



The proscenium of the Garrick Theater. Saving the ornamentation by Louis Sullivan was a particular concern of some Chicago preservationists.

The Demolition of the Garrick Theater and the Birth of the Preservation Movement in Chicago

THEODORE W. HILD

In February of 1960 the newly created Chicago Commission on Architectural Landmarks awarded a plaque to the owners of the Garrick Theater Building at 64 West Randolph Street in the Loop, along with thirty-seven other Chicago properties deemed worthy of recognition for their architectural significance. Thirteen months later, the Garrick was demolished to make way for the construction of a parking garage. A wrecking crew moved onto the site only after an extended effort by citizens and city officials to save and restore the building.

That battle, which involved wide citizen participation, public demonstrations, and lawsuits, was not only the first of its kind for historic preservation in the city but also marked the beginning of the modern preservation movement in Chicago. Before

the controversy concluded, its swirl took in architects, college professors, architecture aficionados, students, aldermen, lawyers, judges, businessmen, newspaper editors, and the mayor of Chicago. The events also attracted the attention of an international audience whose interest in Chicago lay in the city's reputation as the birthplace of modern architecture.

There had been no new construction in the Loop during a twenty-year period ending in the 1950s. When construction resumed, older structures were the first to go in order to make way for the new boom. A few buildings went down without much notice or public comment. When the newspapers announced the intended demolition of the Garrick, however, a few people with a professional or aesthetic interest in architecture decided that it was time to stop the decimation of what they considered the city's architectural treasures.

That precedent-setting effort served as the model for many preservation battles that followed. Up to that time, preserving a building usually meant persuading the owner to save it or transfer ownership to a sympathetic private or public entity. Those who sought to save the Garrick, however, turned to the exercise of law and the power of government to compel the owners to save the building, even though they had specific

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plans to replace it with something else. As events would prove, the legal framework for such actions was altogether inadequate. There were no applicable federal or state laws, and the local ordinance had no real power—a situation that would change in Chicago as a result of the demolition on Randolph Street.

The effort to save the Garrick reveals the classic attitudes of combatants in preservation battles: Preservationists wanted the building saved at any cost, while their opponents spoke about economic feasibility and “obligations to stockholders.” Caught in the middle between the public interest and private property rights, government lacked both financial resources and clear legal authority to settle the issue. The effort serves as a primary example of the methods employed—and the people who employed them—in the new era of historic preservation. That mature expression of the theme in historic preservation balanced the rights of property owners against the right of society to define and maintain its cultural and aesthetic values through the retention of its material history.

Dankmar Adler and Louis Sullivan’s renowned architectural firm designed the seventeen-story Schiller Building—completed in 1892—to serve the various needs of Chicago’s German community. Similar to the firm’s famous Auditorium Theater, the plan included a thirteen-hundred-seat theater space, which served as home to the local German Opera Company, surrounded by retail storefronts on the street level and over three hundred offices above. A few years later the name was changed to the Dearborn Building, and in 1903 the structure became the property of the Shubert Brothers, who renamed it the Garrick Building and turned the theater into a popular vaudeville house.¹

The Depression was no kinder to the Garrick than to any other real estate in the city. Despite some remodeling during the

1920s, the condition of the building declined along with rental income, and by the early 1930s it was no longer considered “a first-class office building.” Indeed, in 1933 a real estate consultant recommended demolition and replacement with a new building.²

From 1950 to 1957 the theater was a television studio for local ABC affiliate WBKB. When the television station moved to a new facility, the Chicago-based theater chain Balaban and Katz purchased the building and converted it to a movie house. In January of 1960, Balaban and Katz announced that because the Garrick was unprofitable, the chain had decided to demolish the building and turn the property over to the Marbro Corporation, its real estate holding subsidiary, which would construct a parking garage on the site.³

One of the people who heard about the proposal was Richard Stanley Nickel, a professional architectural photographer living in suburban Park Ridge. Nickel was greatly interested in the Garrick because of his long-standing affection for the works of Sullivan. He was working on a Sullivan catalog, and in the course of his study he began collecting ornaments and other fragments from Sullivan buildings. When Nickel learned of the Garrick’s pending demise, he began making plans to photograph it and obtain remnants from it. Upon reflection, however, he decided that some effort should

¹*Chicago Tribune*, May 16, 1960, pt. 2, p. 4, cols. 4–7.

²Ward T. Huston & Co. to K. J. Shecker, March 9, 1933, Schiller Building Office Records, John Vinci Collection, Chicago.

³*Ibid.*

be made to save the Garrick, since he considered it one of Sullivan's masterpieces.⁴ Moreover, he felt that the ongoing destruction of Chicago's significant architecture had gone unchecked long enough.

The Garrick was significant for a number of reasons.⁵ It was Sullivan's first Chicago skyscraper of pronounced vertical emphasis and unity. It was one of the first buildings, if not the first, to build walls well within the lot lines to solve the problem of allowing ample light and air into tall buildings on narrow, urban lots—a development that would make the golden age of the American skyscraper possible. Through Adler's engineering expertise, the building had nearly perfect acoustics in the auditorium, and it was the first building in the city supported by caissons resting on bedrock, rather than the usual method of floating a building on cribbing.

It was the spirit of the design, however, that attracted admiration. The Garrick was one of the few mature works of Sullivan in Chicago, along with the Auditorium Building, the Stock Exchange, the Gage Group, and the building occupied by Carson Pirie Scott and Company's department store. In compliance with Sullivan's famous principle, the Garrick expressed the

notion that form should follow function. The simple design, which flowed upward from the theater entry and culminated in the soaring office tower, was that of a true skyscraper. The lines, bands, rows, and tiers of Sullivanesque foliate forms and musical motifs sensitively and rhythmically reflected the theater's artistic purposes.

The Garrick's state of decrepitude by the time that Balaban and Katz decided to tear it down hardly matched the reverence paid to it. Reporter Ruth Moore's lament in the *Chicago Sun-Times* summarized the situation:

[M]any a passerby has walked on Randolph for years without suspecting that the Garrick was a masterpiece or anything approaching one. In fact the Garrick that most people see from the north side of the street looks like what one critic called 'an old clunk of a building.' . . . The columns and walls of the entry are covered with jukebox style panels of red and streaked black enamel. The lobby as seen through the doors is a grimy clutter. A glaring marquee hangs overhead. Advertising signs painted with dancing pink piglets blot out another large section of the facade.⁶

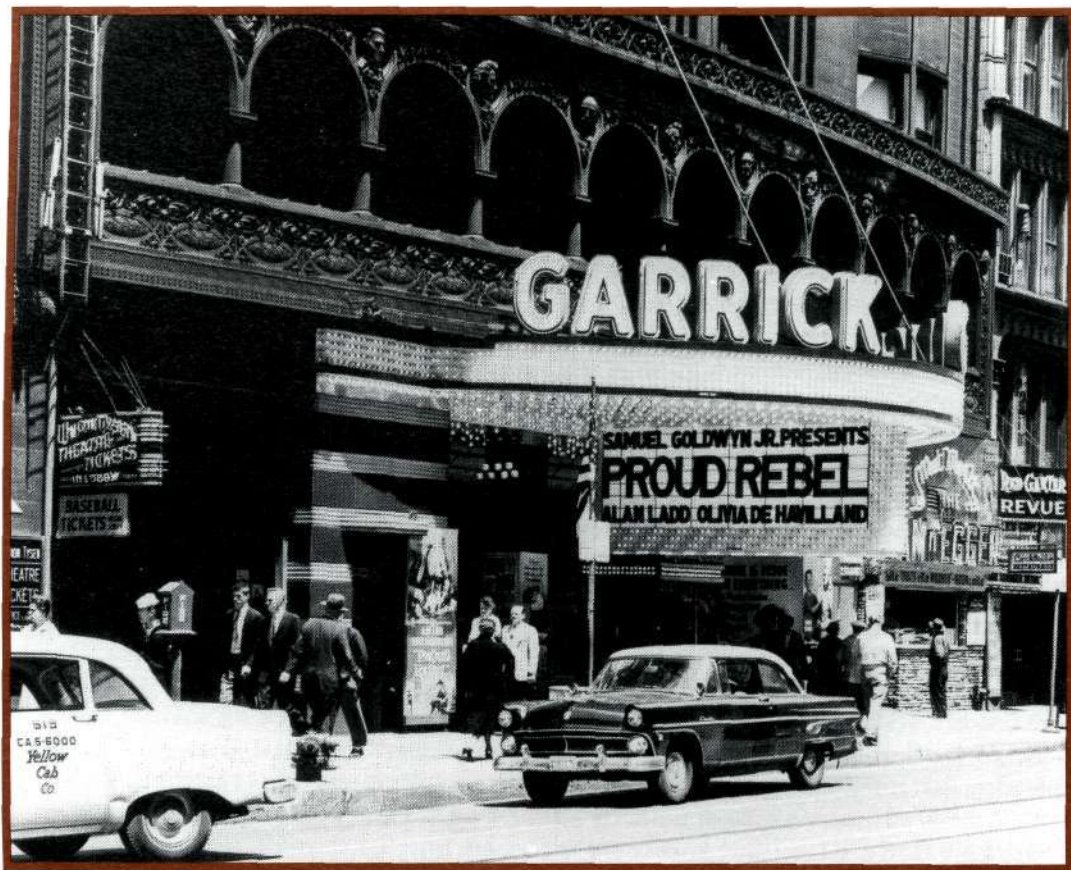
Nonetheless, throughout the entire debate over the fate of the Garrick, few seriously questioned the building's importance. To be sure, there were those who scoffed at the enterprise, and there were those who may

⁴Nickel to John Randall, March 20, 1960, Bldgs-Garrick file, Richard Nickel Papers, Chicago Historical Society.

⁵Many studies of architectural history discuss the significance of Adler and Sullivan, and there are a number of monographs dealing with Sullivan. In 1960, the people who worked to save the Garrick utilized the works available at that time: Carl W. Condit, *The Rise of the Skyscraper* (Chicago: University of Chicago Press, 1952); Willard Connely, *Louis Sullivan As He Lived: The Shaping of American Architecture, a Biography* (New York: Horizon Press, Inc., 1960); James Marston Fitch,

American Building: The Forces That Shape It (Boston: Houghton, 1947); Hugh Morrison, *Louis Sullivan: Prophet of Modern Architecture* (New York: Museum of Modern Art and Norton, 1935); Thomas E. Tallmadge, *The Story of Architecture in America* (New York: Norton, 1927).

⁶*Chicago Sun-Times*, Aug. 28, 1960, p. 3, cols. 1-6, p. 12, cols. 1-2. The "clunk" reference was from George R. Bailey, president of the Building Managers' Association of Chicago, uttered during a panel discussion broadcast on radio station WFMT, May 17, 1960.



Once a popular vaudeville and movie house, the Garrick had fallen on hard times when owners Balaban and Katz announced plans for its demolition in January of 1960.

have preferred the proposed parking garage.

Nickel asked Fifth Ward Alderman Leon Mathis Despres, the author of the city ordinance creating the landmarks commission, where he could find some help.⁷ Despres gave him the address of Thomas Stauffer, Despres's neighbor in the South Side Hyde Park neighborhood. Nickel contacted Stauffer, a forty-year-old junior college teacher. In early March of 1960, Stauffer wrote to the secretary of the Commission on Chicago Architectural Landmarks, Joseph Benson, to find out what the commission planned to do about the Garrick. But Benson, while not brushing it off, promised nothing in the way of help.⁸

Nickel had been writing letters to prominent institutions and individuals to "stir up a fuss." At that point he had no intention of saving the building. He wanted only to hold

⁷Nickel to Stauffer, May 2, 1960, Garrick Theater file, Leon M. Despres Papers, and CHC Misc. Correspondence, Jan. 1, 1961–Dec. 15, 1961, Chicago Heritage Committee Papers, both at Chicago Historical Society.

⁸Benson to Stauffer, March 30, 1960, Garrick Theater Preservation Effort—Official Statements, Commission on Chicago Landmarks Archives.

the owners to account for wrecking it and to assure that appropriate documentation of the building took place prior to demolition. A sense of urgency developed when Nickel discovered from speaking to the Garrick's building engineer that the owners had already let a demolition contract on April 28, even though Balaban and Katz had told commission member and architect John Randall a week later that they had not developed any plans for the property.⁹ Meanwhile, Nickel gained entry to the building and determined that although badly mistreated by its current owners, the genius of Sullivan remained and, in his opinion, was recoverable.¹⁰

Nickel stepped up his preservation effort in the first week of May by sending out a second round of letters to prominent architects, architectural historians, architecture critics, museums, and university departments of architecture in the United States and Europe. The few responses offered only sympathy.¹¹

Commission chairman and municipal court Judge Augustine J. Bowe told Nickel that the commission would not become involved with the Garrick because the con-

tinued existence of the building was not economically feasible and because the commission was too busy trying to save Frank Lloyd Wright's Robie House on the University of Chicago campus. He suggested that Nickel's time would be better spent in trying to save the Robie House.¹² Stauffer, incensed at Bowe's refusal to get the commission involved and his dismissal of Nickel, wrote directly to Mayor Richard Joseph Daley and asked for action by the mayor and the city government.¹³

A growing number of people awakened to Nickel's alarms, but few were optimistic about saving the Garrick. The commission did not want to become involved in a futile effort. The more-famous and less-decrepit Robie House and Auditorium Theater held greater promise of success. Essentially, most did not think the Garrick worth the effort. Architect Earl Reed, writing as chairman of the American Institute of Architects' Committee on the Preservation of Historic Buildings, told the commission that he did not believe that the building could be saved and that making a record of it prior to demolition was probably the only constructive thing that could be done, a method

⁹Nickel to Walter Creese, May 1, 1960, Letters Urging Garrick Preservation file, John Vinci Collection.

¹⁰Nickel, Memorandum, May 3, 1960, Garrick Theater Preservation Effort—Official Statements. Nickel prepared a detailed condition report to present to the landmarks commission at its May meeting. Nickel received the owners' permission to enter the building to shoot photographs. At other times he sneaked into the building to monitor conditions, and one time he cleaned out clogged drains that caused water damage (see Nickel to Despres, Sept. 25, 1960, Despres Papers; Richard Cahan, *They All Fall Down: Richard Nickel's Struggle to Save America's Architecture* [Washington, D.C.: Preservation Press, 1994], pp. 103–19).

¹¹Nickel sent more than a dozen letters to leading architecture schools at Yale, Columbia, and Harvard universities, Massachusetts Institute of Technology, and the University of Illinois. He also sent letters to the University of London, the Union Centrale des Arts Decoratif in Paris, and to Ludwig Mies van der Rohe and Sigfried Gideon in Switzerland (see Nickel, Memorandum, Letters Urging Garrick Preservation file).

¹²Bowe to Nickel, May 10, 1960, *ibid.*

¹³Stauffer to Daley, May 17, 1960, Garrick Theater Preservation Effort—Correspondence, Commission on Chicago Landmarks Archives.

with which he had become quite familiar in his role as director of Illinois projects for the Historic American Buildings Survey during the 1930s.¹⁴

Nickel and Stauffer had been unable to bring the commission's attention to bear on the problem, and they had not even been able to interest anyone who could influence the commission to change its mind. They felt that the commission was shirking its duty to advocate the preservation of Chicago landmarks.

Now it was Nickel's turn to complain to Mayor Daley that the commission "refuses to make an effort" when it was clear that restoration of the Garrick was quite feasible.¹⁵ In addition, he pointed out that the construction of a parking garage at that location was contrary to the city's Loop zoning policy. He also sent his complaint to the *Chicago Tribune* and the *Sun-Times*.¹⁶

The leadership of the preservation effort increased when Alderman Despres also contacted Daley. He used Nickel's argument that demolition of the Garrick and erection of a parking structure conflicted with the Central Area Plan, and it was bad for a number of other reasons. Since the commission was unprepared to save the Garrick, he told the mayor that now "the responsibility is solely on you as to whether Chicago shall preserve this treasure or permit it [to] be destroyed."¹⁷

Despres asked the mayor to take a number of steps that became the preservationists' principal strategy. He wanted the mayor to withhold the demolition permit, to examine the feasibility of reusing the building, to see if the building could be used in conjunction with the proposed Civic Center, to search for institutional use of it by a university or foundation, and to instruct the commission to formulate a preservation policy for the Garrick and other landmarks.¹⁸

On May 27, Despres took a further step when he introduced a resolution in the city

council calling upon the city to delay issuance of the demolition permit. Despres was not at all optimistic about the success of the resolution. Even before the council acted on the resolution, Alderman Thomas Keane, the mayor's floor leader in the council, told Despres that he regretted the demolition of the Garrick. First Ward Alderman John D'Arco, in whose ward the Garrick stood, teased Despres about a parking garage going up on the site. Despres thought that the resolution would serve as nothing more than an epitaph.¹⁹

At that time, Despres essentially gave up on saving the Garrick. He lamented that since no city official had taken any steps to save it and since it did not appear as though the city council would move the issue along, "the proscenium, the ornamentation, the windows, the lines and the grace, will soon go the way of the ancient statues which medieval Romans ground into limestone for building materials." He told Nickel that "since the administration judges that there is not sufficient public interest or concern" either to justify taking action to save the building or to threaten the administration, there was little else to be done except thank the people for their efforts to save it.²⁰

Following the apparent derailment of the preservation effort in the city council, Chairman Bowe issued a statement saying that after a thorough investigation of the question, the commission had found that it

¹⁴Reed to Bowe, May 20, 1960, *ibid.*

¹⁵Nickel to Daley, May 20, 1960, *ibid.*

¹⁶*Ibid.*

¹⁷Despres to Daley, May 25, 1960, Garrick Theater Preservation Effort—Official Statements.

¹⁸*Ibid.*

¹⁹Despres to Nickel, May 27, 1960, Letters Urging Garrick Preservation file.

²⁰*Ibid.*

was "not feasible to press for the retention of the Garrick" because the office building had "proved to be uneconomical for the owners to operate for some years."²¹ Nickel deplored the commission's negative stand, but he knew that any attempt to save the Garrick would be futile unless the commission asserted itself.²² Nickel and his colleagues now looked to the government for the means to save the Garrick. The notion that the will of the public, or at least the will of a small group of preservationists, could not prevail without the assistance and authority of the government became a theme of the preservation effort.

Nickel did not accept the economic argument. If the Garrick had not been operating profitably, he reasoned, the blame lay with Balaban and Katz's practices rather than with the building itself. The speciousness of the economic argument put forth was inadequate not only in the case of the Garrick but also in general. He worried that the world-famous Reliance Building and Sullivan's Carson Pirie Scott and Company Building might also fall victim to the same logic. Moreover, a number of landmark Loop structures did operate at a profit, however marginally. Such prominent buildings as the Monadnock, the Rookery, and 30 South La Salle Street were able to make money for their owners in spite of their age.²³

The preservationists stubbornly refused to allow the landmarks commission to drop the issue. Though they had not succeeded in gaining the mayor's attention or effective support from the city council, they were able to demand that the economic case be proven, especially now that the commission itself had articulated it. Opinion within the commission suggested that some feasibility study should be undertaken at least to justify the commission's "negative attitude."²⁴ Within a week of Bowe's statement, the board of directors of the Building Managers' Association volunteered to conduct such a study provided that the mayor himself requested it.²⁵ Finally, the preservationists publicly moved the issue into the mayor's office.

Up until that time, Mayor Daley had been kept abreast of the issue through Commissioner of City Planning Ira C. Bach, who also served on the landmarks commission.²⁶ Bach had been unsuccessfully urging Daley to call a meeting of the interested parties to discuss the whole issue, but the mayor's office had remained silent.

The administration's resistance to deeper involvement began to weaken under the preservationists' continual pressure. That resistance broke altogether when over twenty sign-carrying demonstrators showed up on the sidewalk in front of the Garrick on the morning of Wednesday, June 8, returning each day through June 11. The picketers had been organized by the leaders of the newly formed Chicago Heritage Committee, which included Stauffer, Nickel, Despres, architect Ben Weese, and sociologist Hugh Duncan.²⁷ The protestors, typified by Moore of the *Sun-Times* as "Chicago's architectural cognoscenti," were largely a collection of architects and professors of architecture from the Illinois Institute of Technology (IIT) and the University of Illinois. IIT's architectural heavyweight Ludwig Mies van der Rohe was too ill to participate, but "sent word that he

²¹*Chicago Tribune*, June 2, 1960, pt. 4, p. 4, cols. 1-2.

²²Nickel to Bowe, June 6, 1960, Garrick Theater Preservation Effort—Correspondence.

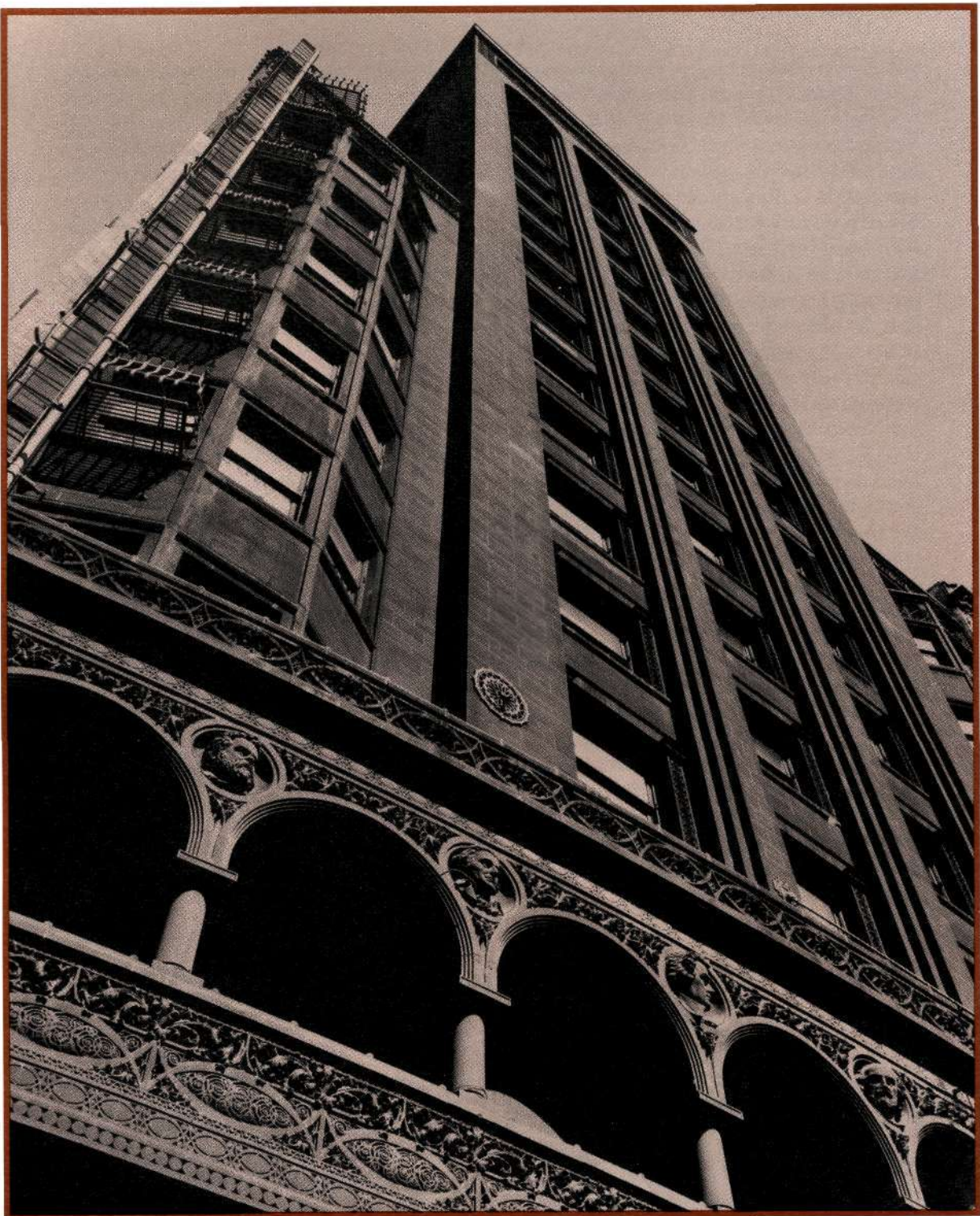
²³*Ibid.*

²⁴Ruth Schoeneman to Bowe, June 9, 1960, Garrick Theater Preservation Effort—Official Statements.

²⁵James R. Sterling to Bowe, June 8, 1960, *ibid.*

²⁶Bach to Daley, Memorandum, June 9, 1960, *ibid.*

²⁷Nickel, "Progress Report: The Garrick," *Chicago Heritage Committee Newsletter*, Aug., 1960, pp. 1-2.



The Garrick Theater Building was originally named the Schiller Building. Completed in 1892, the building served the needs of the German community and housed the German Opera Company.

was '100 per cent' for saving the Garrick." Alderman Despres and North Side Forty-eighth Ward Alderman Morris H. Hirsch did not march with the demonstrators, but they stopped by to greet the protesting professors. The picketers distributed a mimeographed broadside to passersby that explained the Garrick's significance and dilemma. Citizens were urged to write or telephone the mayor's office, because "Mayor Daley will help if the people ask him to help."²⁸

The public demonstration was a turning point in the campaign to save the Garrick. Up to that time preservation activity focused on raising the public consciousness in order to force the mobilization of the city's administrative machinery through the landmarks commission. Since Nickel and Stauffer had not been able to get the commission to meet its responsibility as the preservationists saw it, they maneuvered to have Daley force the commission to take the matter seriously.

The preservationists showed the administration that they would not go away. In addition, the city's newspapers kept the issue before the public throughout the entire affair. In particular, *Sun-Times* reporter Moore, who became a landmarks commission member years later, wrote article after article on the events as they occurred. Georgie Anne Geyer performed the same service at the *Chicago Daily News*. WFMT, the city's principal fine arts radio station, lent its support when interviewer and talk show

host Studs Terkel put some of the leading preservationists on the air.

The persistent application of the strategy paid off when the mayor's office announced that there would be a public meeting held on June 17 over which Daley himself would preside. City government, through the Chicago Commission on Architectural Landmarks, was now taking control of the effort to save the Garrick, under Daley's leadership. By then, certain principles of the issue had been articulated and clearly established. First, participants on all sides conceded the commission's role in serving as the forum for the discussion. As far as the preservationists were concerned, the commission should also be the leader of preservation advocacy, if not the enforcer of values. Second, economics would be the basis of the argument. There was no agreement, however, on what the conclusions ought to be. If it could be shown that the Garrick could be restored and operated profitably, who should bear the responsibility?

There were over one hundred people present when Daley opened the public meeting at 9:30 A.M. on June 17. Many of those present represented the city's civic and cultural organizations. Most of the picketers attended, bringing a petition bearing over 3,300 signatures that were collected during the previous week's demonstrations on Randolph Street.²⁹

Reading a prepared statement, Mayor Daley stated that his administration "sought to support all of Chicago's cultural and artistic activities" and "any program which seeks to demonstrate to the world the genius and the ingenuity of Chicagoans." To that end he asserted that the landmarks commission had "immediately" taken the matter of the Garrick under consideration, although three months had passed since Nickel first approached Bowe. The purpose of the meeting was to present publically the results of the commission's deliberations and to offer "to all who are interested the

²⁸*Chicago Sun-Times*, June 14, 1960, p. 32, cols. 3-4. A copy of the broadside is in the possession of John Vinci.

²⁹WTTW Press Release, Aug. 11, 1960, Garrick Theater Preservation Effort—Correspondance; *Chicago Sun-Times*, June 15 (p. 26, cols. 3-5), June 18 (p. 5, col. 3), 1960.

basic facts involving the Garrick Theater Building."³⁰

Twenty individuals made separate presentations at the meeting. Representatives from the city's architecture, art, and civic groups—such as the American Institute of Architects and the Chicago Arts Center—all stated that they could put the Garrick to good use as a performance center or public assembly hall.³¹ The underlying tone of the hearing, however, was set by Commissioner Bach and Balaban and Katz attorney Arthur Goldberg.

Bach lamented the "possible demolition" of the Garrick, stating that the Chicago Commission on Architectural Landmarks "could not find a constructive answer to the problem . . . under its present power." While accepting Balaban and Katz's claim that it was "impractical to continue operation on a profit basis," Bach added that the City of Chicago could not come up with the approximately \$3 million to acquire and restore the building either. Beyond that, he concluded, the commission was ready "to explore any possible avenue for preserving the building."³²

Goldberg's statement was a litany of the problems with the Garrick that made it impossible to maintain. Everything from the elevators to the electrical system, which operated on direct current, needed to be replaced. The theater proscenium was too narrow to accommodate a modern motion picture screen, the building needed a new heating system, and the windows had to be replaced. Even if it were completely restored, the Garrick could never compete successfully in the Loop office market. The building's failure was not for Balaban and Katz's lack of trying, Goldberg claimed as he reviewed the owner's expenditures over the years for modernization and operation. But he concluded that no one could run the Garrick profitably, and even though the proponents were sincere, all attempts at preservation would fail.

Goldberg ended his presentation with the property owners' defense of landmarks demolition:

We believe that we are good citizens of Chicago and we try to participate in as many community projects as we can. But, on the other hand, we are also officers and directors of a publicly owned corporation, having thousands of stockholders, both directly and through our parent company. We have no right, as such officers and directors to continue operating the Garrick Building at a very substantial loss. We have a duty and an obligation to our stockholders to do everything within our power to eliminate the loss on this property and convert it into a reasonable profit, if we can reasonably do so. We are not a philanthropic corporation and we are not an eleemosynary corporation, and we would, in my opinion, be guilty of improper corporate conduct and we would be derelict in our duty, if we did anything other than what we did.³³

In the face of the outpouring of sentiment in favor of saving the Garrick in the newspapers, on the sidewalks, and now at a public hearing, Daley took Bach's advice and used the occasion at the end of the hearing to announce that he was appointing fourteen civic leaders, with Bowe as chairman, to the special Investigating Committee for Preservation of the Garrick Theater Building to investigate ways to save the building. As if to answer the pleas for help

³⁰Statement of Daley, June 17, 1960, Garrick Theater Preservation Effort—Official Statements.

³¹*Chicago Sun-Times*, June 18, 1960, p. 5, cols. 1-5. A list of all speakers is in the possession of John Vinci.

³²Statement of Ira Bach at June 17, 1960 Public Meeting, Garrick Theater Preservation Effort—Official Statements.

³³*Chicago Sun-Times*, June 18, 1960, p. 5, col. 3; Statement of Goldberg, Garrick Theater Preservation Effort—Official Statements. This was not the same Chicago attorney Arthur Goldberg who went on to become a justice of the United States Supreme Court.

from the picketers' broadside, the mayor announced confidently, "I'm sure that a way can be found, must be found, and will be found to accomplish what we are striving for."³⁴

In addition to Bowe, the committee included representatives from such prominent Loop civic institutions as the Central Area Committee, the Chicago Real Estate Board, the Chicago Building Managers' Association, the Chicago Building Trades Council, and the State Street Council. The interests of culture were represented by architects William Hartmann, John Randall, and William Bachman, along with Metropolitan Housing and Planning Council President John Baird, Art Institute of Chicago Director Allen McNab, and Ruth Schoeneman from the Ryerson Library. The committee also included Harris Trust & Savings Bank President Kenneth Zweiner and muffler magnate Arnold Maremont, who served as a "philanthropist." Hartmann and Schoeneman also served on the landmarks commission.³⁵

Although Mayor Daley appointed Chicago Heritage Committee member Randall to the investigating committee, Heritage Committee President Stauffer wanted greater representation for his group through the further appointment of Duncan, Nickel, or himself. Lest the administration feel that the Heritage Committee was too radical for comfort, Stauffer gave assurances that the preservationists' passion—which was best understood as a

response to the commission's lack of vigor—would not interfere with the committee's fairness.³⁶ Stauffer also wanted to make certain that the investigating committee would develop a policy to clarify the role of the commission in subsequent preservation efforts.³⁷

Neither Stauffer nor his nominees were in attendance when the investigating committee met on June 24. In addition to the committee members, Goldberg, Bach, and the mayor were present. Money was the main issue. The group estimated that it would take \$3 million to acquire and rehabilitate the Garrick, money that the city did not have available and money that Balaban and Katz was certainly not willing to spend. The committee's challenge was to raise money to save the building and then to figure out a way to operate it economically.

The mayor reiterated his notion that every means to save the Garrick should be explored. He suggested that it could be taken over by the Public Building Commission (the only feasible public entity to own and operate the building), which would use the building in conjunction with the planned Civic Center. Moreover, he expressed his willingness to support state or local legislation to make it possible.

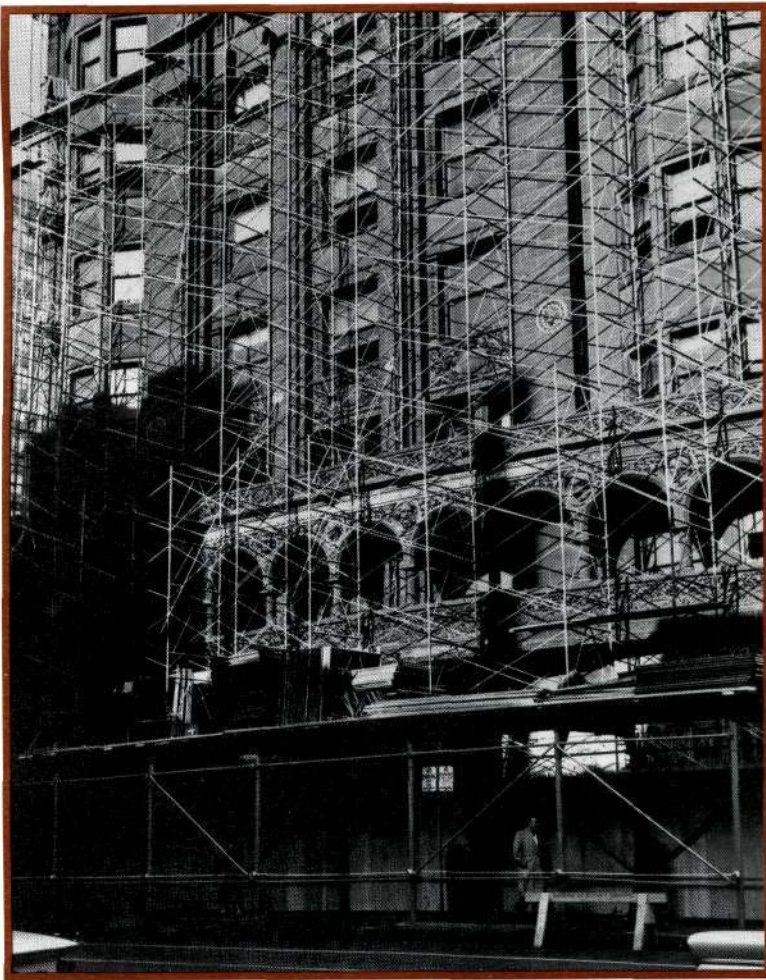
The committee acknowledged that time was of the essence since Balaban and Katz was losing money daily and could go to court at any moment to force the city to issue the demolition permit. After determining that three key questions needed to be answered, the committee formed separate subcommittees to investigate those issues. The architects and real estate men formed a group to examine the economic feasibility of restoration. The businessmen worked on finding nongovernmental sources of donations to fund acquisition and restoration. Bach served as a subcommittee of one to identify ways in which the local government could help, principally by going to the Public Building Commission to

³⁴*Chicago Sun-Times*, June 18, 1960, p. 5, col. 3.

³⁵*Ibid.*, col. 5; Memorandum, Garrick Theater Preservation Effort—Official Statements.

³⁶Stauffer to Daley, June 22, 1960, Garrick Theater Preservation Effort—Correspondence.

³⁷Stauffer to Bach, June 22, 1960, *ibid.*



Scaffolding was erected around the Garrick Theater Building in preparation for demolition.

see if that body could work the Garrick into the Civic Center program or administer a special issue of revenue bonds.³⁸

The investigating committee agreed to reconvene a week later on July 1. In the meantime, Bowe, acting on the mayor's authority, requested the Building Managers' Association to conduct a feasibility study on the Garrick.³⁹ The association made "a complete inspection of the building" in one day and produced a report in the form of a three-page letter to Bowe. The report, signed by association Vice President Ross J.

Beatty, stated that the building needed new plumbing, new wiring, a new heating plant, repointing, new elevators, and repair or replacement of many other building elements. Beatty concluded that given the current real estate market, the building should

³⁸Transcripts of the proceedings of the meeting can be found in Garrick Theater Preservation Efforts—Official Statements.

³⁹Bowe to Murray Randall, June 28, 1960, *ibid.*

be "either completely renovated or wrecked." Even with a complete renovation, there was a projected annual operating loss of more than \$100,000. The report also called for the demolition of the auditorium (the feature that the preservationists valued most highly) and conversion of the space to office use. All of the recommendations would cost in excess of \$2 million, somewhat higher than Balaban and Katz's own estimate of \$1.7 million.⁴⁰

Even though the preservationists argued that the Garrick could operate profitably if it were managed and maintained properly and even though the Building Managers' Association's report was far from thorough, the investigating committee believed that the building could never support itself without institutional or governmental assistance. Help from institutional donors, however, would probably never be forthcoming since the drive to save Alder and Sullivan's Auditorium Building on Michigan Avenue was absorbing much of the money and energy that would ordinarily be available. It would be impossible to wait until the Auditorium campaign ended, for time was running out as Goldberg kept reminding the committee, and Balaban and Katz was losing several hundred dollars each day. Bach was likewise pessimistic about finding relief from local government through the Public Building Commission. He did not

think that the commission's statutory authority would allow it to hold and operate property for nongovernmental purposes.⁴¹

In the end, the investigating committee reported that only the Public Building Commission could save the Garrick and recommended that the mayor pursue it.⁴² At that time, Daley was out of town, preoccupied with John Fitzgerald Kennedy's presidential nomination at the Democratic National Convention in Los Angeles. In Daley's stead and presumably with his authority, Bach approached the Public Building Commission and returned a succinct report of the proceedings to Chairman Bowe:

In its July 6, 1960 meeting, the Public Building Commission discussed the subject of preserving the Garrick Theater Building. It was the consensus of the Commission that because of the immediate need for action and financing to forestall the imminent demolition of the Garrick, the Public Building Commission would be required to issue a separate revenue bond offering in the near future. It would be used only for activities related to acquiring and restoring the Garrick Building. It was the considered opinion of the Commission that this might jeopardize the financing plan for the Civic Center project. It contemplated the revenue bond issue some time in 1961. In addition, the Commission questioned whether enabling legislation would permit the preservation of the Garrick if its new use were to be that of an Arts Center. . . . For these reasons the Commission declined to consider further the preservation of the Garrick as a Public Building Commission project, and instructed me to advise your committee that it consider other means such as [the] possibility of special state legislation in order to accomplish its object.⁴³

But the 1955 state enabling statute—from which the Public Building Commission (a creature of city government whose members were appointed by the mayor) derived its authority—established very broad powers that required only that the commission provide facilities "for use by governmental agencies in the furnishing of essential governmental health, safety and welfare services to its citizens."⁴⁴ It is unlikely that reusing the Garrick as an assembly hall and

⁴⁰Beatty to Bowe, June 30, 1960, *ibid.*

⁴¹Minutes of Meeting of Investigating Committee for Preservation of the Garrick Theater Building, July 1, 1960, *ibid.*

⁴²Bowe to Daley, July 5, 1960, William Hartman to Bowe, July 22, 1960, and John Baird to Bowe, July 22, 1960, all in *ibid.*

⁴³Bach to Bowe, Aug. 1, 1960, *ibid.*

⁴⁴*Illinois Compiled Statutes, 1992* (St. Paul, Minn.: West Pub. Co., 1993). II, 572.

city office building would have contravened the law's intent. The Municipal Code of Chicago simply created the Public Building Commission; it enumerated neither powers nor proscriptions.⁴⁵ Had the commission chosen to interpret its power to allow the Garrick restoration, it could have done so with impunity.

There were then two principal schemes to save the Garrick. The first was to create an entity to acquire and restore it with the proceeds from revenue bonds. That would have required about \$3.5 million. The problem was that the entity had to be created through action by the state legislature, which meant that there would be no ready cash available before the end of 1961 at the very earliest, given the legislative calendar and the time necessary to implement the authority. That method was used in New York City to save Carnegie Hall.⁴⁶ The second scheme called for the diversion of necessary funds from the proposed Civic Center project, which was to be built directly across the street from the Garrick. Plans were already under way to issue and sell a portion of the \$67 million bonding authority sometime during the summer of 1961.

In either case, some money had to be found to cover Balaban and Katz's losses and any incidental expenses—money that would have to come from private donations or the city's treasury—roughly \$250,000. Neither potential source could or would provide money. Philanthropist Arnold Maremont briefly considered underwriting such a plan, but after inspecting the building, its condition disheartened him, and he dropped the notion.⁴⁷ No evidence has been found that Mayor Daley ever considered the use of city funds.

At that point the effort to save the Garrick reached another juncture. Public pressure placed the burden on the administration's preservation commission, which had run through all the conventional and relatively painless methods for saving the

building to no avail. The question had been about money, but the answer was that there was no money. Now the question would be about politics and power. Balaban and Katz applied for a demolition permit, and the administration would now have to challenge that right on the basis of an unclear local ordinance that lacked specific authority. The preservationists thought that city government had the authority to save the Garrick, and if the fine points of legal necessity were lacking, there was plenty of moral authority to make up for it. The administration was less certain, but it was willing to try.

The administration's strategy was to prevent Balaban and Katz from demolishing the building, thus gaining time to obtain the money necessary to buy and restore it. City hall decided to deny the demolition permit and face Balaban and Katz's demands in the courtroom. At the same time the city would seek legislation from the Illinois General Assembly to create authority for the issuance of revenue bonds, as occurred in the successful Carnegie Hall effort. The campaign was marching from the executive branch of government into the judicial and legislative branches, but those steps were not taken on solid ground.

First, the general assembly had adjourned on July 1 and would not reconvene until January of the following year. Mayor Daley

⁴⁵The Chicago Public Building Commission was created March 28, 1956 (see *Municipal Code of Chicago* [Chicago: Index Pub. Corp., 1979], Ch. 198A).

⁴⁶Raymond S. Rubinow to Daley, Aug. 8, 1960, Garrick Theater Preservation Effort—Official Statements. Rubinow of the J. M. Kaplan Fund of New York City explained to Daley how Carnegie Hall was saved and expressed confidence that the Garrick could be saved the same way (see *ibid.*).

⁴⁷Despres, conversation with author, Feb. 16, 1994.

would have had no difficulty in finding sponsors for the introduction of appropriate state enabling legislation, but now he would have to wait until the next session. Balaban and Katz did not want to wait. Second, no one could predict how a judge would regard the city's refusal to issue the demolition permit since the local ordinance from which the landmarks commission derived its authority was vague on the limits of its power.

Balaban and Katz had applied for a permit to demolish the Garrick on June 1. Building Commissioner George L. Ramsey refused to issue the permit, claiming that the city was entitled to a reasonable delay so that some action could be taken to preserve the building. Balaban and Katz was losing several hundred dollars each day that the building stood, and while that was not a great deal of money, the company firmly believed that it was impossible to find any way to keep the building standing profitably.⁴⁸ Since Balaban and Katz did not want to wait for someone still unknown to come up with a workable plan in the indefinite future, the company filed suit in the Superior Court of Cook County on July 15 for a writ of mandamus to compel the city to issue the demolition permit.⁴⁹ Balaban and Katz attorney Charles Satinover, who claimed knowledge of architecture on the

basis of a recent trip to Greece and what he had learned "by osmosis," argued that the Garrick was not worth saving. "I don't think it's beautiful," he said. "You can hardly see its esthetic value—if it has any."⁵⁰

Corporation Counsel John C. Melaniphy filed the city's brief on July 25, and the monthlong trial began. Judge Donald S. McKinlay heard testimony from an array of witnesses from both sides. City attorneys marshaled a parade of expert testimony that overwhelmingly established the significance of the property in the mind of the court, which at one point removed itself across the street to inspect the Garrick firsthand.⁵¹

The owner of the Garrick argued that the building was obsolete, pointing out that no one had been able to come up with a solution to save it or take it off the company's hands for the \$1.5 million asking price. The result was forced losses that were "unconscionable." The defense argued that the Garrick could be restored and that a plan would be discovered, pointing out that "[l]ess than three months have expired in negotiation and efforts in this enterprise of great magnitude." Besides, the defense claimed, Balaban and Katz had voluntarily vacated the building, let it run down, and even exaggerated its losses. Moreover, since the proposed parking garage violated the Loop plan, there was no guarantee that Balaban and Katz would ever be allowed to proceed with its project.⁵² But the ultimate test, as far as Judge McKinlay was concerned, was whether the city had the power and the right to withhold the demolition permit under its ordinances. The parties would have to wait several weeks for that decision.

In the meantime the band of preservationists continued the campaign to keep the issue public even as the court convened. Under the auspices of the Chicago Heritage Committee, Nickel sent telegrams to such prominent individuals throughout the state

⁴⁸Statement of Goldberg; Minutes of Meeting of Investigating Committee for Preservation of the Garrick Theater Building, July 1, 1960.

⁴⁹*Chicago Sun-Times*, July 16, 1960, p. 14, cols. 1-2.

⁵⁰*Chicago Daily News*, July 16, 1960, p. 33, cols. 5-6.

⁵¹*People of the State of Illinois on the Relation of Marbro Corporation and Atlas Wrecking Company v. George L. Ramsey, Commissioner of Buildings of the City of Chicago*, Case Number 60 S 12277, Circuit Court of Cook County Archives, Richard J. Daley Center, Chicago. See also Cahan, pp. 112-15.

⁵²*Ibid.*



John Vinci (seated), Richard Nickel (left), and John Dienhart of Field Enterprises, which provided funding for architectural salvage at the Garrick, remove plaster panels from the inside of the theater.

and the nation as urbanologist Lewis Mumford, architects Eero Saarinen and Edward Durrell Stone, critics Henry-Russell Hitchcock and Hugh Sinclair Morrison, and at least a dozen more. He told them that "the Garrick was going to court"⁵³ and asked that they protest the proposed demolition to Mayor Daley. Public television station WTTW provided Heritage Committee activist Duncan with thirty minutes of air-time to explain the importance of Adler and Sullivan,⁵⁴ while the Heritage Committee sponsored an evening forum on Adler and Sullivan in the Auditorium Theater.

As the court proceedings continued, the Chicago Commission on Architectural Landmarks met with the mayor on August 1, and he approved a policy and strategy for the Garrick that advanced the cause of the preservationists. The official goal of the City of Chicago would now be to support a combined public and private fund-raising effort to cover interim expenses and Balaban and Katz's daily losses and to request that the general assembly authorize a \$3.5 million bond issue for acquisition and restoration.⁵⁵ A few days later the *Sun-Times* editorialized in favor of the bond issue. By now it seemed

that everyone but Balaban and Katz had faith in the ultimate victory, even though the court had not yet ruled in the preservationists' favor. Just in case of failure, however, it was suggested that the mayor approve a new policy that authorized the city's land clearance agencies to retrieve fragments from demolished landmarks.⁵⁶

On August 23, Judge McKinlay issued his ruling. The defense witnesses had convinced the judge that the Garrick was an important building, even though it was in bad shape and even though most people could not recognize its significance. City attorneys demonstrated that the city had been trying with diligence and sincerity to arrive at a method for saving the Garrick, even though they had not yet been successful. The lawyers for the other side maintained that the city had no authority under state statute or local ordinance to cause them to incur the costs and embarrassment of keeping the building standing. Whether the judge had been paying close attention to newspaper editorials or keeping an eye on the mayor's office, his ruling was popular with both. Citing the 1954 United States Supreme Court case *Berman v. Parker*, he concluded that the police power of local government extends to aesthetic considerations. He ruled against Balaban and Katz, saying that the city's reluctance to issue the demolition permit was neither "clearly illegal" nor "arbitrary."⁵⁷

Knowing that they had won only a partial victory, the preservationists understood that they still had to keep up the pressure on the administration. Even though the judge said that the city could not be compelled to issue the demolition permit, the city could still choose to allow demolition. In addition, the matter of funding and Balaban and Katz's appeal of Judge McKinlay's decision remained.

The money to save the Garrick was not forthcoming, however. As summer turned to autumn, supporters inside and outside of

⁵³A copy of this letter together with a list of addressees is in Letters Urging Garrick Preservation file.

⁵⁴WTTW Press Release.

⁵⁵*Chicago Sun-Times*, Aug. 2, 1960, p. 3, cols. 2-6; Bowe to Daley, Aug. 1, 1960, and Chicago Landmarks Commission Resolution, Aug. 1, 1960, both in Garrick Theater Preservation Effort—Official Statements.

⁵⁶*Chicago Sun-Times*, Aug. 4, 1960, p. 31, cols. 1-2. D. E. Mackleman, Commissioner of the Community Conservation Board, suggested to Daley that an architectural salvage policy should be established (see Mackleman to Daley, Aug. 2, 1960, Fragments file, Commission on Chicago Landmarks Archives).

⁵⁷*People of the State of Illinois on the Relation of Marbro Corporation and Atlas Wrecking Company v. George L. Ramsey, Commissioner of Buildings of the City of Chicago*, Case Number 60 S 12277.

government drew more blanks in their search for the necessary cash. At best there were false alarms, as when some thought that the University of Chicago was interested in purchasing the building.⁵⁸ The city treasury did not have the money either, and the chance of getting bonding authority was fading. Time was running out, and Balaban and Katz was the timekeeper.

Balaban and Katz took the matter to the Illinois Appellate Court, which overturned Judge McKinlay's decision on November 22 and ordered that the demolition permit be issued. Melaniphy and his assistants argued that the city was justified in withholding the demolition permit on the basis of its police power to protect the public's cultural values. They denied that the permit was valid because the city was entitled to a reasonable amount of time to determine what action to take. The three appellate justices pointed out that nothing had been found to justify withholding the permit, though the city had had plenty of time. Even if the general assembly did pass enabling legislation, such a statute could not take effect until July 1, 1961, more than a year after Balaban and Katz applied for the permit. The only ordinance that did apply was the one that clearly provided for the issuance of the permit "when such a proper application is made," a fact that neither the plaintiff, the defendant, nor Judge McKinlay could have denied.

The appellate judges' decision was firm. "There is no special exception for landmarks," they said, and their final words upheld the rights of property owners to do business according to their own wishes:

It is laudable to attempt to preserve a landmark; however, it becomes unconscionable when an unwilling private party is required to bear the expense. The owners had decided that the preservation of the building was no longer feasible. All their previous efforts to retain the economic usefulness of the building had failed. It is undisputed that the theatre is functionally obsolete and that the building would continue to operate under a deficit even if large expendi-

tures for renovation were made. The building is presently vacant and is a potential fire hazard. In the exercise of their business judgment and their clear legal right, the owners applied for a permit to demolish the structure.

The writ of mandamus should have been issued requiring the defendant to issue the building permit.

The judgment is reversed and the cause remanded with directions to enter judgment for the relators.⁵⁹

The appellate judges found that the economic hardship that Balaban and Katz incurred in keeping the building outweighed the local police power. Since there was no apparent relief or any source of compensation and since the city could not compel the company to maintain the building, the owner would be allowed to have its way with the Garrick.

City attorneys began making plans to take their defeat to the Illinois Supreme Court, but on January 5, 1961, the city threw in the towel.⁶⁰ On that day, Mayor Daley met with all of the members of the landmarks commission along with counsel Melaniphy, building inspector Ramsey, Randall, and Alderman Emil Pacini, who chaired the council Committee on Buildings and Zoning. Daley accepted their recommendation to issue the demolition permit. They said that the city did not have the money to restore the Garrick even if they prevailed in the state supreme court, an action that had

⁵⁸Minutes of the Commission on Chicago Landmarks Meeting, Nov. 11, 1960, Commission on Chicago Landmarks Archives.

⁵⁹*People of the State of Illinois on the Relation of Marbro Corporation and Atlas Wrecking Company v. George L. Ramsey, Commissioner of Buildings of the City of Chicago*, 28 Ill.App.2d 252.

⁶⁰Randall to Sydney Drebin, Dec. 9, 1960, Garrick Theater Preservation Effort—Official Statements.



Richard Nickel originally intended only to document the Garrick photographically and to save as much of the ornamentation as possible. Those goals, however, evolved into his efforts to preserve the building. Above is a photograph taken during demolition.

been in preparation. The commission intended to put the matter behind them and focus its energies on strengthening the

commission through state enabling legislation to prevent recurrent losses of landmark properties.⁶¹

Not everyone was sad to see the Garrick knocked down. Of the four daily newspapers in Chicago, only the *Sun-Times*, and to a lesser degree the *Daily News*, joined the crusade to save it.⁶² Both newspapers printed major editorials in support of preservation, in addition to the frequent reportorial

⁶¹Report of Landmarks Commission Meeting, Jan. 1, 1961, TS, *ibid.*

⁶²Elinor Richey, "What Chicago Could Be Proud Of," *Harper's Magazine*, Dec., 1961, pp. 34-39.

articles. The *Tribune* expressed little opinion one way or the other, but the *American* was blatantly hostile and ridiculed the idea of keeping such a wreck of a building standing in the Loop. There were also letters to editors that questioned the wisdom of spending the public's money on the Garrick when there were other, more worthy, causes to espouse.⁶³ George Bailey, president of the Building Managers' Association of Chicago and prominent Loop real estate broker, expressed his arguments against the Garrick in a letter to the commission. There were "literally hundreds of landmarks worth preserving," he wrote, but the Garrick had lost too much of its architectural integrity to make restoration worthwhile. He believed that rescuing the Garrick with tax support would be a "very heavy expense . . . for the benefit of relatively but a handful of people." What he found most disturbing was "that a private owner, working within his rights can be embarrassed and delayed by a small group of people with no stake in the property."⁶⁴ However unpleasant the affair had been, anyone agreeing with Bailey would have been pleased with the outcome.

Many people were displeased, however. Thanks in large part to Nickel's indefatigable letter writing, the effort to preserve the Garrick gained national and international attention. The issue was reported in *Time*, *Variety*, the *New York Times* and *Herald-Tribune*, the *St. Louis Post-Dispatch*, the *Christian Science Monitor*, and *Paris Monde*, in many cases making the front page.⁶⁵ Throughout the summer of 1960, the mayor's office received scores of letters from all over the United States and Europe advocating salvation for the Garrick. Many letters came from such prominent individuals in architecture and the arts as Alfonso Iannelli and Olgivanna Wright, as well as architecture students in Kansas and Italy.⁶⁶

After all of the letters had been opened and all of the lawyers' briefcases closed, Atlas Wrecking Company moved its crews

onto the site in March of 1961, a little more than one year from the day that Nickel first read about the proposed demolition. The only thing he could do was to record the action with his camera and organize his friends and associates to salvage Sullivan's irreplaceable ornament.⁶⁷

There seemed to be plenty of blame to go around. Nickel and the other preservationists put the responsibility on Balaban and Katz's pursuit of the "fast buck." They blamed the landmarks commission for lack of vigor. Mainly, however, they blamed Mayor Daley, who, as the last powerful entity involved, could have saved the Garrick had he wanted. Vague authority and relatively nominal financial shortfalls had never hampered Daley's skillful wielding of power, and it appears likely that the mayor could have put Balaban and Katz at ease, pressured the Public Building Commission into amending their Civic Center plan, and found the money for interim expenses one way or another.

Placing the responsibility solely on Daley, however, does not explain why the Garrick was allowed to be demolished. While the

⁶³Ibid.

⁶⁴Bailey to Bowe, July 21, 1960, Garrick Theater Preservation Effort—Official Statements.

⁶⁵Garrick Theater Building file, Chicago Heritage Committee Papers.

⁶⁶Letters, Garrick Theater Preservation Effort—Correspondence.

⁶⁷"Progress Report: The Garrick," *Chicago Heritage Committee Newsletter*, Aug., 1961, pp. 1–2. Salvage and distribution of the ornament to museums, universities, and other interested parties took over two years (see Garrick Ornament Requests, Garrick Ornament Removal Distribution file, Commission on Chicago Landmarks Archives).



This photograph of the gutted Garrick Theater was taken by Richard Nickel.

tenacious Chicago Heritage Committee worked energetically and vociferously, the public remained largely indifferent. Second, the idea of challenging the entrenched ethic of property rights on aesthetic grounds was too new a concept in the city of Chicago. It would have been surprising had the preservationists been able to reverse established public opinion in any significant way. Most critical was the fact that in Chicago, as in most of the United States, in choosing between the city's real estate economics and landmarks preservation, the former would almost always prevail. In 1960 the preservation ethic was nascent at best. Preservation was not seen as a planning tool or a way to stabilize neighborhoods, nor were there any economic incentives to make preservation work. The aesthetic values of a small group were not enough to carry preservation through to success.

The Garrick had not been saved, but the

preservation movement in Chicago had been born. A vigilant community of preservationists would be forever alert to threats against its landmarks. The landmarks commission had been told that its new expanded role was to fight for landmarks preservation and advocate the retention of Chicago's famous buildings. A new law would be passed in 1963 that granted the city more power to protect material culture—a law that would eventually find application in other cities and towns throughout the state.

Although all the machinery would be in place, there was no guarantee that it would always work. Ten years later the same battle would be fought over Adler and Sullivan's Stock Exchange Building. That contest was lost as well, along with Richard Nickel, who died when a portion of the building collapsed on him while he was photographing the rubble.