

NINTH ANNUAL MEETING - - - REPORTS AND RESOLUTIONS

THE AMERICAN INSTITUTE OF ARCHITECTS

September - October 1942

WASHINGTON, D. C.

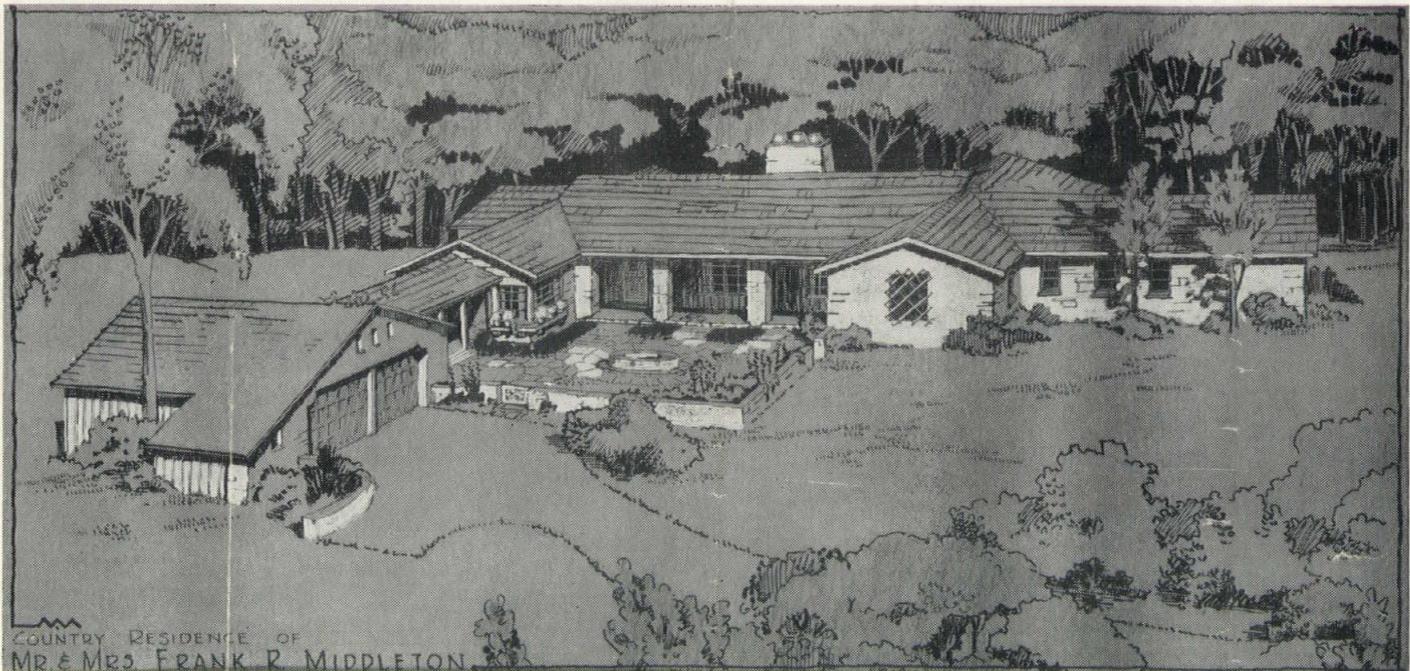
# OHIO ARCHITECT

Vol. Three

OFFICIAL JOURNAL ARCHITECTS SOCIETY OF OHIO

No. Seven

REPORT ON THE 1942 ANNUAL COMPETITION HELD IN CONNECTION WITH THE NINTH ANNUAL MEETING, CEDAR POINT, AUGUST 20, 21, 22, 1942



Columbus Ohio

### GOLD MEDAL AWARD

For first in all classes

NOVARRE MUSSON, *Architect*  
Columbus, Ohio

*Class (a)* Residential under 30,000 cu. ft.  
**FIRST MENTION**  
 Fred Shane  
 Owner, Piqua  
 Walter P. Thies, Architect  
 Dayton

**SECOND MENTION**  
 Dr. David H. Bachtel  
 Owner, Canton  
 Geo. W. Foulks, Architect  
 Canton

*Class (b)* Residential over 30,000 cu. ft.  
**FIRST MENTION**  
 Mr. and Mrs. R. E. Mason  
 Owner, Columbus  
 Todd Tibbals, Architect  
 Columbus

**SECOND MENTION**  
 Frank C. Baughman  
 Owner, Alliance  
 George M. Foulks, Architect  
 Canton

*Class (c)* All other types  
**FIRST MENTION**  
 Armco Colored Club  
 American Rolling Mill Co.  
 Owner, Middletown  
 Harold W. Goetz, Architect  
 Middletown

**SECOND MENTION**  
 No award  
 AUBREY WARD STOUTENBURG  
 Chairman

# OHIO ARCHITECT

Official Journal of the

ARCHITECTS' SOCIETY OF OHIO

Association Member of the American Institute of Architects

RALPH C. KEMPTON, Editor

Volume III Number 7

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## OUR Washington Representative

The work of the now Capt. Edmund R. Purvis is to be carried on by Mr. D. K. Este Fisher, Jr., an Institute member from Baltimore. We are going to expect a lot from him. He is going to expect and need a lot from us. Who is us? Well, just look into the first mirror you pass and you will see the most important one of us.

## Opportunity for an Architect?

In one manufacturing plant, now running three shifts on war sub-contracts, there is a well-paid man who has no title and who seems to do very little except stroll around the busy plant or sit in his cubby-hole office. He is known only as "Mr. Osgood."

Mr. Osgood is, to his enemies, a visionary, a day-dreamer. To his boss he is a Godsend, for he has the imagination, coupled with sound sense, to do the thinking about the business which the boss used to do in easier times, but which has been forced out of his schedule by frequent trips to Washington and by an enormous new mass of detail, much of which has to have his attention.

Up to this writing, Mr. Osgood has discovered two new applications of the company product, one which is important, and both of which will be aggressively pushed after the war. In addition, he has thought out several minor changes of machine location which have proved helpful, and has developed

a new packing-shipping technique which not only gets the product out of the plant far faster, but also saves enough money to almost equal the Osgood salary.

There are, in these days of hasty organization and get-it-done-at-any-cost, hundreds of plants which could use a "Mr. Osgood" to tremendous advantage. There are hundreds, probably thousands, of businesses whose heads still have no idea to what purpose they can put their expanded plants after the war. Furthermore, many expansions have been made so hastily in the determination to get the war job done, that appalling inefficiencies of layout and method have crept in, and the boss hasn't the time to straighten it out.

To be successful, of course, the day dreamer must be practical as well as imaginative. He must get along with people. He must know that he can't move a half-dozen big machines around to save a few dollars a week. He must be, in other words, a pretty practical dreamer, yet he still must have highly developed imaginative qualities.

Perhaps there are more men with those qualifications in architecture than in any other profession, for the one thing which architecture seems to demand for success is the rare ability to couple high imagination with common sense, with the demands of the job, and with the cost and return angle.

Perhaps here is an opportunity for a few architects to help do an important job, and at the same time enjoy an experience which cannot but be highly valuable in after-war days when they are back at their profession. It will, obviously, take imagination to develop the right approach to the manufacturer, for he is very busy; he is often constitutionally against paying people for thinking instead of working, and he is sometimes married to techniques and standards developed by his grandfather when a dollar a day was good wages and there was little need for speed.

But it can be done in plants of the right size. The giant corporations spend millions on research and for efficiency studies of all sorts—probably a far larger part of their income than would be involved in the paying of "Mr. Osgood's" salary by the smaller plant.

All this may not be the answer for many architects, yet it might be worth a few minutes thought.

—The Von Duprin Magazine.

*Editor's Note:* How well the author of the above article has really comprehended the full width and depth of the essential qualifications required of a good and true architect is almost astounding. The past ten long years has demonstrated the truth of this unusual adaptability of the architect in the hundreds of instances where they have had the wisdom, the initiative and the nerve to actually try other lines of work.

While the profession can ill afford to lose qualified men, for the big job that lies ahead, it should be easily recognized what a tremendous advantage it would be to have a lot of architecturally trained men in commercial, industrial and financial circles ready to recognize and able to utilize the available professional talent to the fullest extent.

## AMENDMENTS TO A. S. O. BY-LAWS

The following amendments to the By-Laws of the Architects Society of Ohio were adopted at the Ninth Annual Meeting of the Society held at Cedar Point on August 21st. New words and sections are in italics.

### Amendment No. 1

#### ARTICLE 4

#### THE EXECUTIVE BOARD

(Page 15 of A.I.A. Compendium)

#### Section 1. Membership on the Board

(d) Terms of office.

The term of office of each officer and of each director shall be one year. The President shall not be eligible for re-election to succeed himself more than once, nor shall any director be eligible for re-election to succeed himself more than twice.

Amended as follows: The comma following the word twice change to a period and the following words were deleted: "nor shall any officer other than the President be eligible for re-election to succeed himself more than four times."

(d-1) *The Secretary or Secretary-Treasurer shall not be eligible for re-election to succeed himself more than four times except upon a two-thirds majority of the votes cast.*

(d-2) *Whenever the President of a Section is elected as an officer or member of the Executive Board of the Society, the Vice-President of said Section shall immediately become the Acting Director for said Section on the Executive Board.*

(d-3) *Any portion of a term less than a full elected term, served by appointment or election by the Board, shall not be considered in determining eligibility for re-election.*

(f) Vacancies. If a vacancy occurs in the membership of the Executive Board other than on account of the regular expiration of the term of office, then it shall be the duty of said Board by roll call vote to fill the vacancy for the unexpired term of office." Strike out period and add: *at any regular or duly designated special meeting or by duly authorized letter ballot.*

### Amendment No. 2

#### ARTICLE 4

(Page 16 of A.I.A. Compendium)

#### Section 4. Decisions of the Board

Amended as follows:

Strike our paragraphs (a) and (b) reading as follows:

"(a) The Executive Board must meet in regular or in special meeting in order to transact business, and an agreement or other act of the Board or of its members, unanimously or otherwise, had outside of such a meeting shall not constitute or be an act of the Board.

"(b) The sense of the members of the Board may be taken by Letter ballot, but such ballot shall not bind the Society of the Board or any member thereof."

Insert in lieu of:

(a) *Every decision of the Board shall be made at a meeting thereof; or, upon written request or approval of a majority of all members of the Board, a decision may be reached by letter ballot.*

(b) *Unless specifically established otherwise in the vote for a decision by letter ballot, each letter ballot shall be returned to the Secretary within fifteen days.*

(c) *Letter ballots shall provide for an affirmative vote and a negative vote on the question at issue.*

(d) *Upon the request of any Board member the question will be deferred for fifteen days during which time the Secretary shall distribute to the Board members the request for extension and the reasons therefor after which the entire question will be up for reconsideration and vote.*

### Amendment No. 3

#### ARTICLE 4

(Page 18 of A.I.A. Compendium)

#### Section 6. Meetings of the Board

(d) Quorum.

Amend as follows:

Strike out the word "three-quarters" and insert in lieu thereof "a majority," making the paragraph read as follows:

"A majority of the membership of the Board shall constitute a quorum for the transaction of its business. In the absence of a quorum, those present may adjourn the meeting from day to day, or to a later date."

### Amendment No. 4

#### ARTICLE 4

(Page 18 of A.I.A. Compendium)

#### Section 7. Executive Committee

(b) General Powers of Executive Committee.

Comment: Strike out the word "two-thirds" and insert in lieu thereof, "ma-

meeting, a copy of same to be forwarded to Lt. Biggers and the family: "Lt. Reeve K. Biggers, U. S. Navy:

"The recent passing of your mother has struck the chord of deepest sympathy in the hearts of your fellow-architects assembled here. May we all extend to you, your father and your sisters our sincere condolence for this great loss.

"Architects Society of Ohio,  
Ralph W. Carnahan, President.  
Ninth Annual Meeting, Cedar Point,  
August 21, 1942."

## OUR NEW STATE ARCHITECT



THOMAS  
E.  
BRAND

Ohio State '18

*Member American  
Institute of Arch'ts,  
Architects Society  
of Ohio,  
Alpha Rho Chi*

Thomas Earl Brand, formerly of Portsmouth, Ohio, was appointed early in August to the position of State architect and engineer to fill the vacancy occasioned by the enlistment of Robert B. Schildknecht, former State architect, in the U. S. Navy as a Lieutenant.

Mr. Brand has been in this State Department since October, 1923, and during this period has worked with all the former State architects: Robert S. Harsh, of Alliance and Columbus; Herbert B. Briggs, Cleveland; Ralph Ridley, of Akron, and John P. Schooley, of Zanesville and Columbus.

Previously, he had been employed with private architects in Columbus and Springfield, Ohio, since his graduation from the College of Architecture of Ohio State University in May, 1918.

In January, 1919, he began his first architectural work with the office of Richards, McCarty & Bulford of Columbus. He was connected with Mills & Milspaugh Co., architects, and the Concrete Steel Construction Co. of Springfield before entering the State Architect's office.

## ARCHITECTS TAKE NOTICE

In view of the fact that architects are often urged by clients to proceed on some given piece of work regardless of existing regulation to the contrary, the following news item from the "Detroit Free Press" should speak for itself, both to said architects and their clients. This is not to be construed as an argument for, or defense of, all such regulations, for such is certainly not the intent. However, they exist, and, in so far as we know, most if not all of them have been legally enacted and, therefore, architects have no choice but to observe such regulations strictly and to advise their clients to do likewise.

"Grand Rapids, Aug. 6—For illegally obtaining plumbing fixtures for his home in violation of rationing orders, Waldo V. Tiscornia, Mayor of St. Joseph, Mich., today was sentenced to pay a fine of \$2,000.

"The sentence was administered by Federal Judge Fred M. Raymond. Tiscornia paid the fine immediately.

"The mayor admitted during arraignment that he had used priority ratings of the firm of which he is general manager to obtain the equipment. He is vice-president and general manager of the Auto Specialties Company.

"Suit was brought by the War Production Board. District Attorney Joseph F. Deeb said he believed the case was the first such criminal action brought in the United States, although there have been civil injunction proceedings."  
—Associated Press.

## KEEP THE HOME FIRES BURNING—ECONOMICALLY

The September (1942) issue of the SINCLAIR FIRE BOX is a special edition prepared in collaboration with the Heating and Ventilating Industries with very worth-while Tips and Suggestions for not only fuel oil users but for almost all types of heating equipment. The information in this issue will be useful to the architect in taking care of his own heating plant, and perhaps more useful as a source of information for possible advice to clients.

It will be worth the effort necessary to get this edition of the "Fire Box" from your nearest Sinclair Oil Dealer.

## RESOLUTIONS Adopted by A.S.O. Ninth Annual Meeting August 21, 1942

### Resolution No. 1

WHEREAS, Unification of the architectural profession in the State of Ohio has become a very practical necessity; and, whereas, consolidation of the profession in Ohio has gone about as far as it can under present regulations; and

WHEREAS, We believe the time is now ripe to complete this objective in Ohio; *be it now resolved:*

(1) That this objective be referred at once to the Executive Board for immediate action; and

(2) That the existing By-Laws be so amended as to provide for a State Society made up of active and non-active members as now constituted; and

(3) That said active and non-active members (comprising all the architects registered in the State) be attached or assigned to the existing A.I.A. Chapters for administrative purposes;

(4) That said State Society members not Associate or Corporate A.I.A. members may be granted such rights and privileges and pay such dues as may be equitable and satisfactory; and

(5) That provisions be made for both retired and honorary members;

(6) That provisions be made for affiliations with related groups with many common interests and objectives;

(7) That the Architects Society of Ohio be made up of the six A.I.A. Chapters; and

(8) That Section records be reviewed and such as may have any future value shall be properly identified and turned over to the Chapter with stipulation that they are to be placed in the permanent files of the Chapter;

(9) That provisions be made for the turning over to the proper Chapter officers all section property of every kind with due regard for any adjustment that seems to be necessary or desirable;

(10) That it is the sense of this meeting that all such amendments be as brief as possible;

(11) That the Board is authorized and instructed to make any and all changes in any part of the By-Laws necessary to make each part consistent with every other part;

(12) That all changes be made in the light of existing A.I.A. regulations,

to the end that A.I.A. approval can be reasonably expected;

(13) That for good and sufficient reasons any of these recommended provisions may be modified or deleted entirely;

(14) That the Executive Board prepare and submit to the A.I.A., within ninety days, a preliminary draft of these proposed amendments for review and tentative approval, so as to be able to incorporate in the final draft such changes and recommendations the A.I.A. may deem desirable or necessary to make.

(15) That the Executive Board, under the proposed program of Unification, to be composed of six members elected by the six divisions of the State Society as their directors to serve for one year and a president to be elected at the annual meeting.

(16) Each such Director to be elected at a duly called meeting of all the registered architects in good standing in the area included in the respective divisions.

(17) Any registered architect in good standing, excepting the Division President, shall be eligible for election as Director.

### Resolution No. 2

*Be it Resolved,* That the Executive Board be and it is hereby instructed to investigate the advantages and costs that might accrue to the A.S.O. if same were incorporated as a non-profit organization under the State Laws of Ohio;

That the Executive Board make a report to the Sections as soon as possible and to include such recommendations as the facts and circumstances seem to warrant.

### Resolution No. 3

WHEREAS, HAROLD PARKER, Architect of Sandusky, without excuse or alibi, accepted the job of Local Chairman of the Ninth Annual Meeting Committee and did his job so exceptionally well that every one who attended the meeting at Cedar Point will long remember this gathering of architects; therefore, be it

*Resolved,* That the Architects Society of Ohio extend to Mr. Parker the highest commendation for a job well done, so well done, in fact, that it is hoped by many that he, together with Mr. McFadden of Lorain and the other members of his committee, may be called on to serve again in the not too distant future.

### Resolution No. 4

WHEREAS, The ladies have become a very important part of our Annual Meetings, and their entertainment is a matter of much import; and

WHEREAS, This important assignment was graciously accepted and so efficiently consummated by MRS. A. W. STOUTENBURG, of Norwalk, who served as the Chairman of our Ladies' Committee; therefore, be it

*Resolved,* That the delegates in attendance at this meeting extend to Mrs. Stoutenburg our sincere vote of appreciation for the excellent manner in which the ladies have been cared for, irregardless of the handicaps resulting from the national emergency.

### Resolution No. 5

WHEREAS, The Annual Competition Chairmanship was put upon the shoulders of MR. A. W. STOUTENBURG, of Norwalk, who did such a fine job; therefore, be it

*Resolved,* That the Architects Society of Ohio commend Chairman Stoutenburg and the members of his committee for the fine showing made at the annual meeting, in spite of the widespread curtailment that has taken place in the private building field.

### Resolution No. 6

WHEREAS, A man and his job have been so appropriately brought together in the person of MR. EARL J. FRYE, of the Convention Department of the G. A. Boeckling Co., Cedar Point, who so completely made good his early promises to give us his shirt if necessary; and

WHEREAS, This Annual Meeting is fully convinced that there is only one Mr. Frye and that said Mr. Frye is the best midway guide in captivity, and that the Boeckling Company left no stone unturned in extending the all-out hospitality of the Breakers Hotel to the architects, the exhibitors and their families; therefore, be it

*Resolved,* That the Architects Society of Ohio express the fullest appreciation of the entire membership for the excellent thought, care and attention by Mr. Frye, Mr. Graves, and the entire Boeckling staff who contributed so much in making our short stay on the shores of Lake Erie a fond memory to be cherished.

### Resolution No. 7

WHEREAS, The JOHN DORN WINERY, of Sandusky, so graciously opened their

cellar doors, on Saturday morning, to show the architects and their families what goes on inside a winery, and displayed such a lack of "Scotch" at the fine little wine bar that every one now knows the difference between white wine, port wine, blackberry wine, etc., including a brand identified as "angelica," that Sandusky and its hospitality will long be remembered; therefore, be it

*Resolved,* That such fine and genuine hospitality to the members of the Architects Society of Ohio and their families by Mr. John Richard Dorn and the guide and bartender, Mr. Fred P. Leis, be commended, and the fullest appreciation of the Society be extended to them and their entire staff.

### Resolution No. 8

WHEREAS, The many exhibitors, on very short notice, exerted a lot of genuine effort in taking part in our Ninth Annual Meeting, by exhibits and fine representation at Cedar Point; therefore, be it

*Resolved,* That these exhibitors be individually commended by the Architects Society of Ohio for their fine co-operation at this meeting and the contribution of fine fellowship by their representatives, that so materially added to make this meeting such a success.

### Resolution No. 9

WHEREAS, The United States Gypsum Co., through its plant manager, Mr. Beryl Welty, of the U.S.G. Plant at Gypsum, O., contributed so materially to the success of our Annual Dinner at the Hotel Breakers, by contributing six fine silver door prizes; therefore, be it

*Resolved,* That the Architects Society of Ohio and our ladies extend to the U.S.G. Co. and Mr. Welty our appreciation of this fine evidence of good will and co-operation.

### Resolution No. 10

WHEREAS, Many familiar faces are absent from our meeting by reason of duty in the Armed Services of our country or employment on urgent war projects; and

WHEREAS, These men and their possible contribution to the success of our meeting have been greatly missed; therefore, be it

*Resolved,* That the good wishes and Godspeed of the Architects Society of Ohio be extended to these men and their

families wherever they may be, and that we ask that Divine Providence bring them safely home when this terrible tumult is over and further assure them that we, who must remain behind, will accept the restrictions imposed and will carry on, so that when they return there will still be a profession of architecture in which they may again expect to participate.

## FRED ELLIOTT DIES



FRED ELLIOTT

Designer and construction supervisor of more than a score of armory buildings throughout the State, Fred Elliott, age 75, for 30 years State Armory architect, succumbed Monday afternoon, October 5, after he was stricken with a heart attack as he was about to enter the Statehouse.

The present State Building Code is the handiwork of Mr. Elliott, and was started in 1911, the larger portion being completed and ready for use in 1913. The code truly reflects his determined will and desire to do the very best at every task which he undertook.

As armory architect since 1916, Mr. Elliott designed and supervised the construction of armories at Westerville, London, Chillicothe, Circleville, Washington Court House, Xenia, Piqua, Fremont, Coshocton, Mansfield, Mt. Vernon, Van Wert, Steubenville, Sandusky, Sidney, Toledo, Akron, Lakewood and Cleveland.

Funeral services were held at 3 p. m. Wednesday at the Schoedinger Chapel

under the direction of Kinsman Lodge of Masons; Rev. E. S. Matheny, pastor of Independent Protestant Church, officiated. Burial was in Green Lawn Cemetery.

Rev. Matheny was himself a practicing architect in central Ohio for several years, and a close friend of Mr. Elliott.

The deceased was active in Masonic circles, being a member of Mt. Vernon Commandery, Aladdin Temple, Royal Order of Jesters, Scottish Rite, Columbus Council of Ohio Chapter, and Kinsman Lodge.

Mrs. Louise Risinger, 815 North High St., a clerk in the adjutant general's office, a niece, is the only immediate survivor.

## Merit System

A definition of the merit system in public service, composed by Rowland Allen of the Indiana Personnel Board during a controversy with Gov. Henry L. Schricker over the system in Indiana institutions, has won wide applause. The conflict ended with the Governor coming out strong for merit.

Mr. Allen's definition follows:

"Merit is the public insistence, through its legislative acts, that the right man be selected for the right job and so trained and supervised that he has the power to grow on that job and to find within the framework of State service the promotions and transfers according to his capacities—and having given a lifetime of service can look forward to the retirement with dignity and satisfaction in having served his State and his fellow-citizens with honor and trust."

## NOTED ARCHITECT DIES

Ralph Adams Cram, world-famous architect of New York's great Cathedral of St. John the Divine, author and philosopher, died in a Boston hospital on September 22 in his seventy-ninth year.

## CLYDE MOORE of Ohio State Journal Says

The good old days were when a boy didn't consider himself prepared for winter unless he had five or ten bushels of walnuts drying in a loft.

A committee meeting is where several persons get together and decide which one is going to do the work.

## PRESIDENT CARNAHAN'S REPORT NINTH ANNUAL MEETING

Fellow Architects, Exhibitors and Guests, it is a great honor and an unexpected privilege for me to address this meeting as President of the Architects Society of Ohio. It was with keen regret that the Board of Directors received the resignation of Paul Hill. I am sure we have lost much through his inability to fulfill his term as President.

We are holding this, our Ninth Annual Meeting, under the extreme conditions which a state of war imposes. Many of our members are now with the armed forces; many others are serving their country in civilian roles. We fervently hope that they may soon return to their accustomed roles and again take their places in our midst, but wherever they may be or whatever their tasks, we can have the assurance that their respective tasks will be well done.

Further restrictive measures necessary for the war effort and the scarcity of critical materials are causing others of us to cast about for gainful employment for the duration. Some will be able to continue in practice and we shall, of necessity, look to these individuals to carry forward the work of this Society and promulgate a strong and active policy.

It is freely predicted that a post-war state of normalcy will see many and vast changes in our social and economic life. Many are the predictions that the day of the individual architect and the individual client are past, that we must organize for group planning of large projects on a far more intelligent basis than heretofore. We shall of necessity, take a more active part in civic affairs and utilize our talents in regional planning of communities and, more particularly, the rebuilding of blighted areas.

If we architects are now to consider plans for the post-war period, we must take into consideration the conditions which are likely to exist at that time. Women, through their industrialization during the present emergency, will have a greater effect since their thinking will be influenced by their experience in industrial life.

It is also safe to re-emphasize that the Architect-Artist must give way to the Architect-Business Man and divest himself of an over-advertised artistic temperament and gain recognition as a sensible thinker, an intelligent execu-

tive and an organizer of building and space planning, with the business ability to set up sound financial programs for the structures which he plans and to co-ordinate and direct the many trades and crafts utilized in its construction.

It is my own personal opinion, and in no sense the opinion of the Board, that the post-war period will either force the architect to assume direction of all the crafts employed without the general contractors, or the architect will shortly find himself a hireling of the contractors.

This thought will be bitterly contested by some of you. It is not intended as an indictment of the profession or the abandonment of our ethics. We must keep step with the march of progress and the profession must take cognizance of the fact that architecture is becoming a business and architects must be business men. To be worthy of the name, we must play a worthwhile role in the affairs of the business we strive to direct. We must, at all times, serve a worthwhile purpose.

At the last Annual Meeting I was directed by that Convention to formulate and direct a state-wide publicity campaign and to provide a radio program. I regret to confess that, in this, I have been unable to act, partially because it was more of a task than one with which a single individual could satisfactorily cope; that there were divergent opinions as to the nature of such a program and last, but not least, the well-accustomed apathy of others—but, wherever architects gather, there is always the sentiment that we do need a public relations program. Such is not beneath the dignity of the profession and it is indeed timely that steps be taken in this direction. I strongly recommend that this convention appoint a committee to consider the employment of public relations counsel to investigate the feasibility of a public relations program. Undoubtedly, such a program will be costly, and I am equally sure that this Society can, and will, find a way to finance such a program if it is felt justifiable.

During the past year we have devoted much of our efforts to unification; the Institute Convention has passed all of the resolutions favoring unification which were submitted by the

State Associations. Now, as all of you probably know, every architect of good repute is eligible for corporate membership in the A.I.A. It is not required that he qualify himself by submitting photographs or other evidence of his ability. Thus, we have taken the first step toward national unity. But national unity is yet to be accomplished—it took ten years for that first step! We must get the profession out into the limelight! We must make the front pages! And I *do* mean headlines! I am told that our legislators are of the opinion that we are an aloof and unstable group, chiefly because of the publicity some of our eccentric colleagues have received; that legislators have a wrong conception of what the architect does; that we have done nothing to make the Congress conscious of our value to the war effort.

Quite recently a member of my own Section suggested that, at one Section meeting, we invite as guests our local members of the State Legislature that they might become better acquainted with the architect, what he does, his value to the community. We have been entirely too negligent in our own communities; we have missed opportunities such as this and again, it's too little effort and too late!

When we unite, we must have the support of every architect in each Section and we need every architect to support the State group and all the State groups to support the National group through the individual members. Imagine, if you will, the Legislature confronted with such a united organization in matters of interest to the profession. With the acceptance of each architect of this challenge and invitation, he will become a factor and our groups will become powerful, but not motivated selfishly, but with a desire to see our talents, our creative abilities, our services utilized in making this a better place for mankind.

Each one of us, at some time in his practice, has encountered a project which could not proceed on a specific site due to deed or plat restrictions. Certainly we will admit of the value of such restriction, if intelligently drawn, and if automatically void or flexible after the expiration of a period of years or through other action that may be provided for. But, there are untold

valuable pieces of real estate, unimproved, decadent, or which have outlived their intended purpose and which are unuseable because of these antiquated measures. The courts are unable, in most cases, to grant relief and the otherwise orderly progress and development of a community is denied. Legislative amendment is required and I am suggesting to you that our Legislative Committee be instructed to consider the civic value of such an amendment to the General Code of Ohio, and, if favorable to such a program, cooperate with other organizations to effect its presentation to the General Assembly.

Under the urgency of a war building program our building codes have become obsolete. Higher stresses are being used in materials than heretofore allowed. New methods and new materials are being used. We are working our materials to the utmost with great economies in construction costs. It would indeed be well, during the coming year, to give due consideration to the study of a uniform code for the entire state. This presents an unusual opportunity to serve the public needs; to foster a closer co-operation with the entire building industry. The preparation of such a code is a laborious task; however, it does offer opportunities which we have sought for many years. Mr. Albert Kahn recently stated that, in effect, our codes at the present time were text-books for the incompetent and should be rewritten to encourage the exercise of skill and ingenuity of the competent. I know of no better way for this Society to work against the increasing encroachment upon our field of service than the compilation of a code which would be unintelligible to the untrained man—like a slide rule in the hands of a kindergarten pupil.

At a later time the Committee on By-Laws will report and present for your consideration several revisions drawn to simplify our procedure in these and Section meetings. Due to the brevity of this meeting, it is hoped that discussion may be held to a minimum. Amendment No. 5, particularly, provides for a more thorough and leisurely revision of them at a later date. And, in view of our program of unification, such further revision is very likely.

This Convention terminates four years of active service in the affairs of the Society for me. I would not be

truthful if I did not confess that I have often been bitterly discouraged. Such discouragements dampen the ardor and dull the spirit with which we must carry on.

By our present method of advancing State Officers from Third Vice-President to President, four years in office are usual, and I am of the considered opinion that such a prolonged period of service is not in the best interests of the Society. Therefore, I have proposed to the Board, that each Section appoint a member to the Nominating Committee; that this committee nominate two candidates for each office except that of President, and, for which, they shall nominate one candidate, the then Vice-President to become the other candidate. This is a prudent procedure, tending to a more democratic spirit, and, I am sure, encouraging to a greater participation in these annual meetings. It is hoped that this procedure may prevail at this meeting. Of course, nominations from the floor will always be in order.

At the last Annual Convention a Budget Committee was provided for; however, the necessary appointments were delayed and, for the coming year, the President-elect, Secretary, Treasurer and First Vice-President will comprise the Committee and a budget will be provided. I'm not sure about the funds!

The OHIO ARCHITECT is now a two-year-old and, like most two-year-olds, it is not self-supporting. The report of the Magazine Committee, under the chairmanship of Mr. Firestone, has recommended the appointment of an Editorial Board and the employment of a paid Editor-Manager. Although a Board was appointed by Mr. Hill, a meeting was not held, due largely to lack of funds. Our publication is in a rather uncertain state, at present; many advertisers have withdrawn their support and the extent to which we may continue its publication is in doubt.

The Executive Board has faced the difficult task of operating the Society, during the past year, with a sadly depleted treasury. Just how depleted it is, you will soon learn from the treasurer's report. However, we all realize only too well Ralph Kempton's devotion to this Society and his office as Secretary for the past several years. Many of us have an intimate knowledge of the magnitude of his activities and the demands on his time. Occasions have arisen when the Board has been requested to reimburse the Secretary

for special services rendered to the Society—such as his work in connection with our recent legislative amendment. Your Board of Directors, without either adequate funds or authority, has been unable to act satisfactorily in such matters. Therefore, it is an obligation of this meeting to discuss our financial status and to express its wishes in the matter of compensation for the Secretary and endeavor to fix the amount of such compensation. The new Executive Board and Budget Committee must take the matter under their consideration for a report and recommendation to the Section.

In conclusion, I want to thank the Executive Board for their sincere devotion to the affairs of the Society; to commend those special committees, the Magazine Committee, the By-Laws Committee and the Committee on Unification for their untiring efforts and service.

The growth and strength of this Society can only be gauged by the measure of our devotion to its objectives; the tempo of its activities by participation and support of its activities. It is my hope that the Convention will be an enjoyable one and an inspiring event; that it may serve to impress upon each one of us the problems that lie ahead of the profession and that each may return to his respective community fired with a determination to take an active part in the affairs of his Section.

Ensign B. C. Tomlinson, USNR, 1249 Washington Blvd., Detroit, announces that his office is procuring officers for the U.S. Naval Reserve in both the States of Michigan and Ohio. The need for men with engineering training is very urgent, according to Ensign Tomlinson.

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## ATTORNEY GENERAL'S OFFICE

### FORMULATES OPINIONS

By HAL CONEFRY  
Columbus Citizen

Neither the Columbus City Directory nor the telephone directory gives its street address, but the law office doing the greatest volume of legal business in Ohio is located on So. Third St.

It's the office of Thomas J. Herbert, Attorney-General of Ohio, located in the State House Annex, sometimes also known as the Supreme Court Building. The street number, if any, is probably 33 So. Third St., or thereabouts.

The Attorney-General has branch offices in Cleveland, Cincinnati and Toledo, but the bulk of the tremendous legal business conducted by his office is handled from the quarters on the first and second floors of the State House Annex.

Working from these offices are the majority of his staff of 44 lawyers, designated as assistant attorneys-general or special counsel.

Resident special counsel head the three out-of-town branch offices, which are also used by other members of the Attorney-General's staff when they have official business in those cities.

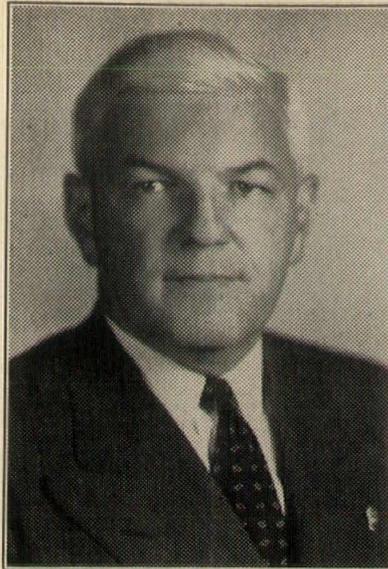
Representing the State and its 48 departments, bureaus and divisions, Mr. Herbert and his staff last year disposed of 1,573 court cases. During the same period there were 1,477 cases filed in the various courts of the State, involving State agencies, so they did considerably better than to keep abreast of the new business of the year.

#### Herbert Has Two Chief Aides

As his chief aides in the conduct of the office, Mr. Herbert has Dale Dunifon, first assistant attorney-general, and E. G. Schuessler, chief counsel.

Mr. Dunifon is administrative head of the office, handling personnel and budget matters and acting as the attorney-general's representative on the State Board of Control, State Emergency Board and State Board of Sundry Claims.

Mr. Schuessler heads the legal work of the office, directs the "Office Court," and has charge of the assignment of opinions and court work, handling, along with Mr. Herbert, many of the important cases which have to be argued before the State Supreme Court.



THOMAS J. HERBERT

Mr. Dunifon is something of a veteran in the office, having served previously under Attorney-General C. C. Crabbe and Governor Bricker, when the latter occupied that office.

Mr. Schuessler is a former member of the Ohio Legislature from Cincinnati.

#### Writing Opinions Part of Work

Besides the court work, the Attorney-General and his staff, as legal advisers to the various State officials, department and bureau heads, and to the prosecutors of the 88 counties, turned out last year a total of 1,546 formal written opinions, covering probably three or four times that many legal questions submitted to the office.

Informal opinions to the number of between 800 and 900 were also given to officials by letter or in personal conferences here, when a written opinion was not requested.

#### "Office Court" Decides Opinions

Seldom heard of and probably not generally known about even among lawyers, is the Attorney-General's "Office Court," mentioned earlier as being directed by Mr. Schuessler, and actually one of the most interesting features among the many activities of the office.

Although the opinions officially rendered by the office all go out over the name of Attorney-General Herbert, every one is discussed, considered and approved by the "Office Court" before it is officially signed by Mr. Herbert.

The procedure generally involved when the Attorney-General is asked for an official opinion on any legal matter, is briefly as follows:

The question or questions involved are assigned by Chief Counsel Schuessler to an individual assistant attorney-general or special counsel who specializes in the phase or phases of law involved.

This member of the staff does the necessary research work, checks the court rulings and decisions and looks up the rulings of previous attorneys-general on similar or related questions.

#### Written Report Goes to "Court"

When the staff member assigned to the opinion reaches a conclusion, he prepares a written opinion, giving in detail the reasons and authorities and legal references to support the conclusion he presents.

This written opinion then is submitted to the "Office Court" for consideration and final action.

The court sits three or four mornings a week, depending on the work pending. Its sessions are held in the law library of the department, on the first floor of the Annex, commencing at 8:30 a.m. and continuing generally for at least an hour and a half.

From 20 to 24 members of the Attorney-General's staff ordinarily participate in court sessions, assembling around two long tables placed end to end.

Consideration of an opinion is opened by Mr. Schuessler, who, seated at the end of the joined tables, starts matters off by reading the full written text. Eight or more copies of the opinion, meanwhile, have been distributed among the staff members for ready reference.

#### Debate Often Proves Heated

After the entire opinion has been read, the discussion, which often becomes a heated debate, commences.

Staff members who may disagree with the opinion's legal conclusions, give their reasons, frequently getting volumes from the library cases to read decisions or opinions to support their dissenting views. Those agreeing with the opinion, likewise present their arguments.

After the questions have been threshed out in detail, a vote of the entire court is taken.

No set rule governs the vote required for approval of an opinion, but when there is any marked division shown by the vote, final approval is withheld pending further consideration.

When a majority of the court disagrees with the opinion originally presented, and frequently when there is a

(Continued on page 10)

## ON THE FIRING LINE

### FROM DOWN UNDER

Lt. H. W. Shupe, O-337395,  
Battery "A," 72nd F.A.  
Force 6814, A.P.O. No. 502,  
care of Postmaster,  
San Francisco, California.

Dear Ralph:

I received the announcement of the A.I.A. April meeting on the 12th of May. Sorry that I couldn't attend, but I'm sure you will understand the situation. In all seriousness, though, I would have enjoyed the meeting, particularly your movies of the "Pixley Party." Please continue sending me those announcements, as they are my only contact with the profession we both think so highly of. (Incidentally, drop me a line about yourself.)

At present, I am in New Caledonia, but I have no idea as to how long I'll be here. It's a beautiful island, very rich in minerals that are, in the most part, undeveloped. In addition, it is quite a cattle country, and the mountains and plant life are extremely interesting, at least to me. The population is really a subject of study. The natives are Melanesians (blacks), but innumerable Javanese, Indo-Chinese and miscellaneous Orientals, together with a few French, inhabit the towns. Naturally, any conversations I have with them are limited to expressions in sign language, unless an interpreter is available. (However, I am picking up an expression or two in French. How does that compare with your days in France during the last war?)

We had an enjoyable cruise to "down under." I couldn't find the Equator when we passed it (must have been when I was asleep), but did see some interesting places in the South Pacific before we finally docked in Australia. Melbourne was as friendly a town as I have ever been in, but after a week there we shoved off to our present location.

So far we have experienced no baptism of fire. I believe that our position here depends largely upon the success our Navy will have, and is having, in its action against the Japanese fleet. That, of course, is entirely a personal viewpoint.

Censorship being in force leaves more graphic descriptions to a post-war date,

but before I close this letter, please give to the crowd back home my greetings.

Sincerely,

"HOLLIE."

### Attorney-General's Office Formulates Opinions

(Continued from page 9)

strong minority opposition, the questions at issue are assigned to a member of the dissenting group for the preparation of an opposing opinion. Later, when this opinion has been written, it is brought before the court, along with the original one, for final consideration.

#### Dissenters Sometimes Win in End

It frequently happens, according to Mr. Schuessler, that the second or the opposing opinion is the one finally approved by the court.

"And if you don't believe these opinions are often hotly fought over, you've never seen our court in session," volunteers Mr. Schuessler, in passing comment.

After being approved by the court, each opinion goes then to Attorney-General Herbert for his final and official approval and signature, since he is officially responsible for each ruling issued by his office.

Last year, indicating how widely the office is called upon for opinions, 69 of the 88 county prosecutors of the State requested one or more formal or informal rulings on legal matters arising in their counties. These requests were in addition to the hundreds of matters submitted from the various State departments and agencies.

The Attorney-General's "Office Court" had almost all these "cases" or questions on its important if unofficial docket.

All of this information is of particular interest to architects because of the far-reaching effect these opinions have had in the past operations of the registration law. There will be more such opinions needed by the State Board of Examiners of Architects, one or two already being on the way. Every request for an opinion especially from the Architects Board, must be accompanied by all the substantiating data available, all of which entails a lot of care and careful research.

### ASSOCIATE EDITOR HAHN

As Bill Fernold's duties no longer permit him to function as Associate Editor of the OHIO ARCHITECT. The Toledo Section has appointed Mr. Alfred A. Hahn to this high post. It should of course be understood that all the members in the section, as well as their office organizations can assist very materially in seeing to it, that Mr. Hahn gets all the facts and information about architects and important data concerning the building industry.

Our friend, architect and professor, Thomas Larrick, of Athens, advises that he is a First Lieutenant in the Corps of Engineers, Rt. No. 2, Box 241, Decatur, Ala. He is engaged as an engineering inspector at the Courtland Basic Flying Project, being assigned to the Nashville District Engineer's Office. He says that he is anxious to get the "Ohio Architect" for him to keep as close as possible to the home State bunch.

"The ends I aim at shall be my country's, my God's, and Truth's. I was born an American; I live an American; I shall die an American."—Daniel Webster, Norton Abrasives.

A. S. T. M.

A. C. C. L.

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## Architects Society of Ohio Election of Officers at the Ninth Annual Meeting Held at Cedar Point on Lake Erie August 20, 21, 22

By C. F. OWSLEY, Chairman.

As usual in the business program of the Convention, the nomination and election of officers for the ensuing year of 1942-43 was an event of real importance. The Nominating Committee was composed of George B. Mayer of the Cleveland Section and a member of the State Executive Board; Walter F. Sheblessy, president of the Cincinnati Section; Charles E. Firestone, member of the State Board of Examiners; Willis A. Vogel, second vice-president, representing the Toledo Section; Thomas E. Brand, State Architect, representing the Columbus Section; Rollin L. Rosser, president of the Dayton Section, and Charles F. Owsley, representing the Eastern Ohio Section, chairman of the committee.

The committee stated that it had reviewed the activities of the Society for the past year and also had analyzed the problems confronting the Society in the future, and mentioned the problem of unification, the condition of wartime practice and the dislocation of practice which has become evident and which will require activity by the Society to hold its record of progress during the period of war strife.

Furthermore, due to the resignation of President Paul G. Hill, who was elected at last year's convention in Toledo, it became necessary for Ralph W. Carnahan, then first vice-president, to step up and complete the unexpired term. The committee was convinced that it would be to the best interests of the Society to nominate the present officers, with the omission of the third vice-president as no longer necessary for the proper functioning of the Society. Appreciation of the services rendered by Mr. Hill were expressed, and it also stressed the fact that Ralph W. Carnahan was found to be a person with eminent qualities of leadership; therefore his request to be relieved of the responsibility was ignored.

The report was enthusiastically received by the Convention, and, there being no further nominations from the floor, the following officers were unanimously elected for the following year: Ralph W. Carnahan, president, 536 Mutual Home Building, Dayton; E. Milton MacMillin, first vice-president, 10525 Carnegie Avenue, Cleveland; Willis A.

Vogel, second vice-president, 1820 Glenwood Avenue, Toledo; Ralph C. Kempton, secretary, 2750 A.I.U. Building, Columbus; George M. Foulks, treasurer, 625 12th Street, N. W. Canton; George B. Mayer, member of Executive Committee, 1030 Schofield Building, Cleveland.

### A. S. O. Gold Medal Winner



NOVERRE MUSSON

The 1942 winner of the Gold Medal Award was Noverre Musson, of Columbus, Ohio. This award was determined by a vote of the delegates at the Ninth Annual Meeting held at Cedar Point on August 20, 21 and 22. The project was the home of Mr. and Mrs. Frank Middleton, located on Olentangy River Road, about 4 miles north of Columbus.

The medal winner is a graduate of Ohio State with a degree of Bachelor of Engineering in Architecture and qualified for registration as an architect in Ohio by examination in 1939. He is a native Buckeye, having started his climb to fame at Findlay, Ohio; worked in the office of Frank Lloyd Wright at Spring Green, Wis., for about two years.

He has two more initials in his name, A. F., but has never divulged what they stand for. He became a corporate member in the American Institute of Architects this year. He has been

associated with Todd Tibbals in Columbus since 1940, but not having acquired any dependents he is now headed for service with Uncle Sam. Good luck and safe return, Noverre, when war duty may call.

### U.S.G. Prize Winners

(See Resolution No. 9)

It was almost unbelievable that the president, after the fine way he had been elected in the afternoon without opposition, would attempt to take advantage in the drawing for the door prizes. The first three tickets drawn out by Fred Stritzel contained the name of Carnahan. That certainly called for a reshuffle of the cards (these were the ladies' numbers, too; then the drawing proceeded honestly. Fred was selected for this responsible duty by reason of his height and honesty. Prize winners for the ladies were:

Miss Jerry McFadden, Lorain—Silver Cream and Sugar Set.

Mrs. Rollin L. Rosser, Dayton—Steak Platter.

Mrs. Keppel O. Small, Oxford—Silver Plate.

The lucky numbers for the men were selected from the box by Miss Jerry McFadden, daughter of Architect and Mrs. McFadden, of Lorain, the lucky men being:

Syd Franz, Duro Products—Electric Clock.

G. Otis Reeves, Steubenville—Fine Leather Billfold.

George Wilke, Medusa—Silver and Glass Decanter.

Registered Architect No. 1183, Wm. Jennings Lance, is now First Lieutenant W. J. Lance, B.C. Btry D, 409 CA (AA) Bn., and is located at Ft. Bliss, Texas. That means First Lt. WLJ, Btry Commander, Btry D 409, Coast Artillery Regiment (Anti-Aircraft) Battalion.

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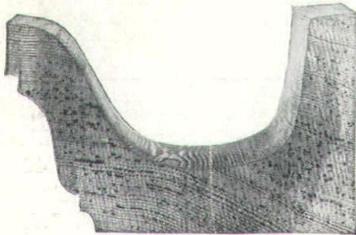
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