# National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer to complete all items.

Name of Property		
toric name Building at 304 Park Avenue So	uth	
er names/site number <u>Building at 44 East 23"</u>	Street	* · · · · · · · · · · · · · · · · · · ·
Location		
eet & number 304 Park Avenue South		[] not for publication
or town New York	<del></del>	[ ] vicinity
te New York code NY county	New York code	061 zip code <u>10010</u>
State/Federal Agency Certification		
[ ] statewide (X) locally, [ ] see continuation sheet for		1//
New York State Office of Parks, Recreation & Histor State or Federal agency and bureau  In my opinion, the property [ ] meets [ ] does not meet comments.)		
New York State Office of Parks, Recreation & Historian State or Federal agency and bureau  In my opinion, the property [ ] meets [ ] does not meet		
New York State Office of Parks, Recreation & Histor State or Federal agency and bureau  In my opinion, the property [ ] meets [ ] does not meet comments.)		continuation sheet for additional
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New York State Office of Parks, Recreation & Histor State or Federal agency and bureau  In my opinion, the property [ ] meets [ ] does not meet comments.)  Signature of certifying official/Title  State or Federal agency and bureau  National Park Service Certification  reby certify that the property is: [ ] entered in the National Register [ ] see continuation sheet [ ] determined eligible for the National Register [ ] see continuation sheet [ ] determined not eligible for the	et the National Register criteria. ([ ] see a	continuation sheet for additional  Date

Building at 304 Park Avenue	South	New York County, New York		
Name of Property	<u></u> .	County and State		·
5. Classification			<u>.,                                      </u>	
Ownership of Property (check as many boxes as apply)	Category of Property (Check only one box)	Number of Resources within Property (Do not include previously listed resources in the count)		rty ne count)
[X] private [ ] public-local [ ] public-State [ ] public-Federal	[X] building(s) [ ] district [ ] site [ ] structure	Contributing 1		buildings sites structures
	[ ] object	1	0	objects TOTAL
Name of related multiple po (Enter "N/A" if property is not part of			tributing resources រ tional Register	previously
n/a	<del></del>	0		
6. Function or Use				
Historic Functions (enter categories from instructions)		Current Functi (Enter categories fro		
COMMERCE/TRADE: business; professional		COMMERCE/T	RADE; business; prof	essional_
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7. Description			"	
Architectural Classification (Enter categories from instructions)		Materials (Enter categories fr	om instructions)	
LATE 19 <sup>TH</sup> & 20 <sup>TH</sup> CENTUR	YREVIVALS:	foundation	•	<del></del>
ltalia	an Renaissance	walls <u>Brick. S</u>	Stone. Terra cotta.	
		roof		
	·	other		. ——

Narrative Description (Describe the historic and current condition of the property on one or more continuation sheets)



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#### 7. Description

No. 304 Park Avenue South (originally known as 44 East 23<sup>rd</sup> Street) is an 11-story office building, built in 1903, located at the southwest corner of Park Avenue South and East 23<sup>rd</sup> Street. It has two penthouse structures on the roof, one added in 1916, the other in 1925-26.

#### The Office Building

Clinton & Russell's design is a fine example of the firm's office buildings – a base-shaft-capital design in brick and masonry, with terra-cotta ornament, based on Italian Renaissance models. The eleven-story building has two horizontal sections at its base – a one-story section for storefronts and entrance, and a second section, comprising the second and third stories; the central shaft rises six stories to a crowning two-story section at the top. Italian Renaissance influence in the ornamental treatment includes heavy rustication in the first three stories, decorative swags in the window spandrels, fret patterns below the fourth-story windows, and especially the elaborately decorative terra-cotta sections of the upper stories, crowned by a deep and elaborately adorned comice.

The office floors inside the building have been updated, as is common in such office buildings, and the lobby has been remodeled. The building's exterior, however, survives largely intact as a fine example of its kind.

#### The Penthouse Studio

The Penthouse Studio, added in 1916, is a two-story tall space that was built as an artist's studio. It has since been retrofitted for use as office space. Its exterior is plain — a corrugated metal surface with enormous window openings (the original window sash have been replaced) — all set back from the building's roofline.

Inside, the major alteration is the addition of a shallow mezzanine area, approached by a flight of stairs, with small enclosed offices at either end of the room, and similar small offices at either end of the room on the main floor. Otherwise, the overall sense of spaciousness of the double-height space, and the north wall almost entirely taken up by floor-to-ceiling window bays letting in north light, along with a simple beamed ceiling reflecting its structure, survive intact.

### The Tiger Room

The former Tiger Room is located in the 1925-26 penthouse addition and survives remarkably intact. This penthouse was built as a private gathering place for local politicians and businessmen. The various ornamental painted and sculpted representations of tigers that once adorned the room have long since disappeared, but the Tiger Room's configuration, luxurious wooden paneling, enormous fireplace, and vaulted ceiling, remain essentially in their original state.

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#### Vestibule

The Tiger Room is entered through a paneled wooden door leading into a small vestibule. The entrance wall is plaster, but the other three walls are completely faced with wooden paneling, set in rows in a pattern of alternating rectangles and squares. The room has a flat stuccoed ceiling with a non-original light fixture. There are three wood-paneled doors in three walls, one for the entrance and one each for a ladies' and a men's room. The fourth wall has a large segmental arch, with no door, that leads into the main room.

#### Main Room

The enormous main room is rectangular in plan. It has a wooden floor set in a herring-bone pattern. Its walls are paneled in the same pattern as the vestibule, with a short area of stuccoed wall surface above, rising to a shallow barrel-vaulted ceiling. The south wall is largely taken up by an enormous fireplace with a bracketed comice, above which rises a stuccoed area for its flue, the whole rising from floor to ceiling. It is currently painted white. The fireplace is flanked on either side by a rectangular window. There is also double-window in the west wall near the southwest corner, and a single window in the east wall.

#### Other Rooms

A doorway in the east wall leads to a series of small rooms that once served as kitchen and related functions. These rooms retain little original detail other than their wooden doors.

The second story rooms referred to in a 1928 article in the *New York Sun* (see significance section) have been closed off, and are now connected instead to the space that was once Guérin's studio. They are simple rooms, with no ornamental detail.

	at 304 Park Avenue South	New York County, New York
	of Property	County and State
Applica	ement of Significance able National Register Criteria in one or more boxes for the criteria qualifying the property	Areas of Significance: (Enter categories from instructions)
(Mark "x" for Natio	nal Register listing.)	
[X] <b>A</b>	Property associated with events that have made	Art
	a significant contribution to the broad patterns of our history.	Architecture
	·	Politics
[X] <b>B</b>	Property is associated with the lives of persons significant in our past.	
[X] <b>C</b>	Property embodies the distinctive characteristics of a type, period, or method of construction or that	
	represents the work of a master, or possesses high artistic values, or represents a significant and	Period of Significance:
	distinguishable entity whose components lack individual distinction.	1903-04
		1916-1946
[]D	Property has yielded, or is likely to yield, information important in prehistory or history.	Significant Dates:
Criteria	a Considerations	1904
	'in all boxes that apply.)	1916. 1925.
[ ] A	owned by a religious institution or used for	1946
	religious purposes.	Significant Person:
[ ] <b>B</b>	removed from its original location	Guerin, Jules
[] <b>C</b>	a birthplace or grave	
ם[]	a cemetery	Cultural Affiliation:
[]E	a reconstructed building, object, or structure	n/a
[] <b>F</b>	a commemorative property	11/4
[]G	less than 50 years of age or achieved significance within the past 50 years	Architect/Builder:
	within the past 50 years	Clinton & Russell
		Starrett & Van Vleck
(Explain 9. Maj Biblio	ive Statement of Significance the significance of the property on one or more continuation sheets.) for Bibliographical References graphy books, articles, and other sources used in preparing this form on one	or more continuation sheets.)
Previo	ous documentation on file (NPS):	Primary location of additional data:
[]	preliminary determination of individual listing (36 CFR 6 has been requested.	7) [ ] State Historic Preservation Office
	previously listed in the National Register	[ ] Other State agency
	previously determined eligible by the National Register designated a National Historic Landmark	[ ] Federal Agency [ ] Local Government
	recorded by historic American Building Survey	[ ] University
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### 8. Statement of Significance

The building at 304 Park Avenue South is significant under Criterion A for political history, because of its penthouse "Tiger Room," built and maintained by William F. Kenny, a childhood friend and major financial backer of Governor Al Smith. It is significant under Criterion B for its connections with Jules Guérin, a prominent American painter who built a penthouse studio in which to paint his gigantic murals for the Lincoln Memorial in Washington DC, and which he maintained as his studio for the next three decades. And it is significant under Criterion C as an example of a largely intact turn-of-the-20<sup>th</sup>-century office building by the prominent New York City architectural firm of Clinton & Russell.

#### Summary

No. 304 Park Avenue South – built originally as 44 East 23<sup>rd</sup> Street (and also known as 60 East 23<sup>rd</sup> Street) – is a handsome example of a turn-of-the-20<sup>th</sup>-century office building by Clinton & Russell, a prominent New York firm. Like most of that firm's office buildings, it is based on the 19<sup>th</sup>-century model of an office building arranged as an analog of a classical column – base-shaft-capital – and draws its ornamental detail and stylistic inspiration from the architecture of the Italian Renaissance.

Originally an 11-story building, it has two major penthouse additions, one built in 1916, the other in 1925-26. The first penthouse was built as an artist's studio for Jules Guérin, specifically for his commission to design two sixty-foot-long, 12-foot-high canvas murals for the Lincoln Memorial in Washington, D.C.; Guérin maintained the studio for thirty years, until his death in 1946, and painted many other large murals in the space.

The second penthouse was built for the building's new owner, William F. Kenny, a multi-millionaire contractor and childhood friend of Governor Al Smith. Kenny's penthouse, which he called the Tiger Room, became a major retreat for Al Smith and his circle, as well as other Tammany Hall politicians and friends of Kenny. Among many other distinctions, it was in the Tiger Room that much of the financing of Al Smith's gubernatorial and presidential campaigns was arranged, and where Smith was introduced to John J. Raskob, a major backer of his campaigns who later built the Empire State Building and made Smith its President.

### **The Building**

The building was constructed in 1903-04 as a speculative office building by the U.S. Realty and Construction Company, one of the company's first projects. The U.S. Realty and Construction Company had incorporated in 1901, and acquired a sizable interest in the George A. Fuller Construction Company, and the New York Realty Corporation. The actual construction was carried out by the Fuller Construction Company, to designs by the architectural firm of Clinton & Russell.<sup>1</sup>

New York City Department of Buildings, New Building Application 851 of 1903.

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Clinton & Russell<sup>2</sup>

One of New York City's leading architectural firms at the turn of the 20<sup>th</sup> century, Clinton & Russell are responsible for scores of buildings that range from early skyscrapers and luxury apartment houses to institutions and fashionable hotels. During the early years of the 20<sup>th</sup> century, when Manhattan's financial district was transformed from a relatively low-scale section to a district of dramatic "canyons" and monumental structures, many of the most prominent buildings were by Clinton & Russell.

Charles William Clinton was born and raised in New York City. He worked in the office of Richard Upjohn before leaving, in 1858, to begin an independent practice. Following a brief partnership with Anthony McDonald, Jr., Clinton worked alone for 32 years before joining a new partnership with William Hamilton Russell in 1894. Russell, also a native New Yorker, had studied at the Columbia School of Mines before joining the firm of hi great-uncle, James Renwick, in 1878, becoming a partner in 1883 and staying until 1891.

Though both men trained with the most important Gothic Revival architects in the country, their work shows little Gothic influence. Most of Clinton's important buildings were office buildings based on Italian Renaissance prototypes. A strong design feature of all these works was a pronounced layering of the façade into horizontal sections with monumental pilasters or piers carrying comice bands, a usual rendering of the tall building during the 19<sup>th</sup> century. Clinton did not stylistically express the verticality of tall buildings until he formed his partnership with Russell. A Clinton & Russell office building is generally faced in brick and masonry, with a base consisting of two horizontal sections, a shaft characterized by a monumental arcade which makes a strong vertical statement either at the central bays or across the full façade, and, finally, a prominent roof entablature crowned with additional stories.

#### 304 Park Avenue South

Clinton & Russell's design is a fine example of the firm's office buildings – a base-shaft-capital design in brick and masonry, with terra-cotta ornament, based on Italian Renaissance models. The eleven-story building has two horizontal sections in its base – a one-story section for storefronts and entrance, and a second section, comprising the second and third stories; the central shaft rises six stories to a crowning two-story section at the top. Italian Renaissance influence in the ornamental treatment includes the heavy rustication in the first three stories, the decorative swags in the window spandrels, fret patterns below the fourth-story windows, and especially the elaborately decorative terra-cotta sections of the upper stories, crowned by a deep and elaborately adorned comice.

The office floors inside the building have been updated, as is common in such office buildings, and the lobby has been remodeled. The building's exterior, however, survives largely intact as a fine example of its kind.

<sup>&</sup>lt;sup>2</sup> The following section is condensed from the New York City Landmarks Prescription Commission's Upper East Side Historic District Designation Report (New York: City of New York, 1981), Vol II, pp 1211-1212.

OMB No. 1024-0018

NPS Form 10-900a (8-86)

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### Jules Guérin's Penthouse Studio

In 1916, the building owners erected a two-story tall penthouse on the northern half of the building's roof to serve as a studio for Jules Guérin, who painted the two sixty-foot long murals in the Lincoln Memorial in Washington, D.C. The studio was built specifically for the purpose of creating the enormous murals, but Guérin maintained the studio until his death thirty years later.

#### Jules Guérin

Jules Guérin<sup>3</sup> (1866-1946) was a painter, water-colorist, muralist and architectural renderer who achieved great success and national and international recognition. Born in St. Louis, Mo., he studied at Dartmouth (Litt. D.) and then at the Ecole des Beaux-Arts in Paris with Benjamin Constant and Jean Paul Laurens. He lived for a time in New Orleans, but eventually moved to New York City, where he spent the bulk of his professional life. Guérin's work falls into three major categories: illustrations for travel books, renderings and presentation drawings for architectural firms, and large murals. Besides his work at the Lincoln Memorial, he did murals at Penn Station in New York City; the Federal Reserve Bank in San Francisco; the Illinois Merchants Trust Co., Merchandise Mart and Civic Opera in Chicago; the Capitol in Baton Rouge, La.; and the Union Trust Company and Terminal Building in Cleveland. He maintained studios in New York, Paris, London and Cairo. His work was exhibited in America and Europe, and he won many prizes and honors.

Guérin was particularly admired for his color sense, which led to his being hired as "director of color" for the 1915 Panama-Pacific Exposition in San Francisco – he was said to be the first such director at any exposition.<sup>4</sup> According to Guérin, color was

the magic quality our public buildings have missed so long. For color, like music, is the language of emotion. Without it our walls are dumb and unresponsive, our columns cold, our statues lifeless. With it, we may bring to the inanimate surface the joy of warmth and sunlight and vibration, and borrowing inspiration from the painter's palette, help our architecture at last to find its soul.<sup>5</sup>

<sup>&</sup>lt;sup>3</sup> There is no standard biography of Jules Guérin. Biographical details presented here are based on the following sources: Doris Ostrander Dawdy, Artists of the American West. A biographical dictionary, Vol III, Artists Born before 1900 (Athens: Swallow Press/Ohio University Press, 1985); Who Was Who in American Art, edited by Peter Hastings Falk (Madison: Sound View Press, 1985); American Art Annual, vol. 20 (1923-24), edited by Florence N. Levy; and Who Was Who in America, a companion biographical reference work to Who's Who in America, Vol. 2, 1943-1950 (Chicago: A.N. Marquis Co., 1963), p. 225.

<sup>&</sup>lt;sup>4</sup> Panama-Pacific International Exposition Brochure, 1915: "This is the first Exposition to have a uniform color scheme. From one end to the other, throughout the entire area of the site—whether it be within the boundaries of 'The Zone' or among the buildings and pavilions of the states and foreign nations, or in the midst of the great palaces themselves— the same beautiful, soft, entrancing color scheme prevails. Under the direction of Jules Guérin, the famous colorist, the world will be shown a study in natural tints unlike anything ever before attempted and which at once commands the attention and admiration of all beholders. The palaces themselves are of a soft, cold, gray tin, a kind of smoked ivory, at once pleasing and restful to the eyes, and which forms a foundation or background for the vivid coloring of doorways, the vari-tinted shrubbery, the beds of flowers and matchless lawns."

<sup>5</sup> Quoted in *The Craftsman*, August 1914.

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Guérin's presentation drawings were legendary in architectural circles. His clients included Daniel H. Burnham (for whom he prepared the renderings for the Plan of Chicago), McKim Mead & White, and Henry Bacon. As described in 1909:

What Mr. Guérin seeks to do, in his perspective drawings in color, is to recreate, in a larger and finished way, the architect's original sketch, worked out in full flower, yet with everything not indispensable to the general effect either subordinated or eliminated. His drawing is meant to bear the relation to the routine diagram that a sensitive and illuminating portrait, painted or drawn or modeled, sustains to the soulless dullness of an ordinary photograph.... It is to his practical training in painting stage scenery for certain celebrated actors, nearly two decades ago, that Mr. Guérin owes much of his unusual command of perspective and his sensitiveness to its violation...<sup>6</sup>

On Guérin's death in 1946, the editor of the AIA Journal wrote:

I wonder how many of the younger architects and students hold the man and his work in the high admiration and respect that we of an older generation did and still do. Fortunately his mural frieze in the Lincoln Memorial in Washington will keep forever green our memories of Jules Guérin, as the seated Lincoln does for Daniel Chester French and the temple itself does for Henry Bacon. But more familiarly the architects knew Guérin for his superb renderings of architectural subjects....<sup>7</sup>

It was Guérin's architectural work that helped win him the commission for the Lincoln Memorial murals.

The Lincoln Memorial and its murals

Plans for a Lincoln Memorial date back to as early as an 1867 Act of Congress creating a Lincoln Monument Association, just two years after Lincoln's assassination. Nothing came of that proposal, or any others, until 1911, when Congress created a Lincoln Memorial Commission authorized "to employ the services of such artists, sculptors, architects and others as it shall determine necessary..." After much review, in 1913 the Commission hired Henry Bacon to design the monument's architecture and setting in Potomac Park. Ground was broken on Lincoln's birthday, February 12, 1914. In December 1914 Bacon chose Daniel Chester French to be the sculptor; Guérin was retained to do the murals in May 1916. The Memorial was dedicated on Memorial Day, May 30, 1922. Today the Lincoln Memorial is considered one of the capital's, and the country's, major monuments.

<sup>&</sup>lt;sup>6</sup> Samuel Swift, "The Pictorial Representation of Architecture - The Work of Jules Guérin," *The Brickbuilder*, Sept 1909, Vol. 18 no. 9, p.177, 180.

<sup>&</sup>quot;The Editor's Asides," AIA Journal, Sept 1946, p. 140.

<sup>&</sup>lt;sup>8</sup> This history of the Lincoln Memorial is based on *The Lincoln Memorial, Washington*, by Edward F. Concklin (Washington: U.S. Government Printing Office, 1927).

<sup>&</sup>lt;sup>9</sup> Cited in Concklin, p. 19.

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Guérin's architectural rendering work was both indirectly and directly responsible for his receiving the Lincoln Memorial commission. On the one hand, Guérin had done the presentation watercolors for Henry Bacon's proposal, and it was Bacon who later hired him for the murals.<sup>10</sup> On the other hand, according to Charles Moore, Chairman of the National Fine Arts Commission that supervised creation of the memorial:

In order to insure that the mural decorations should fall into place in the general architectural scheme, Mr. Jules Guérin was commissioned to paint them; for he has preeminently the architectural sense. <sup>11</sup>

Guérin's work at the Memorial included two enormous murals, each 60 feet long and 12 feet high, one located on the south wall above the inscription of Lincoln's Gettysburg Address, the other on the north wall above the inscription of Lincoln's Second Inaugural Address.<sup>12</sup> He also painted ornamental laurel and vine leaves on the bronze ceiling beams. Guérin declared that his murals "typify in allegory the principles evident in the life of Abraham Lincoln." Each mural presents an allegory comprised of groups of figures, three groups for each mural. The mural on the south wall, entitled "Emancipation," includes three groups representing, from left to right, "Justice and the Law," "Freedom and Liberty," and "Immortality." The central group, "Freedom and Liberty," is described as follows:

The Angel of Truth is giving Freedom and Liberty to the Slave. The shackles of bondage are falling from the arms and feet. They are guarded by two sybils.<sup>14</sup>

The other groups are similarly comprised of allegorical figures. The groups include a total of 48 figures.

Even before the dedication of the Memorial, the murals had attracted attention. In February 1920, the American Magazine of Art ran an article about the murals, describing them as follows:<sup>15</sup>

They are both figure compositions, allegorical themes, yet of our own day and time.... Mr. Guérin has spared no pains in searching out models of the right type and each figure is magnificently drawn, boldly interpreted, essentially human and yet absolutely detached from life. They are architectural, sculpturesque and yet sincerely decorative. The color used is peculiarly attractive, dull blue, red, green and brown, positive but tempered, rich but not insistent, unusual. As unusual as the colors employed by Baskt [sic] or his Russian colleague Annisfeld for scenic purposes, but much less sensuous and much more pleasing. The technique that Mr. Guérin has employed is likewise unique. He has used heavy outlines, his color is held in large masses but applied in short strokes which produce atmospheric effect and charming texture, admirably suited to the place in which these paintings will be seen. The execution

<sup>&</sup>lt;sup>10</sup> Audrey T. Tepper "Restoration of the Lincoln Memorial Murals," National Park Service: Cultural Resource Management, Vol. 22, No. 7, 1999; the drawings were displayed at the Coreoran Gallery May 13-20, 1913 (Corcoran Gallery website: http://www.corcoran.org/exhibitions/archive\_results.asp?Year=1913).

<sup>&</sup>lt;sup>11</sup> Charles Moore, "The Memorial to Abraham Lincoln," Art and Archaeology, June 1922, no. 6, p. 252.

<sup>&</sup>lt;sup>12</sup> Description based on Concklin, op. cit., pp 45-46.

<sup>13</sup> Concklin, p.45.

<sup>&</sup>lt;sup>14</sup> Concklin, p.45.

<sup>15 &</sup>quot;Mr. Guérin's Paintings for the Lincoln Memorial," American Magazine of Art, Vol XI No. 4, Feb 1920, pp 128-130.

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of these paintings has occupied Mr. Guérin three years. He has done every stroke of the painting himself.

The author went on to note that while Guérin was already well known as an illustrator and architectural renderer,

...[a]s a painter of figures and as a mural painter he will step into prominence for the first time when these paintings are put on view. No small reproduction can do more than hint at the character of the works. By those who have been fortunate enough to see the originals in place, it is thought that in their design and execution Mr. Guérin has struck a new note and set a new standard in mural decorations.

In his address at the Memorial's dedication, former President Taft praised Bacon ("a worthy successor of McKim") and French ("one of our greatest sculptors"), but declared that "the mural decoration of another great American artist, Guérin, with their all-embracing allegory, crown the whole sacred place." <sup>16</sup>

Guérin's New York studio

Unlike murals done as frescoes – painted directly on the wall surface – Guérin's murals were painted on canvas and then attached to the walls. As a result, Guérin did not have to paint his murals in Washington, and instead worked in New York City. <sup>17</sup>

Guérin's prior work as an illustrator and renderer hadn't required much space, but the Lincoln Memorial commission was on a vastly greater scale. Requirements included sufficient space to work on a 60-foot-long, 12-foot-high continuous piece of canvas weighing 600 pounds, room for the various models who posed for the allegorical figures, room for supplies (including 300 pounds of paint), and sufficient light – preferably the even, north light so prized by painters. Moreover, Guérin wanted to paint the murals "under conditions of light and space as nearly like those in which they are to be seen permanently as possible." 18

Rather than settle for anything less, Guérin arranged for what the American Magazine of Art described as "a huge atelier constructed specially for the purpose on the roof of one of the great business buildings in the heart of New York's busiest district." The atelier was a penthouse added to the roof of 44 East 23<sup>rd</sup> Street, just a few blocks north and west of his residence at 24 Gramercy Park. The penthouse was designed by the prominent architectural firm of Starrett & Van Vleck, whose work includes the Bloomingdales and Abraham & Strauss

<sup>16</sup> Concklin, op. cit., p. 86.

<sup>&</sup>lt;sup>17</sup> Audrey T. Tepper, Restoration of the Lincoln Memorial Murals, op. cit.: "The murals were painted on two continuous pieces of canvas in the artist's studio in New York City.... In 1919, the murals were brought to Washington rolled onto large wooden drums. The drums were hoisted into place and the murals were gradually unrolled from the center out. They were then adhered directly onto the limestone walls and tamped down with felt-covered bricks."

<sup>18 &</sup>quot;Mr. Guérin's Paintings for the Lincoln Memorial," American Magazine of Art, op. cit., p 130.

<sup>&</sup>lt;sup>19</sup> Ibid.

<sup>&</sup>lt;sup>20</sup> Manhattan telephone directories list Jules Guérin at "24 Gramercy Park" before 1916; after 1916, and until Guérin's death, they list him at two addresses: "Studio, 60 E.23" and "Residence, 24 Gram Pk."

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department stores and the American Stock Exchange. Papers filed with the New York City Department of Buildings specifically state that "the studio will be used for special purposes for execution of mural decoration for Lincoln Memorial [sic]."<sup>21</sup>

The principle characteristics of the studio were, first, its size and openness and, second, its lighting. The space – a single space the height of two normal stories – permitted not only the full extension of the 60-foot-long, 12-foot-high canvases, but also the use of a special platform that has been described as similar to a stage, on which Guérin could raise or lower his canvases as necessary<sup>22</sup> – particularly important since Guérin employed no assistants, painting the work entirely by himself. Located on the northern half of the roof, the penthouse also boasted a north wall of floor-to-ceiling end-to-end windows, effectively creating a huge open wall through which could pour in the north light so prized by painters.<sup>23</sup>

Guérin took three years to complete the murals, from 1916 to 1919. Once the murals had been brought to Washington, Guérin began to get additional commissions for large mural works, and he kept the studio for the rest of his life. It was here that he most likely painted the large-scale works in Chicago, Cleveland, Baton Rouge and clsewhere.

Today, the penthouse interior has been retrofitted for use as office space, and the window sash have been replaced. Nevertheless, the overall sense of spaciousness of the double-height space, and the wall of windows letting in north light, survive intact.

### The Tiger Room

Sometime between 1920 and 1923, No. 44 East 23<sup>rd</sup> Street was acquired by William F. Kenny, a self-made multi-millionaire contractor. In 1925-26, Kenny built an additional penthouse on the building's roof, directly adjacent to Jules Guérin's studio. Known as the "Tiger Room," Kenny's penthouse became famous in the latter half of the 1920s as a gathering place for Kenny's circle, which included his childhood friend Governor Al Smith, other politicians in the orbit of Tammany Hall, and a number of Smith's financial and political backers during his unsuccessful 1928 campaign for the Presidency.

<sup>&</sup>lt;sup>21</sup> New York City Department of Buildings, Alteration application 2371 of 1916, letter of appeal.

<sup>&</sup>lt;sup>22</sup> Audrey T. Tepper, Restoration of the Lincoln Memorial Murals, op. cit.

<sup>&</sup>lt;sup>23</sup> Artist studio buildings in New York City almost always feature huge windows with "north light." Cf the Rodin Studios at 57<sup>th</sup> Street and 7<sup>th</sup> Avenue, the Gainsborough Studios on Central Park South, and many others.

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William F. Kenny (1868-1951)24

William Kenny was born on the Lower East Side, the son of a fireman. According to his obituary in the New York Times, Kenny ran away from home at the age of 13 to become a cow-puncher in Texas, moved on to work on the railroads, and then came back to New York City to work as a contractor, with Con Edison eventually becoming his biggest client. According to a 1928 article in the North American Review, however – written when Kenny was at the height of his wealth, and had become publicly identified with Al Smith and the financing of his presidential campaign – at age 13 Kenny was already working for Con Edison, driving an "ash cart"; he went west to Wyoming to work in a slaughter house; later, moving back to New York, he returned to his former job with the utility. The writer continues:

Kenny's father was a Battalion Chief of the New York Fire Department. There was a bad blaze in one of the Edison plants and Chief Kenny did work that made the late Nicholas F. Brady, who controlled the New York Edison, deeply grateful. He sought out Chief Kenny. 'What can I do for you?' asked Brady. 'Nothing, thanks,' said Chief Kenny, 'but if you want to give my son a chance, I'd appreciate it.' Young Kenny did not have to wait long for his first contract.<sup>25</sup>

Whatever the details of his youth, Kenny without doubt grew up a poor boy on the Lower East Side, and thanks to his contracting work for Con Edison and later financial connections enjoyed a fortune estimated at between \$30,000,000 and \$100,000,000. Among his extravagances he counted a "triplex apartment on Fifth Avenue," and a private railroad car, called the "St. Nicholas," said to be the country's largest.

Kenny's childhood friends included Al Smith, a fellow Irish-American growing up on the Lower East Side. As a successful adult, Kenny became one of the major financial backers of Smith's campaigns for Governor and, later, President. In 1929, after Kenny's support for Smith had become a political issue, Smith wrote:

To those who know us both, and who come from the old neighborhood, it is easily understandable [why Kenny supports him]. He began, like myself, at the bottom rung of the ladder. His father was a fireman. He started as a truck driver and by hard work and the devotion of his friends he attained his present position in the financial and business circles of our city.<sup>27</sup>

There is no standard biography of William Kenny. This account is based on the following sources: "W.F. Kenny is dead; Gov. Smith Backer," New York Times, August 14, 1951 p.23; Denis Tilden Lynch, "Friends of the Governor," North American Review, Oct 1928, 420-428; and more recent accounts cited below on specific points.

<sup>25</sup> Lynch, North American Review, p. 428.

Lynch, ibid.

<sup>&</sup>lt;sup>27</sup> Alfred E. Smith, Up to Now: An Autobiogrpahy (New York: Viking Press, 1929), p.373.

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Governor Alfred E. Smith (1873-1944) and the new Tammany Hall

Al Smith was one of the most popular and successful 20<sup>th</sup> century politicians in New York City and State. <sup>28</sup> Growing up poor on the Lower East Side, Smith entered local politics and came under the tutelage of Charles F. Murphy, boss of Tammany Hall. Following a succession of positions – State Assemblyman, sheriff of New York County, President of the Board of Aldermen – Smith served as governor of New York State for four terms<sup>29</sup>, from 1918 to 1920 and from 1922 to 1928, in which year he became the Democratic nominee for President of the United States.

As assemblyman and then as governor, Smith promoted much progressive legislation. As vice-chairman of the Factory Investigating Commission – formed in 1911 in response to the disaster of the Triangle fire – he worked with the Commission's chairman, Robert Wagner, to revise the state's labor code. In 1921, he served on the commission that created the Port of New York Authority. He worked to improve the city's subway service, to promote rent control and low-cost housing, to improve workers pay, to limit working hours, and to build parks throughout the city.

The idea of a reform politician connected to Tammany Hall – long a by-word for municipal corruption – seemed counterintuitive to many New Yorkers in the 1920s, but in fact Al Smith's rise to power as a reformer dovetailed with the political inclinations of his mentor, Charles Murphy, the powerful leader of Tammany Hall, and marked a major turning point for that organization.

The history of Tammany Hall<sup>30</sup> can be traced back as far as 1789, when the Society of St. Tammany first met, for the declared reason that "it has become apparent that our independence, so recently and so dearly obtained by our fathers and our brothers...is in danger of being... disturbed.... In order...to counteract the machinations of those slaves and agents of foreign despots," a new organization "founded on the basis of American liberty as the rallying point of freemen, is indispensably necessary." Given its later history, it's surprising to learn that the Society originally included only native-born citizens, and excluded Catholics. The Society borrowed heavily from Native American symbolism, calling its members "braves," its headquarters the "wigwam," its Master of Ceremonies the "sagamore," its leaders "sachems," and its top leader the "grand sachem."

Tammany underwent a major transformation after 1850, as the city expanded enormously in population because of immigration, primarily from Ireland and from German-speaking states. As characterized in a recent biography of Al Smith:

<sup>&</sup>lt;sup>28</sup> For a brief summary of Smith's career, see his entry in the Encyclopedia of New York. For in-depth treatment, see the two major recent biographies: Christopher M. Finan, Alfred E. Smith: The Happy Warrior (New York: Hill and Wang, 2002) and Robert A. Slayton, Empire Statesman: The Rise and Redemption of Al Smith (New York: The Free Press, 2001. Other sources consulted are cited below for specific quotations.

<sup>&</sup>lt;sup>29</sup> During those years, gubernatorial terms lasted two years, not four.

<sup>&</sup>lt;sup>30</sup> The following summary is based largely on Robert A. Slayton, Empire Statesman, op. cit.

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These people [the new immigrants] were poor, adjusting to the rules of America, but also the rules of unrestrained urban capitalism.... [They had no welfare benefits to fall back on; and government offered little immediate help. If a problem arose,] ...in stepped the machine. If your son got picked up by the cops, they sent a lawyer to court. If you were cold, a load of coal arrived. If your house burned down (at a time when insurance was rare), the first person on the scene was the ward leader. The list was endless....<sup>31</sup>

All Tammany asked in return was the immigrants' vote on Election Day.

Tammany first achieved a national reputation for corruption under the rule of "Boss" William M. Tweed in the 1860s and early 1870s. As one millionaire Tammany insider later explained, "I seen my opportunities, and I took 'em." The Tammany mystique continued through the end of the 19<sup>th</sup> century and into the 20<sup>th</sup>.

In February 1928, the year that Smith would seek the Democratic presidential nomination, political commentator Walter Lippmann wrote an article in which he proposed that while Tammany had long deserved its reputation as a corrupt political Democratic party machine, its widespread fame was largely a result of its location in New York City, capital of finance and publishing, and that other corrupt municipal political organizations were equally dreadful. But it was also true, he wrote, that in the years since the end of World War I, Tammany had changed:

No political organization ever had a worse reputation to live down than Tammany. Yet it is the simple truth to say that in the last ten years or so New Yorkers who are well informed have gradually had their anti-Tammany complex dissolved.<sup>32</sup>

Tammany, he wrote, now provided a municipal government as honest and efficient as any other. True, the organization still operated a system of patronage.

But along with this there are in Tammany Hall men of high personal integrity who are really interested in the art of government, liberal in their sympathies, and extraordinarily deft in their understanding of human nature<sup>33</sup>

For Lippmann, the clearest demonstration of this change in Tammany was the ascendance of Al Smith, who was a pure Tammany product, and couldn't have been elected without its support:

In backing Al Smith for governor and for President, Tammany is not reaching out for plunder. The four administrations of Al Smith have proved that beyond all possibility of argument. These administrations have given the State of New York the most enlightened government it has known in this generation.... The career of Governor Smith means to Tammany not plunder but prestige, not an opportunity for

<sup>33</sup> *lbid*.

<sup>31</sup> Slayton, p. 52.

<sup>32</sup> Walter Lippmann, "Tammany Hall and Al Smith," The Outlook, Vol. 148, No.5, February 1, 1928, p.164.

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corruption but a chance to save its political soul, not petty politics but large politics. In Smith, for the first time in its history, Tammany has experienced the pleasure of a good name.

And Lippmann believed that Smith was able to do what he did not in spite of Tammany's leadership, but because of it, and in particular because of one of its most powerful leaders, Charles Murphy:

I have been told, and I believe it to be true, that the late Charles F. Murphy, who was Boss of Tammany Hall when the Governor was elected for the first time, looked upon Al Smith as the hope of his declining years, and that he exerted all the great power he commanded to protect the governor against the importunities of his own henchmen. The power of Tammany, which had traditionally been used to control public officials, was in Smith's case used to free him from the necessity of pandering to the machine.

Murphy's later biographer shared this judgment. After tracing Murphy's evolution in detail, she concludes:

At the peak of the Progressive Era, the most populous state in the Union answered to the orders of an untutored politician [Murphy] from the Irish slums of the Lower East Side. His background and his political system had worked against the prominence he had attained. Yet, caring about respectability and responsibility in government, he had acquiesced in the progressive ideas of his protégés. Largely thanks to Charles F. Murphy, political power concluded an entente with reform, so that by 1924 [the year of Murphy's death] the New York State Democracy faced squarely the complexities of the twentieth century.<sup>34</sup>

With Murphy's death in 1924, Governor Smith became the most powerful figure in both State government and Tammany Hall; although Murphy had a successor at the hall, according to Lippmann he took "his instructions in all important matters" from the Governor, and not vice-versa.

#### The Tiger Room

The last few years of the 1920s, after Murphy's death, coincided with Smith's fourth term as Governor and his unsuccessful run for the Presidency. Smith had his office in Albany, and when in New York City stayed at the Biltmore Hotel. But he spent much of his time in New York City huddled with his friends and associates – political and otherwise – in a private retreat built by William Kenny atop his office building at 44 East 23<sup>rd</sup> Street – the "Tiger Room."

Kenny built his penthouse retreat in 1925-26, directly adjoining Jules Guérin's studio. When later asked (at a U.S. Senate hearing) how he came to build it, Kenny explained:

<sup>&</sup>lt;sup>34</sup> Nancy Joan Weiss, Charles Francis Murphy, 1858-1924: Respectability and Responsibility in Tammany Politics (Northampton, Mass: Smith College, 1968), p.91.

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The origin of the Tiger room was that in my Shore Road house I always kept a rathskellar where my friends and I enjoyed ourselves, and when we sold the Shore Road house I was at a loss for a place for enjoyment, and I conceived the idea of building a penthouse on the roof of my building.<sup>35</sup>

Possibly it was Guérin's studio in the same building that gave him the idea to build his own penthouse there. In any case, Kenny applied for a building permit in late 1925 to build what the application described as a "new sun parlor to be used for recreation and private entertainment purposes by the Owner and no part to be rented. Occasional occupancy 20 persons." The resulting rooms were lavishly appointed, complete with dark wooden paneling and a massive fireplace. Their furnishings included ornamental tigers of various kinds – a reference to the Tigers of Tammany.

An article in the New York Sun in May 1928 described the Tiger Room as follows:

The anteroom of the penthouse is small but handsomely and tastefully furnished with a good rug, a small table bearing a vase of flowers and a tiger cast in shining brass. Above the table is a painting of this striped jungle cat which is Tammany's emblem, and upon the grillwork of the elevator doors are two small brass tigers, in medallion, rampant.

The famous Tiger room...was an agreeable eyeful on the instant - from the threshold. The first impression one got was of size - spaciousness - elbow room enough for big men. The Tiger Room is about fifty feet one way by forty another, with a good high ceiling, probably about twelve feet. The second impression you get is that of good taste....

At one side of the room is a stage or platform with a rounded side. Upon the stage is a baby grand piano and a fine tiger skin.... On another side is a big, capacious fireplace for real logs, just the kind of fireplace to toast your feet in front of on a cold night. In the middle of the room is a refectory table, eight or ten feet long and about three feet wide, where lunch is served sometimes. To the front is another table with cigars and cigarettes, magazines and such things.

Under foot are a dozen fine Persian rugs, palpably and obviously good, of soft, unobtrusive tones, in a nice blue and an agreeable rose, and all around are big, comfortable leather chairs into which a man can sink with comfort. That's the Tiger Room. It has attractiveness and restfulness. Whoever did the Tiger Room did it well.

<sup>&</sup>lt;sup>35</sup> Transcript of Kenny's testimony before the United States Senate Special Committee Investigating Presidential Campaign Expenditures, May 16, 1928, p.320.

<sup>&</sup>lt;sup>36</sup> New York City Department of Buildings, Alteration application 2408 of 1925, "Southwest corner of present building to be raised. Steel and brick wall to be carried up as shown. Elevator and penthouse to extend to new level. Fire-escape to extend to new roof. Sun parlor to have steel and concrete roof with 5 ply tar and gravel roofing. All new partitions to be 4" and 6" terra cotta. Present roof construction above slab to be removed and new fireproof floor laid." The cost was estimated at \$30,000. The permit was approved on November 12, 1925; work was completed by February 4, 1926.

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41 New Yark Sun, op. cit.

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Off from a corner runs a little hallway - ten feet long or so - to a small dining room and the walls of the hallway are literally covered with photographs picturing the rise and progress of the House of Kenny, and particularly of William F.... Off the dining room is a white tiled kitchen.... The penthouse has a second story, and in the second story are a sitting room and two bedrooms, with a couple of bathrooms.... And above all is a roof garden where you can glimpse the stars on summer nights and get a little above the gasoline reek of the streets.<sup>37</sup>

Kenny regularly insisted that his Tiger Room gatherings were strictly social affairs, and he certainly used the room for his personal and family social events. In November of 1926, for instance, Kenny and his wife held an engagement dinner in the Tiger Room for their daughter Anne. Many of the goings-on in the Tiger Room were indeed social in nature – dinners, poker games, and entertainments. Al Smith's grandson recalls that Smith was a poker regular, but gave his winnings to the Catholic church. Sometimes outside entertainers were brought in. The reporter for the *Sun* wrote:

Sometimes they give little vaudeville parties in the Tiger Room, with somebody like Al Jolson singing songs and making wise cracks. Will Rogers, too, has been there.

According to the author of the 1928 article in the North American Review:

No eastern potentate has entertained more extravagantly than has Kenny in his "Tiger Room".... At one end of the room is a stage, where one evening recently, for a bare handful of guests, Kenny had the entire cast of a Broadway girl show perform.<sup>40</sup>

Kenny's brother, J.A. Kenny, told a visiting reporter that:

[William Kenny] has worked like a horse and he likes to enjoy himself now. That's why he built this penthouse - so he could entertain his old friends in the Fire Department - the elder battalion chiefs and captains, and his old friends in Tammany. They can come here and take their coats off and forget their troubles. When Mrs. Smith was in St. Vincent's Hospital that long time the Governor spent the better part of three weeks in this room. He could come here and relax and get cheered up from his worries.<sup>41</sup>

<sup>&</sup>lt;sup>37</sup> Edwin C. Hill, "Kenny Calls Al Smith Best Man He's Met," New York Sun, May 18, 1928, p. 3.

<sup>&</sup>lt;sup>38</sup> "Anne Kenny Engaged To Eugene Mecnan: Governor and Mrs. Smith Attend Dinner at Which Her Parents Announce Her Betrothal," New York Times, November 5, 1926: "Mr. and Mrs. William F. Kenny of 820 Fifth Avenue gave a dinner last night in Mr. Kenny's Tiger Room in the Mercantile Building, 44 East 23rd Street, to announce the engagement of their daughter, Miss Anne Kenny... Governor and Mrs. Alfred Smith were among the guests as well as Countess de Prorok, who is the daughter of Mr. and Mrs. Kenny."

<sup>&</sup>lt;sup>39</sup> Interview by Robert Slayton with Father Arthur Smith, Al Smith's grandson; written communication from Mr. Slayton to the author. <sup>40</sup> Lynch, "Friends of the Governor," op. cit., p. 428. Mayor Jimmy Walker's biographer might have been referring to that event when he wrote: "It was not uncommon for the entire cast of the Ziegfeld Follies to entertain on the room's stage, although the girls had to wear more clothes than usual - in deference to Al Smith's wishes..." George Walsh, Gentleman Jimmy Walker: Mayor of the Jazz Age (New York: Praeger, 1974), p. 153.

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But the Tiger Room became famous – and infamous – for the informal political gatherings involving Kenny, Smith and their associates. Its location, just a few blocks north of the Tammany Hall building on East 17<sup>th</sup> Street, must have made it particularly convenient for such gatherings. Much of the political discussions and deal making that happened in the Tiger Room is lost to history. As one historian has remarked, "the conversation must have been interesting – even historic, if it had been recorded", <sup>42</sup> but, as Al Smith's biographer Robert Slayton points out, "These kinds of decisions are never, ever recorded, and the only way to get anything on them is via interviews, which are usually never given." What survives on the record are two rare later accounts of regulars at Kenny's gatherings, testimony at a U.S. Senate hearing, and the acrimonious statements of several members who had financial fallings-out with other members.

One of the later accounts is an autobiography of Edward J. Flynn, political "boss" of the Bronx. 44 As Flynn recalled the Tiger Room and its gatherings:

On the roof of an office building [Kenny] owned at the corner of Twenty-third Street and Fourth Avenue was a penthouse that consisted of one large room, famous in political circles as the "Tiger Room." It was so called because many members of the Democratic Party, especially from Tammany, were in the habit of meeting there. It had a complete kitchen, and both luncheons and dinners were frequently served. There, of nights, politicians and financial leaders would gather to play cards, visit, and discuss conditions....

The Leaders of the various counties were often the beneficiaries of Kenny's hospitality. His interest in the Democratic Party resulted in very generous contributions to all sorts of political activities. Many political conferences, particularly while Hylan was Mayor, took place in this notable room. But Kenny's closest friend and the object of his complete admiration was Governor Smith. While they had known each other when they were young, until Smith became Governor they had not seen much of one another. As the likelihood of Smith's Presidential nomination increased, Smith made it a point to spend a great deal of his time at the "Tiger Room," where he held innumerable quiet meetings. It came to be a clearing house for state business and politics. 45

The other account comes from an oral history interview with Eddic Dowling, a prominent actor and producer in the 1920s who became part of Kenny's circle. Dowling, unlike Flynn, was not involved in politics, but he believed the Tiger Room to be a place "where many of the candidates were chosen." He also described it as a place where:

<sup>45</sup> Flynn, pp 64-65.

<sup>&</sup>lt;sup>42</sup> J. Joseph Huthmacher, Senator Robert F. Wagner and the Rise of Urban Liberalism (New York: Atheneum, 1968), p.124.

Written communication from Slayton to the author.
 Edward J. Flynn, "You're the Boss" (New York: Viking Press, 1947).

<sup>&</sup>lt;sup>46</sup>Eddie Dowling interview, April 1964, p. 103. (Transcript; Oral History program, Columbia University.)

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...you'd meet everybody. This is where I first met Herb Lehman, Barney Baruch, Herbert Swope, the Moskowitzes. This is where I met the Morgenthaus, Vincent Astor, George Gibbs -- the great utility man in Chicago, all the Fisher Brothers and the General Motors crowd. Everybody and their brother -- all the eastern political leaders. Frank Hague of Jersey, Curley of Boston, Honey Fitzgerald Kennedy, John McGraw, Charley Stone -- who owned the Giants, Colonel Houston and Jake Ruppert who owned the Yankees, Babe Ruth. You met everybody in the world there. Anybody that was important was there, even if he was a prize fighter, as a visitor or something like that.... And of course, the tips and information that came out of there. All the brokers liked him. Bernard Baruch, and M.J. Meehan, who was the king of the street at that time. So many. The Riordans, Jack Gilchrist who afterwards was the Transit Commissioner, John Curry, Jimmy Walker, George \_\_\_\_ [sic], I first met Farley there, too. He was a young politician from Haverstraw. Jesse Straus and his brothers, the Abraham side of the family. So, so many. I met Tom Watson, head of IBM there. There was nobody you didn't meet there.

Other regulars included Senator Robert F. Wagner; visitors included the future President Franklin D. Roosevelt. Dowling described the Tiger Room:

There were three elevators [in the building], but one was exclusively for the Tiger Room, and there was always a cop on that elevator, in plain clothes. You couldn't no more get up to that Tiger Room, which occupied the whole top floor, than you could get into heaven, unless you're a damn good contributor which is the password today in all of this. Anyway, the Tiger Room itself was a beautiful room. I'm just going to guess at the dimensions. I would say the room must have been 50x100, or close to it, a tremendous room, highly waxed and polished floors and tiger skins all over it. That's why they called it the Tiger Room. For Tammany, you know. Tammany was where the idea really sprang from, I guess, by this man Kenny.... Up there in that Tiger Room, many of the Mayors of the City of New York were chosen. So were the Governors.<sup>48</sup>

One of the figures in Kenny's crowd was John J. Raskob, the multi-millionaire executive of General Motors (where one of his chief contributions was the invention of the installment plan for buying automobiles). Raskob became one of Al Smith's biggest financial backers, first for Smith's 1926 gubernatorial reelection campaign and then for his run for the Presidency. Though Raskob himself was a Republican, he became Smith's 1928 campaign manager, and served as the head of the Democratic National Committee (one of his first actions as Chairman was to move the committee to offices in the General Motors Building on West 57<sup>th</sup> Street). After Smith lost his bid for the Presidency, Raskob offered him the job of President of his new skyscraper, named after New York State: the Empire State Building. Flynn claimed to have engineered the introduction of the two men, at the Tiger Room:

<sup>&</sup>lt;sup>47</sup> Dowling, pp. 220-221.

<sup>&</sup>lt;sup>48</sup> Dowling, pp. 325-326. This last statement must be an exaggeration, since the room was an active political gathering place only from 1926 to perhaps as late as 1930; Dowling himself says the Tiger Room "broke up" sometime after Smith lost the 1928 election. When asked for specifics, Dowling answered, "Well, [Mayor Jimmy] Walker had to clear there," which conforms to the chronology.

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Kenny had conceived the idea that Raskob would be of great importance in the Smith movement, and he therefore suggested that he would like to have him at a dinner party. I agreed to help him, and I induced Raskob to come. The dinner was held in Kenny's famous "Tiger Room"... At the dinner of which I speak, Raskob and Smith were casually introduced before dinner. At the table I was seated next to Raskob, and we talked at length about the subway situation in New York City....<sup>49</sup>

Raskob and Kenny together provided enormous amounts of money for Smith's presidential campaign, so much so that Kenny and many others of his circle were invited to testify at a May 1928 U.S. Senate hearing into the financing of the campaign. By this time, word of the Tiger Room had made it into the newspapers, and the Senators inquired about its role. Kenny admitted to having made a \$70,000 contribution to Smith's campaign, in three installments, all cash. One of the Senators asked where the transaction had actually taken place:

**Senator Bratton:** Where was it paid?

**Kenny:** Maybe in my tiger room, up in the roof of my building.

**Senator Bratton:** What do you mean by tiger room?

**Kenny:** I have a room up there in which I meet my vice presidents and have lunch there and discuss my business affairs, and I meet my friends up there the same way. We have a little dining room up there.

Senator Bratton: In how many payments was the money paid?

Kenny: Three.

Senator Bratton: Each of them made in the tiger room?

Kenny: Pardon me?

Senator Bratton: Was each of them made in the tiger room?

Kenny: Yes.

Senator Bratton: And each of them in currency?

Kenny: In currency, yes. 50

Later in his testimony, Kenny was questioned about the Tiger Room by the hearing's chairman:

The Chairman: I was a little interested in that Tiger room, Mr. Kenny; is that in your own building?

Kenny: Yes.

The Chairman: You referred to it with the phrase, "My Tiger room."

Kenny: Right; my building.

The Chairman: Is that the room that is painted with black and yellow stripes? Kenny: Not that I know of. There are no black and yellow stripes up there. The Chairman: There was a story to that effect in a New York newspaper.

Kenny: That is all bull. They had the Tiger room 375 feet long in the paper, and the building is only 75

feet; so that is plain bull....

Transcript of testimony before the United States Senate Special Committee Investigating Presidential Campaign Expenditures, May 16, 1928, pp. 317-318.

<sup>&</sup>lt;sup>49</sup> Flynn, p.65. Dowling also claimed to have introduced the two men, much earlier, and others say Kenny did it; in any case, Smith and Raskob clearly spent much time together in the Tiger Room.

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The Chairman: Why do you call it the Tiger room? Kenny: Because I am a good Tammany "tiger."

The Chairman: That is where the tigers of Tammany foregather?

Kenny: That is where my friends foregather. Bill Todd is not a Tammany tiger, and he is one of my

friends.

The Chairman: That is, Mr. Todd is a Republican, but he meets there just the same?

Kenny: Just the same.

The Chairman: The Governor of New York, of course, is welcome there?

Kenny: Always.51

The Tiger Room and its occupants clearly played a major role in financing Smith's 1928 Presidential campaign. That financing took an unpleasant turn – involving Raskob, James J. Riordan, and the County Trust Company – which eventually brought the Tiger Room further unwelcome publicity in the newspapers.

Riordan, a banker, was another of Smith's inner circle, and he became President of a new bank, the County Trust Co., whose creation was apparently conceived in the Tiger Room. According to Dowling:

The County Trust was born there [in the Tiger Room], the bank.... This was the idea of Jim Riordan. While Smith never had a bad man, like some of these Tammany politicians and some of these others we've seen down in Washington, he did have a very astute man named James Riordan. A very able man who thought up some ways by which Al could get something for his little family.... he came up with this business of the County Trust, because right around Al were all these fabulous people like the Lehmans, the Astors, the Kennys, the Bradys, the DuPonts, and the Raskobs. All these people. So it was Jim Riordan's idea to put this bank together, which he did. The first name of it was the County Trust. It has some other name now. It was a modest bank. I think they started with probably 5,6, or 7 million to begin. I remember he said to me, "If you can get Raskob and Pierre duPont to give me the General Motors and the duPont account in New York, we'll quickly become a hundred million dollar bank." And that wasn't much of a request because Raskob and I were very intimate.... 52

The County Trust Co. opened for business on February 24, 1926. Opening day was covered by the *New York Times*:

The County Trust Company of New York opened its doors for the first time yesterday morning at 82 Eighth Avenue, with Governor Smith and other leading figures in the civic and business world among those present. The Governor is a life-long friend of James J. Riordan, President and organizer of the institution, and he made the first deposit, consisting of a check for \$395.79, representing a half-month's pay as Chief Executive less a deduction for the pension system.

<sup>52</sup> Dowling, pp 333-334.

<sup>&</sup>lt;sup>51</sup> Senate hearing transcript, p. 320.

OMB No. 1024-0018

NPS Form 10-900a (8-86)

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By 1932, the stories involving the County Trust Company, Kenny, Smith, and Raskob had become less glowing. Patrick Kenny, a contractor (and no relation to William F. Kenny), and Timothy Mara, a sports promoter and one-time owner of the Giants football team, were sued by the Country Trust, and told their stories to the newspapers:

John J. Raskob, chairman of the Democratic National Committee, issued a statement yesterday denying the truth of the statement of Patrick F. Kenny, Yonkers plumbing contractor, that the County Trust Company of New York had made a contribution to the 1928 Democratic campaign in violation of the law and that Kenny had signed a note for a \$20,000 campaign gift, for the collection of which the trust company had brought suit, on the representation that he never would be called upon to pay it. 53

The article goes on to quote Patrick Kenny:

"My story is true and there can be no doubt of it," Mr. [Patrick F.] Kenny said last night in an interview in Moore's restaurant in West Forty-sixth Street, where he was at dinner with the signer of a similar note, who has not yet refused to renew it and keep up the interest payments. "There were eight or nine of us who were played for suckers and I don't intend to keep on with that role any longer. We didn't ask for this line of credit at the bank. We were sent for by James J. Riordan, then president of the trust company, in October, just before the election.

Mr. Riordan said to me: 'P.F., a few of us had a little meeting last night and decided that we would have to get more money for the Smith campaign.' He said that Mr. Raskob and William F. Kenny were among those present and that Kenny said: 'Let's see whom we can put down from the Tiger Room.' Mr. Riordan then showed me the list, and I asked who put down my name for \$25,000. 'Your friend Bill Kenny,' Mr. Riordan replied. 'Jim, I can't sign a note for any such sum as that,' I told him. 'This campaign already has cost me about \$19,000. I am willing, though, to contribute \$5,000 more.' 'Don't be a sap,' Riordan told me. 'This is the boloney. You never will have to pay.' That was after they had had a Senate committee investigation and Raskob, Bill Kenny and Lieut. Gov. Lehman had been shown to have contributed largely to the Smith campaign and I was led to understand that they did not wish to go on record for giving any more money.

That is usual in politics. Get some names on notes and get the money and pay the notes from money that comes in after. That's what I thought would be done in this case. If Smith had been elected, Raskob and Bill Kenny would have fought to see which one would pay these notes. The trouble is that Raskob doesn't know a thing about politics. He is a heavy stockholder in the County Trust Company and is responsible for bringing the suit against me."

<sup>&</sup>lt;sup>53</sup> "Raskob And Bank Deny Loan Cloaked Illegal Party Gift: 'Entirely False,' Says Chairman of P.F. Kenny's Defense in County Trust Suit. Banker Equally Emphatic No Contribution Ever Made to Any Party, President Asserts -- Loan Not Restricted. Kenny Repeats Charge Smith Knew Nothing of \$25,000 Note, but Riordan Said He Would Not Be Pressed, He Declares. Raskob And Bank Deny Fraud Charge," New York Times, March 21, 1932.

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According to an article regarding Timothy Mara's court case:

Mr. Mara also revealed that ... during the campaign financial matters were discussed in the cheery warmth of William F. Kenny's "Tiger Room"... $^{54}$ 

All subsequent accounts identify the Tiger Room as the place where the notes were requested and signed. Eddie Dowling described the episode, and blamed Raskob for going back on his word, adding that it caused great financial hardship for many of the signers. Dowling concluded: "Well, after the election, with Al out of power, this broke up the Tiger Room." 55

Kenny owned the building the rest of his life. The Tiger Room generated no further history, but became generally referred to as the "famous" Tiger Room. Obituaries of habitual visitors to the room regularly mentioned it. W.H. Todd's 1932 obituary: "He was a frequent visitor with Mr. Smith and other well-known politicians in the so-called "Tiger Room" in the home [sic] of William F. Kenny, another close friend of the Governor." Patrick Kenny's 1941 obituary: "Mr. Kenny's association with William F. Kenny led him to become a frequenter of the Tiger Room, famous meeting and conference place for important Democratic leaders." William Kenny's own obituary in 1951 also mentioned the room, but, true to Kenny's regular protestations, denied anything of political significance had happened there: "As the owner of the celebrated Tiger Room where Tammany politicians and personal friends met, Mr. Kenny began to come into the public eye, but he denied that the gatherings had political significance."

Today, the former Tiger Room survives on the 12<sup>th</sup> floor of 44 East 23<sup>rd</sup> Street (304 Park Avenue South). The rooms have been rented out to various parties, and the various ornamental tigers have long since disappeared. The second story rooms referred to in the *Sun* article have been closed off from the main rooms, and now are connected instead to the space that was once Guérin's studio. But the main rooms' configuration, the luxurious wooden paneling, the enormous fireplace, and the vaulted ceiling all survive.

<sup>&</sup>lt;sup>54</sup> "Says Raskob Spent \$1,000,000 Too Much: Mara Charges Ignorance of Politics Caused Chairman to Exceed \$4,000,000 Budget. Holds Underwriters Free: Promoter Denies Asking Raskob's Endorsement, Saying Group Told Him They Had No Obligation," *New York Times*, March 26, 1932.

<sup>55</sup> Dowling, p. 229.

<sup>&</sup>lt;sup>56</sup> "W.H. Todd, 64, Killed By Fall Downstairs," New York Times, May 16, 1932.

<sup>&</sup>lt;sup>57</sup> "Patrick F. Kenny, Contractor, Dies, New York Times, September 19, 1941.

<sup>58</sup> Kenny obit, op cit.

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Taken together, the penthouse spaces on the 12<sup>th</sup> floor of 304 Park Avenue South survive as a reminder of two remarkable pieces of American history – on the one hand, the work of Jules Guérin, and especially his enormous murals for the Lincoln Memorial, one of the country's most important monuments, and on the other the life and times of Al Smith and dozens of other figures, major and minor, from the New York political scene of the late 1920s – including the tamed Tigers of the reformed Tammany Hall. New York City has long been famous for its penthouse apartments – but few can compare to the penthouses atop the office building at 304 Park Avenue South.

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November 5, 1926: "Anne Kenny Engaged To Eugene Meenan: Governor and Mrs. Smith Attend Dinner at Which Her Parents Announce Her Betrothal."

March 21, 1932: "Raskob And Bank Deny Loan Cloaked Illegal Party Gift: 'Entirely False,' Says Chairman of P.F. Kenny's Defense in County Trust Suit. Banker Equally Emphatic No Contribution Ever Made to Any Party, President Asserts -- Loan Not Restricted. Kenny Repeats Charge Smith Knew Nothing of \$25,000 Note, but Riordan Said He Would Not Be Pressed, He Declares. Raskob And Bank Deny Fraud Charge."

March 26, 1932: "Says Raskob Spent \$1,000,000 Too Much: Mara Charges Ignorance of Politics Caused Chairman to Exceed \$4,000,000 Budget. Holds Underwriters Free: Promoter Denies Asking Raskob's Endorsement, Saying Group Told Him They Had No Obligation."

May 16, 1932: "W.H. Todd, 64, Killed By Fall Downstairs."

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Building at 304 Park Avenue South	New York County, New York
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10. Geographical Data	
Acreage of Property less than one acre	
UTM References (Place additional UTM references on a continuation sheet.)	
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Verbal Boundary Description (Describe the boundaries of the property on a continuation sheet.)	
Boundary Justification (Explain why the boundaries were selected on a continuation sheet.)	
11. Form Prepared By (See continuation sheet for aut	thor)
name/title Contact: Kathy Howe, Historic Preservation Sp	pecialist
New York State Office of Parks, Recreation	date October 1, 2004
organization Field Services Bureau	
street & number P.O. Box 189, Peebles Island	telephone <u>518-237-8643, ext. 3266</u>
city or town Waterford	state NYzip code 12188-0189
Additional Documentation	
Submit the following items with the completed form:	
Continuation Sheets	
Maps A USGS map (7.5 or 15 minute series) indicated A Sketch map for historic districts and proper	ting the property's location rties having large acreage or numerous resources.
Photographs	
Representative black and white photograph	is of the property.
Additional items (Check with SHPO or FPO for any additional items)	
Property Owner (Complete this item at the request of the SHPO	or FPO)
	s, Managing Director
Walter & Samuels, Inc. street & number 419 Park Avenue South	telephone <u>212-685-6200</u>
city or town New York	state NY zip code 10016
Paperwork Reduction Act Statement: This information is being collect	cted for applications to the National Register of Historic Places to nominate
	and to amend existing listings. Response to this request is required to obtain

benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.)

Estimated Burden Statement: public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, D.C. 20503

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### 10. Geographical Data

**Verbal Boundary Description** 

The boundary of this nomination is outlined on the accompanying map.

**Boundary Justification** 

The boundary includes the entire lot on which the Building at 304 Park Avenue South was erected.

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Building at 304 Park Avenue South

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### 11. Form Prepared By

Anthony Robins
Thompson & Columbus, Inc.
50 West 67<sup>th</sup> Street, Suite 1-F
New York, NY 10023
212-877-7637

#### **Additional Documentation**

#### Photo List

Building at 304 Park Avenue South New York County, NY Photos by Anthony Robins, September 2004 Negatives stored with Anthony Robins 50 West 67<sup>th</sup> Street 1-F New York, NY 10023

- 304 Park Avenue South, southwest corner of Park Avenue South and East 23<sup>rd</sup> Street, looking southwest.
- 2. Park Avenue South façade, looking west
- 3. Park Avenue South façade, upper stories
- 4. Park Avenue South façade, lower stories
- 5. Park Avenue South façade, window detail
- 6. East 23rd Street facade, ground floor detail, looking west
- 7. East 23rd Street lobby, looking south into lobby
- 8. Roof, penthouse built for Jules Guerin, looking west
- 9. Penthouse built for Jules Guerin (now 12th floor), looking west (windows on right face north)
- 10. Penthouse built for Jules Guerin (now 12<sup>th</sup> floor), from mezzanine stairs, looking east (windows on left face north)
- 11. "Tiger Room" (12th floor), entrance vestibule, facing archway leading to main room
- 12. "Tiger Room" (12th floor), entrance vestibule, paneling detail
- 13. "Tiger Room" (12th floor), wall with archway leading to entrance vestibule
- 14. "Tiger Room" (12th floor), wall opposite archway from entrance vestibule
- 15. "Tiger Room" (12th floor), wall with fireplace (wall with archway from entrance vestibule would be at the right)
- 16. "Tiger Room" (12th floor), fireplace detail
- 17. "Tiger Room" (12th floor), vaulted ceiling

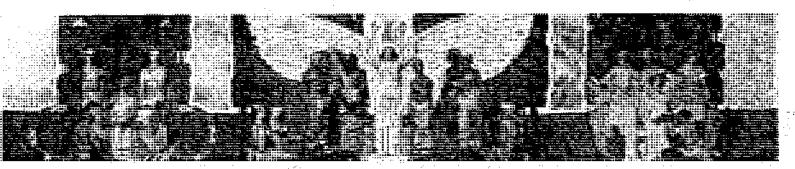
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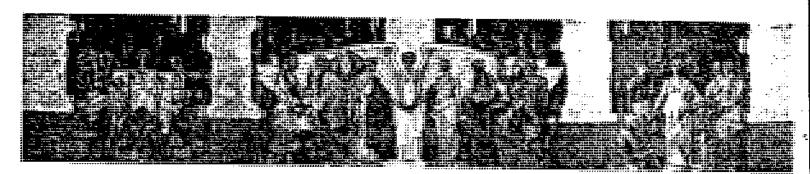
Building at 304 Park Avenue South
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- 18. "Tiger Room" (12<sup>th</sup> floor), former kitchen wing (entered through doorway opposite wall with archway from entrance vestibule)
- South wall mural by Jules Guerin at the Lincoln Memorial.
- North wall mural by Jules Guerin at the Lincoln Memorial.



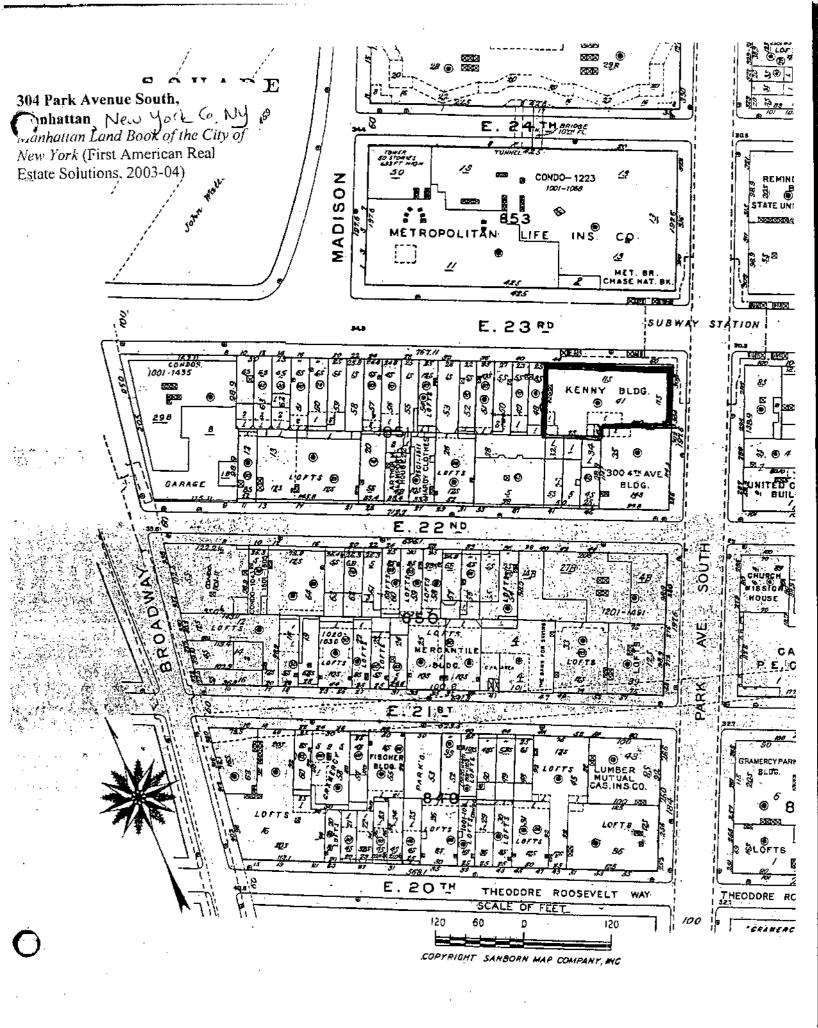
The mural paintings, south wall. (The emuncipation of a race)

Lincoln Memorial



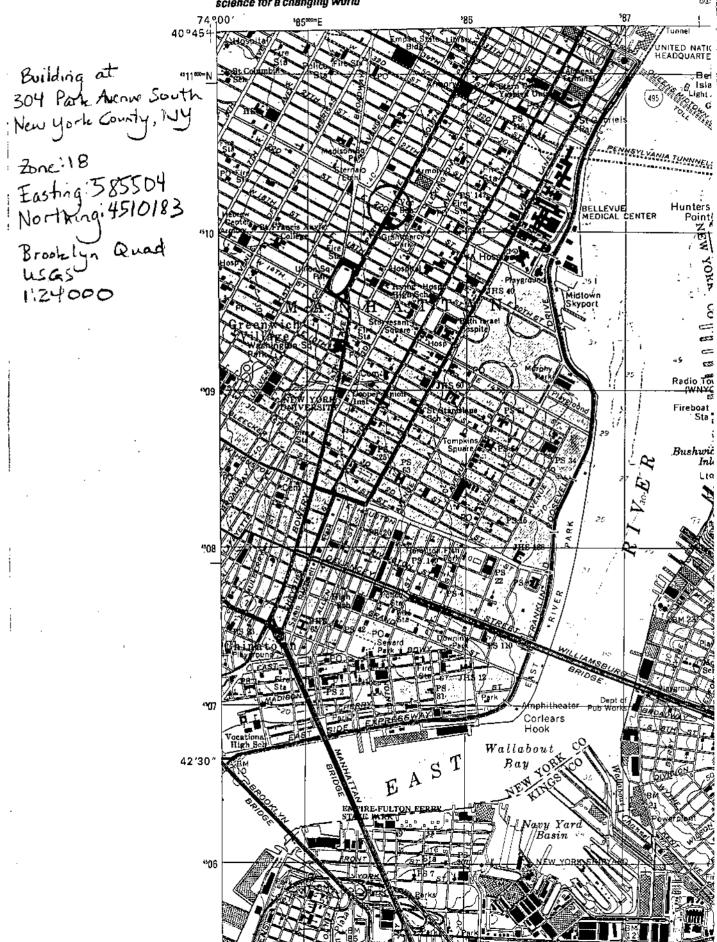
The mural paintings, north wall. (Typifying reunion)

Lincoln Memorial





# U.S. DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY





### The New York City Landmarks Preservation Commission

l Centre Street, 9th Floor North, New York NY 10007 TEL: 212-669-7922 FAX: 212-669-7797 http://nyc.gov/landmarks/



RONDA WIST EXECUTIVE DIRECTOR rwist@lpc.nyc.gov

November 5, 2004

Ms. Ruth Pierpont, Director
New York State Office of Parks Recreation
and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island
P.O. Box 189
Waterford, New York 12188-0189

Re:

Building at 304 Park Avenue South, New York, New

York |

Dear Ms. Pierpont:

I write on behalf of Chair Robert B. Tierney in response to your request for comment on the eligibility of the building at 304 Park Avenue South in Manhattan for the State and National Registers of Historic Places.

Mary Beth Betts, the Commission's Director of Research, has reviewed the materials submitted by the Historic Preservation Field Services Bureau and recommends that the building at 304 Park Avenue South appears to meet the criteria for inclusion on the State and National Registers of Historic Places.

Sincerely yours,

Ronda Wist

cc: Robert B. Tierney, Chair Mary Beth Betts

#### **WALTER & SAMUELS**

DAVID I. BERLEY Chairman (212)696-7112

November 16, 2004

Ms. Kathy Howe New York State Office of Parks, Recreation & Historic Preservation Field Services Bureau P.O. Box 189 Peebles Island Waterford, NY 12188

Re: 304 Park Avenue South, New York, NY (the "Premises")

Dear Ms. Howe,

As the Managing Member of 304 Park Avenue South LLC, the owner of the above referenced Premises, I am writing to you to express our unqualified support for its listing on the New York State and National Registers of Historic Places. We believe the building's wonderful architecture and unparalleled history adds to the unique story of New York City's heritage.

Please do not hesitate to contact me or my associate Peter B. Weiss at (212) 696-7161 should you require any further comment on this matter.

Sincerely,

David Rerley















