

AGENDA # 8

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION

PRESENTED: 4/19/21

TITLE: Buildings Proposed for Demolition - 2021

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Heather Bailey, Preservation Planner

ADOPTED:

POF:

DATED: 4/21/21

ID NUMBER: 63346

Members present were: Richard Arnesen, Katie Kaliszewski, Arvina Martin, and David McLean. Excused were: Anna Andrzejewski, Betty Banks, and Maurice Taylor.

Also present: Alder Lindsay Lemmer, District 3

SUMMARY:

Bailey said that staff recommends a finding of no known historic value for the buildings at 2621 Moland Street, 1890 E Washington Avenue, 1858 E Washington Avenue, 6201 Mineral Point Road, 232 E Olin Avenue, 4145 Country Club Road as there are no preservation files or Wisconsin Historical Society site files for the properties.

Kaliszewski asked when Nakoma was developed as a golf course. Bailey said the property had been deemed not eligible to the National Register previously, and this property was purposefully left out of the boundary for the Nakoma National Register Historic District. She said that the buildings have undergone significant changes over time, including additions and reconfigurations of the exteriors. She said that the pool and pool house were constructed in 1973. Kaliszewski checked the Nakoma Country Club website and found that it opened in 1925. She said she had been curious whether the golf course was developed closer to the 1973 date of the pool and pool house.

Bailey said that the building at 222 E Olin Avenue is a historic roadhouse from the Prohibition Era and was constructed in 1930. Originally Eddie's Wonder Bar, it was opened by Eddie Touhy, brother of Roger "The Terrible" Touhy, who were both part of an Irish gang based out of Chicago. Bailey explained there was a network of roadhouses like this across the Midwest, which were venues for various gangs, particularly gangs from Chicago, to distribute illegal alcohol and partake in illegal gambling. The Touhys were rivals of Al Capone's gang, and there are many stories related to Roger Touhy's tangles with Capone. Bailey said there was a draft landmark nomination submitted by the Madison Trust for Historic Preservation in 2008, but at the request of the property owner, the nomination was withdrawn. She said that the nomination is on file as a draft, and it made the case that this property was eligible as a landmark due to being an intact example of a roadhouse structure and its connection to Prohibition-Era history in the Madison area.

Alder Lemmer said that she has heard concerns from her district regarding the demolition of this building. She urged the commission to have a thoughtful discussion of the history of the site, pointing out that there are not a lot of Prohibition-Era buildings left in Madison.

McLean said that given the amount of history, he was surprised the building wasn't being incorporated into the new development somehow. He said that it was unfortunate to lose a piece of history, especially one that

traveled through the state and made the state part of that same history. He said that the building has significant historic value and pointed out that it was potentially a landmark. Arnesen agreed. Kaliszewski suggested they attach the 2008 draft landmark nomination to their report to the Plan Commission. McLean added that the building was significant due to its architecturally significant style as a Prohibition-Era roadhouse and due to its history as a Prohibition-Era roadhouse. He said that this building plays a strong part in Madison's Prohibition-Era history, and there are very few, if any, other buildings related to that era that remain. He said that often the commission will reference the significance of related historic figures that do good, so he wasn't sure if they would qualify in this case, but the property is associated with famous figures in history, not just in the Madison area, but nationally.

ACTION:

A motion was made by McLean, seconded by Arnesen, to recommend to the Plan Commission that the buildings at 2621 Moland Street, 1890 E Washington Avenue, 1858 E Washington Avenue, 6201 Mineral Point Road, 232 E Olin Avenue, 4145 Country Club Road have no known historic value. The motion passed by voice vote/other.

A motion was made by McLean, seconded by Martin, to recommend to the Plan Commission that the building at 222 E Olin Avenue has historic value based on historic significance due to its Prohibition-Era history and as an intact or rare example of a certain architectural style or method of construction as a Prohibition-Era roadhouse. The motion passed by voice vote/other.

**City of Madison Landmarks Commission
LANDMARKS AND LANDMARK SITES NOMINATION FORM (1)**

Name of Building or Site

Common Name
The Bar Next Door

Historic Name (if applicable)
Eddie's Wonder Bar

Location

Street Address
222-232 East Olin Avenue

Aldermanic District
14

Classification

Type of Property (building, monument, park, etc.)
Building

Zoning District
C3

Present Use
Tavern

Current Owner of Property (available at City Assessor's Office)

Name(s)
JAX Holdings II LLC
c/o Dennie J. Jax

Street Address
P.O. Box 96
Gotham, WI 53540

Telephone Number

Legal Description (available at City Assessor's Office)

Parcel Number
070925208047

Legal Description

SEC 25, T7N, R9E, PRT NW 1/4 SW 1/4 INC ALL VAC SAYLES ST ADJ ON NE DESC AS FOL - COM C/L WINGRA CREEK AND C/L VAC SAYLES ST, TH S 35 DEG 58 MIN 10 SEC E 586.6 FT TO POB, TH N 30 DEG 31 MIN 40 SEC E 58.48 FT TO SWLY R/W RR, TH S 35 DEG 58 MIN 10 SEC E ALG RR R/W 189.60 FT, TH S 00 DEG 25 MIN 47 SEC W 104.90 FT TO PT 100 FT NE OF C/L OF OLIN AVE, TH CONT ALG SD BRG TO PT 50 FT NE OF C/L OF OLIN AVE, TH ON A CUR TO THE LEFT, RAD 1960 FT, LC BRS N 57 DEG 13 MIN 30 SEC W 259.8 FT M/L TO A PT, TH N 30 DEG 31 MIN 40 SEC E TO PT 100 FT NE OF C/L OF OLIN AVE, TH CONT ALG SD BRG 99 FT TO POB. ALSO A PARCEL AS DESC IN DOC 3259688 AS FOL: COM W 1/4 COR SEC 25; TH S 89 DEG 22 MIN 49 SEC E, 251.04 FT TO A POINT ON THE CENTERLINE OF OLIN AVENUE; TH S 70 DEG 37 MIN 37 SEC E, 599.37 FT ALG CNTRLN OF SD ST TO A PT OF CURVE RAD 1,050.00 FT, LG CD BRS S 63 DEG 20 MIN 04 SEC E, 266.56 FT; TH SELY ALG ARC OF CUR 267.28 FT; TH N 33 DEG 57 MIN 26 SEC E, 37.49 FT TO POB, SD PT BEING A PT OF CURVE RAD 1,087.49 FT, LG CH BRS S 51 DEG 38 MIN 48 SEC E, 166.70 FT; TH SLY ALG CUR 166.86 FT; TH S 47 DEG 15 MIN 07 SEC E, 172.88 FT ALG CUR, RAD 262.40 FT, CHD BRS S 59 DEG 40 MIN 32 SEC E, 31.37 FT; TH SELY ALG THE AR OF THE CUR 31.39 FT; TH N 31 DEG 14 MIN 43 SEC E, 140.73 FT; TH N 37 DEG 42 MIN W, 198 FT; TH S 24 MIN 46 SEC W, 167.92 FT TO CUR RAD 1,900.57 FT, LG CHD BRS N 56 DEG 32 MIN 08 SEC W, 268.77 FT; TH NWLY ALG THE ARC 269 FT; TH S 26 DEG 55 MIN 26 SEC W, 18.62 FT TO POB M/L.

Condition of Property

Physical Condition (excellent, good, fair, deteriorated, ruins)

Excellent

Altered or Unaltered?

Altered

Moved or Original Site?

Original site

Wall Construction

Masonry with brick veneer

DRAFT

City of Madison
LANDMARKS AND LANDMARK SITES NOMINATION FORM (2)

Historical Data

Original Owner
Eddie Touhy

Original Use
roadhouse

Architect or Builder
Unknown

Architectural Style
vernacular

Date of Construction
c. 1930

Indigenous Materials Used

List of Bibliographical References Used

Atlas & Plat Book, Dane County, Wisconsin. Rockford, Illinois: The Thrift Press, 1931.

Capital Times. (Madison, Wisconsin). 1985; and 2007.

Helmer, William J., Rick Mattik, and Rose Keefe. *The Complete Public Enemy Almanac: New Facts and Features on the People, Places, and Events of the Gangster and Outlaw Era, 1920-1940.* Nashville, Tennessee: Cumberland House Publishing, 2007.

Madison, Wisconsin. City of Madison Department of Planning and Development. Building Permit Records.

Madison, Wisconsin. City of Madison Office of the Historic Preservation Planner. Survey File.

New Atlas of Dane County, Wisconsin. Madison: Dane County Atlas Company, 1926.

Oshkosh Daily Northwestern. (Oshkosh, Wisconsin). 1933.

Touhy, Roger, and Ray Brennan. *The Stolen Years.* Cleveland, Ohio: Pennington Press, Inc., 1959.

Tuohy, John W. *When Capone's Mob Murdered Roger Touhy: The Strange Case of Touhy, Jake the Barber, and the Kidnapping that Never Happened.* Fort Lee, New Jersey: Barricade, 2001.

Form Prepared By

Name and Title
Elizabeth L. Miller

Organization Represented (if any)
Madison Trust for Historic Preservation

Address
4033 Tokay Blvd

Telephone Number
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Date Nomination Form Was Prepared
December 9, 2008

Landmarks Commission

LANDMARKS AND LANDMARK SITES NOMINATION FORM (3)

Describe Present and Original Physical Construction and Appearance.

Eddie's Wonder Bar, now known as the Bar Next Door, is located at 222-32 East Olin Avenue. Erected c. 1930,¹ It is a two-story, vernacular masonry building finished with brick. The building rests on a concrete basement, and the flat roof is accented with a deep, asphalt-shingled, skirt roof. Artistically-placed, rock-faced stones appear around each window. Most are 1/1 replacements, but all retain their original stone sills.

Eddie's Wonder Bar faces south. The south-facing (front) façade features a round, two-story tower at either corner. Each tower displays four windows at each story. Those at the first floor appear to be fixed windows with a Craftsman pattern. A one-story, enclosed, entrance porch projects from the center of the south-facing façade. The entrance porch's flat roof is enlivened with a broad, asphalt-shingled skirt. The entrance porch is flanked on either side by a large display window. At the second story, three windows are evenly-spaced between the towers.

A two-story, projecting, gabled section is centered on the north-facing (rear) façade. Original to the structure, this section is clad in brick and displays original, 3/1 sash windows. A small, one-story, shed roofed enclosed entrance porch has been attached to the gabled section. A door is recessed on the entrance porch's north face. The entrance porch has no other openings.

On the east-facing façade, a door can be found on the first floor, next to the tower. The door opens onto the patio, an outdoor eating space that was constructed in 1991.² Two, original, fixed windows with a Craftsman pattern are set to the north of the door. Two window openings can be seen at the second story; the southernmost has been bricked in.

The west-facing façade has no openings at the first story. Two windows are evenly spaced at the second story.

On the interior, the first floor is open, and houses the public section of the tavern. A large, random ashlar fire place of dark stone dominates the barroom. The wooden bar is said to have been brought from Chicago.³ Although hidden compartments for hiding weapons are said to have been included in the original plan, no evidence of woodwork, in which compartments could be hidden, were found. The second floor initially held two apartments, each with two bedrooms.⁴ Presently, a large banquet room and the bar's office are located upstairs. The basement is unfinished. The entrance to what is supposed to have been a secret tunnel out of the building is found in the east wall of the basement.

¹"Girls, guns, guts, gore," *Capital Times*, July 20, 1985; and Highway 12 first appears in *Atlas & Plat Book, Dane County, Wisconsin*, (Rockford, Illinois: The Thrift Press, 1931), but map does not include buildings.

² Building permit file.

³ "Girls, guns, guts, gore."

⁴ Building permit file.

City of Madison Landmarks Commission

LANDMARKS AND LANDMARK SITES NOMINATION FORM (4)

Significance of Nominated Property and Conformance to Designation Criteria.

Statement of Significance

Eddie's Wonder Bar is eligible for Landmark status under Criterion 1, representing the Prohibition Era, and the colorful gangsters that established outposts in their territory at roadhouses along highways in rural areas and on the outskirts of cities for the illegal distribution of liquor. Eddie's Wonder Bar was built for Eddie Touhy, and financed by his brother, Roger Touhy, who operated an illegal liquor distribution and gambling network northwest of Chicago, and whose gang battled Al Capone for control of the illegal trade in that area. The Wonder Bar's location, on what was formerly Highway 12, was characteristic of roadhouses. The building's fortress-like appearance has enhanced its myth, which claims that there is a body buried behind the second-floor fireplace, that the window glass is bullet proof, and that there are hidden compartments for weapon storage in the circular booths set in the towers. Evidence of a door into what was said to be a secret escape tunnel can be seen in the basement. Although the Prohibition era has been romanticized, it still represents a memorable episode in Wisconsin history, as Chicago mobsters extended their influence into the state.

From the ratification of the Eighteenth Amendment on January 29, 1919, prohibiting the manufacture, sale, and transportation of "intoxicating liquors" in the United States, until its repeal (by the Twenty-first Amendment) on December 5, 1933, a black market for alcoholic beverages flourished. Organized crime syndicates directed the manufacture and distribution of alcohol during Prohibition, and battled each other to expand their territories. One of the most notorious and violent criminals of the era, whose name has become synonymous with Prohibition, was Al Capone. He controlled the Italian mob, and its bootlegging, gambling and prostitution networks, in Chicago, from 1925 until the early 1930s. In 1927, Capone attempted to expand his territory northwest of Chicago's city limits, by opening houses of prostitution in an area already controlled by another criminal organization: the Touhy gang.⁵ The violence and trickery that characterized this dispute reached all the way to the Wonder Bar.

Roger Touhy (1898-1959) led the Touhy gang, which included at least three of his brothers, John, Joseph, and Tommy. The extent of Eddie Touhy's involvement is unclear. If Eddie Touhy was not involved, he was the only one of the six Touhy brothers who was not a crook. The Touhys were born on the west side of Chicago, in a poverty-stricken, ethnically-Irish slum known as "the Valley," the sons of James Touhy, an honest Chicago policeman. The eldest, James Touhy, Jr., was killed while attempting a robbery in 1917. The other brothers remained petty criminals until Roger became involved. Roger Touhy had made a small fortune working for the Sinclair Oil Company in Oklahoma, and returned to Chicago in 1920. Roger and his brothers leased a small fleet of trucks from syndicate boss Johnny Torrio's enormous bootlegging operation. The money from those leases enabled the brothers to buy a "franchise" from Torrio for beer delivery in northwestern Cook County. The franchise brought the brothers enough cash to enter a bootlegging partnership with two north side gangsters. By 1922, the brothers had bought out their partners in the beer delivery service, and were operating a brewery,

⁵ John W. Tuohy, *When Capone's Mob Murdered Roger Touhy: The Strange Case of Touhy, Jake the Barber, and the Kidnapping that Never Happened*, (Fort Lee, New Jersey: Barricade, 2001), p. 13.

and a string of gambling parlors as well. For the next three years, the brothers worked to develop their various enterprises. In 1925, the Touhys formed a partnership with Matt Kolb, who had been a part of Johnny Torrio's organization. Kolb and the Touhys were based in Des Plaines, Illinois, where they built a cooper shop, a brewery and a wort plant. By 1926, they had ten fermenting plants, and were operating more than 200 slot machines.⁶ As Touhy explained,

We sold beer to about 200 roadhouses, night clubs and saloons outside of Chicago, to the west and northwest of the city. Our boundaries were from the city line west to Elgin and from North Avenue to the Lake County, Illinois line.⁷

The Touhys kept themselves free of interference from local authorities by bribing local politicians with beer, and hiring off-duty patrolmen to drive their trucks.⁸

In 1927, Al Capone began pressuring Kolb and the Touhys to become partners with him. In late 1927, Roger Touhy met with a representative of Capone's at the Arch, a roadhouse in Schiller Park, Illinois that was purportedly run by Eddie Touhy. When the Touhys refused Capone's offer, Capone opened several houses of prostitution in Touhy territory, sparking a gang war.⁹ The Touhys' roadhouses were the scenes of several casualties of this conflict, including John Touhy, who was killed at the Lone Tree Inn, near Niles, Illinois, on December 4, 1927, and Joseph Touhy, who was shot to death at the Windmill Tavern, near Schiller Park, Illinois, on October 11, 1929. Matt Kolb was killed on November 18, 1931, at the Morton Inn, in Morton Grove, Illinois.¹⁰ Although a shoot-out is said to have taken place at the Wonder Bar as well, no evidence supporting this has been discovered.

Despite its losses, the Touhy gang continued to operate its small but profitable beer and gambling empire. Anticipating the end of Prohibition, Roger Touhy expanded into racketeering around 1930, in competition with Al Capone, both extorting the Teamsters Union. When Capone went to prison for tax evasion in May 1932, his successor, Frank Nitti, escalated the war between the two gangs, in an effort to monopolize the Teamsters' protection money. In 1933, Nitti engineered the arrest of Roger Touhy and three of his associates in the kidnapping of William A. Hamm. The FBI already had evidence indicting the real culprits, and Touhy and his associates were found not guilty on November 28, 1933. However, on December 4, 1933, Touhy was arrested again, and charged with the kidnapping of John "Jake the Barber" Factor. Factor, the brother of Max Factor (founder of the cosmetics company), had fled England to avoid a long jail term for having perpetrated one of the largest stock frauds in British history. In an attempt to save himself from extradition, Factor, working with the Capone/Nitti organization, had himself kidnapped, and with the assistance of some of Roger Touhy's men, framed Touhy for the crime. On February 22, 1934, Touhy was sentenced to 99 years, and imprisoned at the Stateville Correctional Center, near Joliet, Illinois.¹¹

⁶ Roger Touhy and Ray Brennan, *The Stolen Years*, (Cleveland, Ohio: Pennington Press, Inc., 1959), p. 69.

⁷ *Ibid.*, p. 66.

⁸ Touhy, pp. 36, and 47.

⁹ Touhy and Brennan, pp. 70-71.

¹⁰ *Ibid.*, p. 80; and "Arrest of Notorious Touhy Crow Smashes the last of Organized Gangs in Chicago," *Oshkosh Daily Northwestern*, July 29, 1933, p. 10.

¹¹ Touhy, pp. 60-73.

Roger Touhy appealed his conviction, but was denied. On December 9, 1942, Touhy broke out of the Stateville Correctional Center. Hiding in an apartment in Chicago, Touhy recalled, in inimitable prose,

I needed a substantial bankroll, just in case I had to pay off a bribe or get out of Chicago. My best source was my brother, Eddie. He owned a roadhouse, Eddie's Wonder Bar, near the State Fairgrounds outside of Madison, Wisconsin. I had put up the money for the place, and Eddie would come up with any reasonable amount I needed. But making a meet with him was almost as tricky as getting out of Stateville. The FBI would be sticking as close to him as hogs to a swill barrel. His phones would be tapped. If he got caught with me, it would be a harboring rap for him.¹²

Touhy arranged for an intermediary to travel to Madison and ask his brother for some money.

[The intermediary] parked his car in downtown Madison so his license wouldn't get spotted and took a bus out to my brother Eddie's place. I figured I needed \$1,500 but Eddie said to make it \$2,500. He would get it from the bank next day and send it by messenger to Chicago. [The intermediary reported, "T]here are a lot of guys acting like surveyors around your brother's club... They got spyglasses set up on tripods so as to get a fix if you try sneaking up to the joint across the fields or through the fairgrounds." [Roger Touhy responded,] "They're FBI men. They hang around Eddie's bar and peek through the windows of his living quarters at night. I told him to have his messenger make damn sure he isn't tailed when he comes to Chicago." I got the \$2500 the next day. An ex-convict working at the fairgrounds brought it to me at my apartment, and he wouldn't take a dime for his trouble. Eddie was paying him, he said. He also brought word that Eddie wanted to fix me up with a hideout in Arizona. To hell with that I said. I wasn't going to bury myself in some hole in the desert.¹³

Disregarding Eddie Touhy's advice, Roger Touhy stayed in Chicago, and was captured and returned to prison December 29, 1942. He was paroled in November 1959, and was shot to death on December 16, 1959. His killers were never identified, but were rumored to have been former associates of Al Capone and Frank Nitti. On the way to the hospital, Touhy told a reporter, "I've been expecting it. The bastards never forget."¹⁴

History of Eddie's Wonder Bar

Eddie's Wonder Bar remained in the Touhy family through 1950. Joseph Kasak owned it from 1950 until 1974, when Richard Whalen bought it. The Whalen estate sold it to the Stadium Bar, Inc., in 1990. In 1995, the Michael and Anne O'Brien Trust acquired the property, selling it to JAX Holdings II, LLC, in 2002.¹⁵

¹² Touhy and Brennan, p. 35.

¹³ Ibid., p. 36.

¹⁴ Touhy, pp. 181-185; and William J. Helmer, Rick Mattik, and Rose Keefe, *The Complete Public Enemy Almanac: New Facts and Features on the People, Places, and Events of the Gangster and Outlaw Era, 1920-1940*, (Nashville, Tennessee: Cumberland House Publishing, 2007), p. 79.

¹⁵ "Girls, guts, guns, gore;" and <http://www.cityofmadison.com/assessor>, retrieved November 15, 2008.

Eddie's Wonder Bar, 232 East Olin Avenue

