Attorney, to bring a perjury charge against that witness, he told defense counsel that the witness not only violated the law, but also violated The Ten Commandments. The seasoned, unflappable defense lawyer courteously allowed:

that he understood the Biblical admonition to be that "Thou shall not bear false witness **AGAINST** thy neighbor"; but never did he recall in Holy Writ any prohibition against bearing false witness **FOR** thy neighbor !"

Judge Arnow leaned back, and with this huge grin on his face , came forward, slapped both hands on his desk and in laughing resignation proclaimed that he had never heard that one before !

His quick and decisive mind was often put to use to solve unexpected problems. One afternoon, another jury was deliberating in a criminal case

when a bomb threat was received at the courthouse. Judge Arnow promptly sent the jury home without disclosing the nature of the shortened workday. An overnight sweep by the bomb squad assured that the call was a hoax. The jury came back the next morning and returned its verdict, never knowing of the bomb threat. Another fair trial was thus completed, but even that provided a humorous postscript when Judge Arnow related the incident to a brother judge, who agreed with his handling of the matter, then suggested that a verdict would have come much sooner if Judge Arnow **had** told the jury of the bomb threat, and that they could go home just as soon as they returned their verdict !

Like many judges of his era who were handling high profile cases, Judge Arnow received many threats, fortunately none which put him or his family in imminent danger. But, one threatening letter had everyone puzzled, coming from a man in a county jail, who had no case pending in federal court, had no link to Judge Arnow or his family, and was completely unknown to federal officials. Upon interview by the FBI, it was learned that the author of the letter was facing charges in state court and had heard horror stories about the state prison system, but that federal prison was much better. When this first time offender asked how one got into federal prison, a savvy “jail house lawyer” told him the surest way to federal prison was to threaten a federal judge ... so he wrote Judge Arnow !

Probably no one worked harder than Judge Arnow, and he thought everyone else worked hard. When court was still held in Marianna, Judge Arnow would often complete trial in **two** moonshine cases a day. During one of those busy days a new lawyer called, claiming that he desperately needed an emergency hearing. Judge Arnow was accommodating and said he would hold the hearing at 7:00 the next morning in Marianna. The lawyer was aghast and said that the **sun** was not even up at 7:00 a.m. Judge Arnow fired back that getting up before the sun would probably be good for that young man !

Judge Arnow’s dedication to duty was so intense that he actually waited

until he took senior status before he underwent needed heart surgery. That strong will which had served him well all his days continued to make him resolute, when at age 70, he gave up the cigarettes that he had smoked most of his adult life.

Judge Arnow's boundless energy carried over into his life off the bench. His wife, his daughter and his grandson were always his first loves; but, after family, bird hunting and fishing were his passion, and he pursued both with his faithful friends ... at least those who could keep up with him. Bird season opened on Eglin Reservation at noon on an October Saturday one year, and around 12:30 an impatient Judge Arnow walked over to my stand to ask if I had yet seen any doves. When I told him that I had not, he then allowed that maybe the birds were on their own "dove time", not daylight saving time !

His family and hobbies graced his chambers, including a picture of him and his then young grandson fishing together. Next to that photo was a plaque with these words in bold print: "If mother says no, ask granddad."

He was a true sportsman -whatever he shot or caught he harvested and shared. His game luncheons were occasions for wholesome male companionship, where this tough federal judge hosted a meal composed of the game he had gathered during the season. It was good food and good fellowship, even if he had just ruled against you in the morning !

His sense of humor even permitted others to have good natured fun at his expense. A faithful Rotarian most of his adult life, he agreed to be the subject of a "Rotary roast" by the 200 + members of his own club.

Refreshed and renewed by these interludes and experiences, he would return to the bench invigorated to meet the next challenge that might come his way. And to those often tough and unique problems he applied his knowledge, his experience and his strength of character. An otherwise insignificant incident reveals what an honorable man he was. Once given

some S&H Green Stamps while on government travel, Judge Arnow had his law clerk research which government agency should get the stamps, because he could not keep them. In this and all of his actions Winston E. Arnow epitomized the verity that *character is what you are when no one is looking*.

Today we honor in perpetuity that man of impeccable character appointed by the 36th President of the United States by placing his name on this building designed by the grandson of the 20th President. May all who will hereafter grace these premises remember the man and the nation he served so faithfully.

And, now what about

THE BUILDING.

What were these “post offices and courthouses” when this grand building came out of the ground during the Great Depression ? The United States Constitution, adopted in 1787, provides in Section 8 of Article 1 that the Congress shall have the power :

“To establish post offices and post roads; ...”

Further on, the same section grants Congress the power

“ To constitute tribunals inferior to the Supreme Court; ...”

While the postal and court functions were certainly essential to the nation, these buildings in cities like Pensacola were often a gathering place for the community, a central venue where, by chance or by design, one could see and be seen by other townsfolk, where information - local, regional or national - could be gained or shared , but almost always was discussed. It was, therefore, appropriate that such buildings be stately and dignified, well constructed and functional, and be accessible to the public. That those who planned and built this post office and courthouse more

than 70 years ago met those needs is evident in the expanded role this federal building will now have in a revitalized downtown Pensacola.

As people and businesses moved away from downtown, the post office needed less space, but this was just in time, as the role of the federal court increased and more court space was needed on the same footprint. Yet, this **was** a beautiful building when dedicated in 1940 by Postmaster General James Farley during President Franklin Roosevelt's second term, and was **the** post office for many years.

For the next 28 years court was held here only when the only judge in the Northern District of Florida came to town, usually twice a year. The dignified but dated court spaces, thus, were never worn out, remaining functional for this limited use. When Judge Arnow moved to town in 1968 court activity quickly became the primary focus of the federal presence at Palafox and Chase streets.

In the early 1970's the court took over more building space as the post office function here was further reduced, while the federal court role continued to increase. When the new United States Courthouse was completed on the old San Carlos Hotel site in 1998, interest in restoration of this building was renewed, it having been placed on the National Register of Historic Places just the year before.

The restorative work has taken a while, but what a courthouse it now is ! The treasures of the past have been preserved, the essential services have been updated, the renovations have been completed with dignity, and a modern and functional court operation has been put in place. May the Winston E. Arnow Federal Building long serve the needs of this community by providing a location where disputes can be peaceably resolved under the rule of law, and where the memory of a dedicated jurist will provide inspiration for all who enter here... or just happen to walk by.

William Stafford

Senior United States District Judge
Northern District of Florida
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