

FEB 10 1910

THE
 AMERICAN
ARCHITECT

PUBLISHED
EVERY WEDNESDAY
IN NEW YORK



WITH THIS PUBLICATION
IS MERGED
THE INLAND ARCHITECT

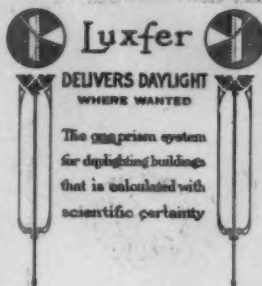
VOLUME
XCVII

FEBRUARY 9, 1910

NUMBER
1781

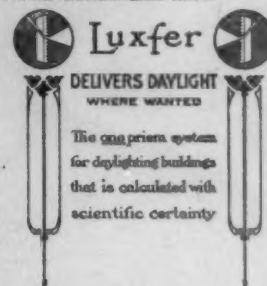
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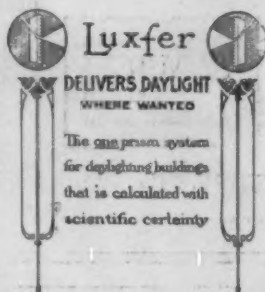
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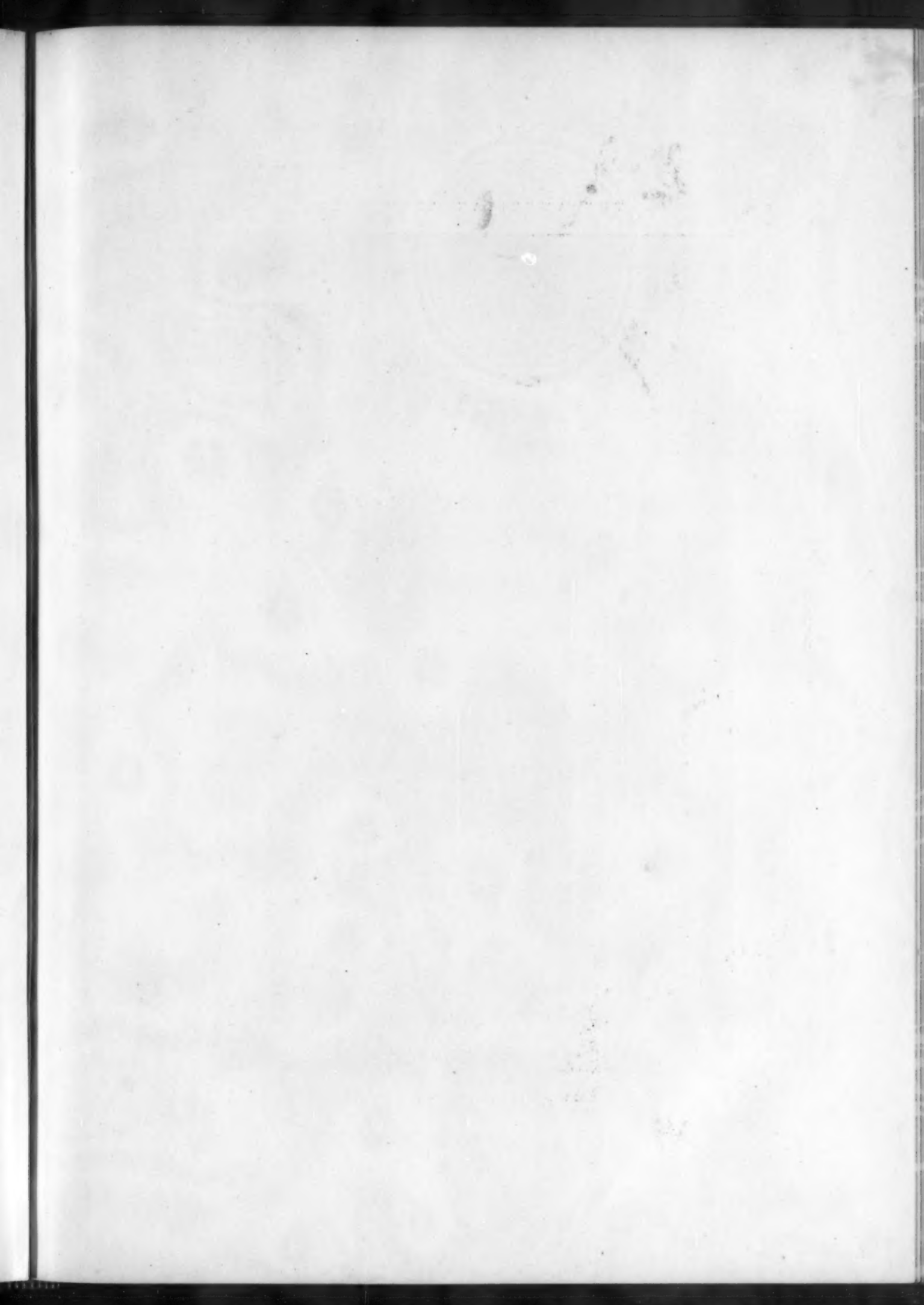


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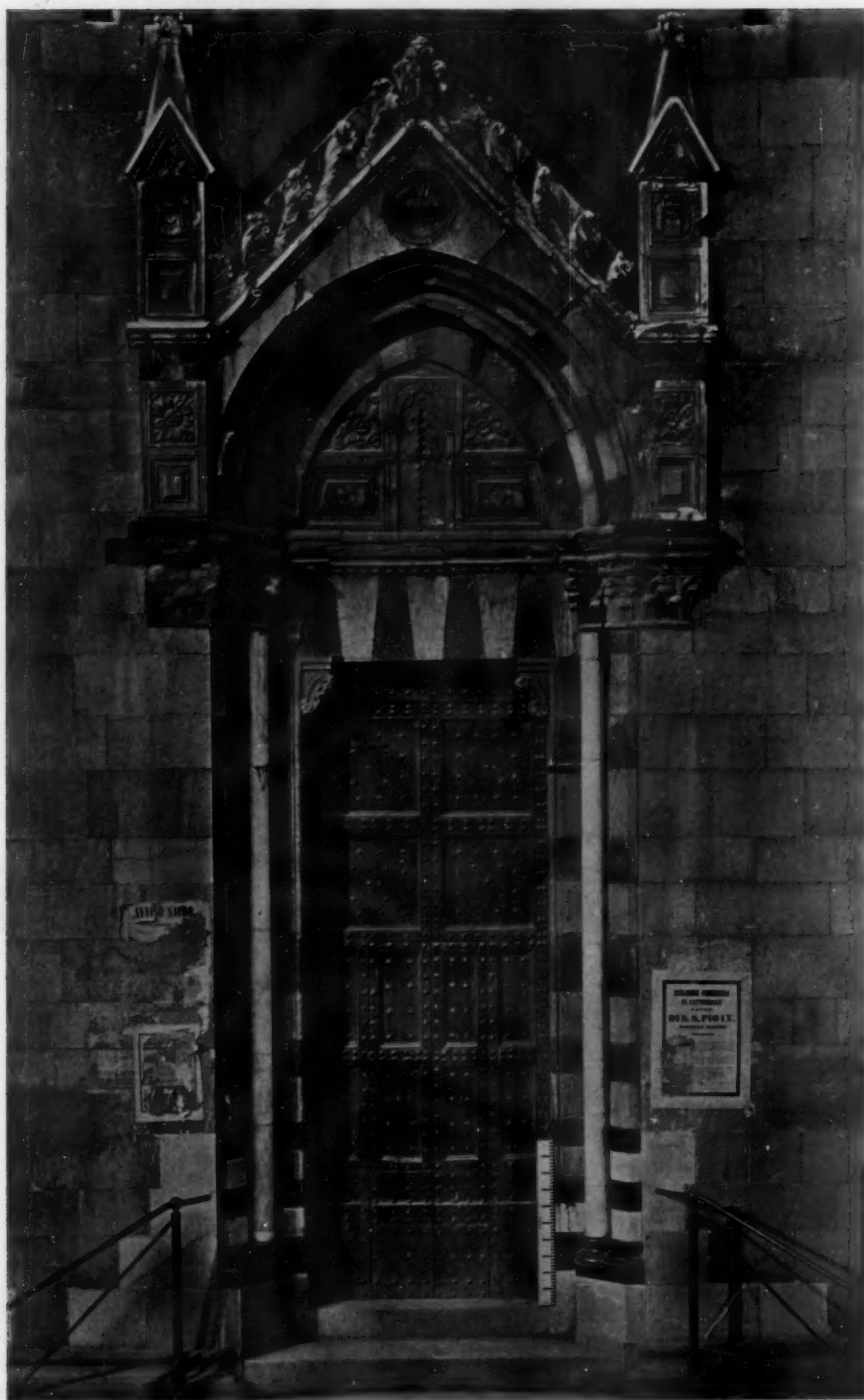
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THE AMERICAN ARCHITECT



DOORWAY, CATHEDRAL, PRATO, ITALY.

THE AMERICAN ARCHITECT

Vol. XCVII

WEDNESDAY, FEBRUARY 9, 1910

No. 1781

A PALACE AT CAIRO, EGYPT

SIGNOR CARLO PRAMPOLINO, ARCHITECT

THIS recent example of a stately home is located at Garden City, a suburb of Cairo, Egypt, along the bank of the River Nile, and near the new Ritz Hotel. It was designed by Signor Carlo Prampolino, architect, who in addition to the regular practice of his profession is Director of Works in the Department of the Ministry of Public Works at Cairo.

The building, with its dependencies, garages, generating plant, etc., occupies 3,700 square metres.

The style of the exterior and interior is of the Italian Renaissance.

The decorative features of the interior are of particular interest, and the color scheme produced by the introduction of the marble used, presents an interior of the most satisfying character.

Through the main entrance, by a flight of six steps of yellow marble from Colle di Elsa, flanked by two well-designed candelabra in solid bronze, the main entrance hall is reached. This hall, which occupies the large, central portion, is decorated in Louis XVI style, and serves to impress the visitor by reason of its beautiful vistas and well-balanced proportions.

The columns in the hall are of Fleur de Pêché, the ceilings in Vitraux d'Art, to all of which, with the beautiful decorations introduced, the grand staircase at the upper

end of the hall, serves as a dignified background.

The columns shown in the terrace of the first floor are of brocatelle marble.

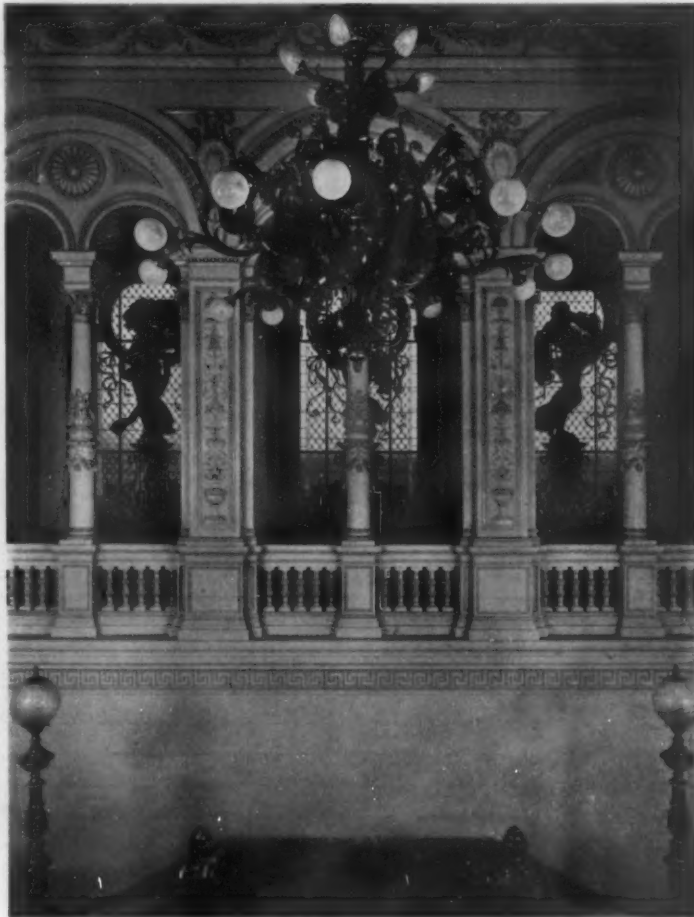
To the left of the entrance is the dining room, while on the right is the salon, music room and library.

The walnut interior doors of the hall are fine examples of the wood carver's art, the decorations being carved in high relief, with flower and leaf motives, surrounded with a laurel leaf scroll. This decorative treatment is also used on the "ecrans," which serve to conceal the American radiators set in the wall.

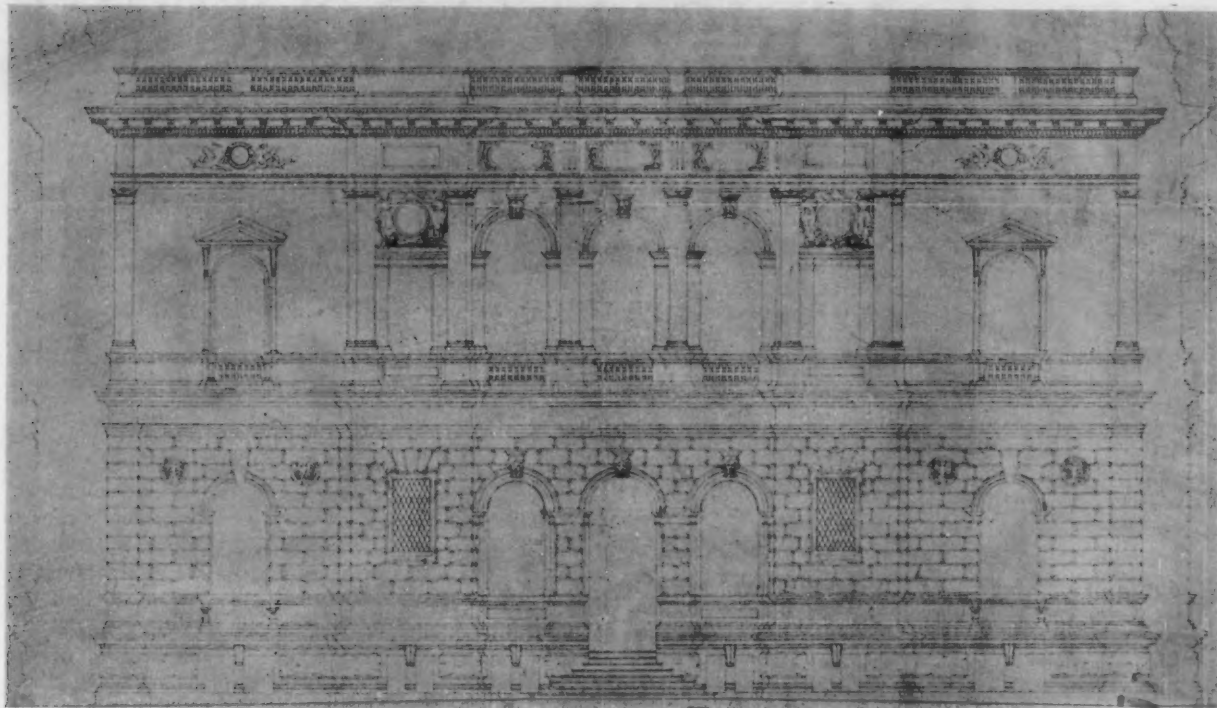
The grand staircase is the dominant feature of the main floor. There are two runs, consisting of 74 steps,

each cut from a single block of "Pavonaz so Imperiale" marble, decorated with "Brocatello," "Paggaccino" and "Skyros O." marbles which, combined with a white marble ("bianco di Siena") form the decorative treatment of the pilasters, pedestals, cornices and mouldings which surround the ornamental bas relief. This staircase was erected by Signor Leopoldo Maccari, of Siena. The large griffons crouched at the foot of the ramps and panels are the work of members of the Academy of Fine Arts, Siena.

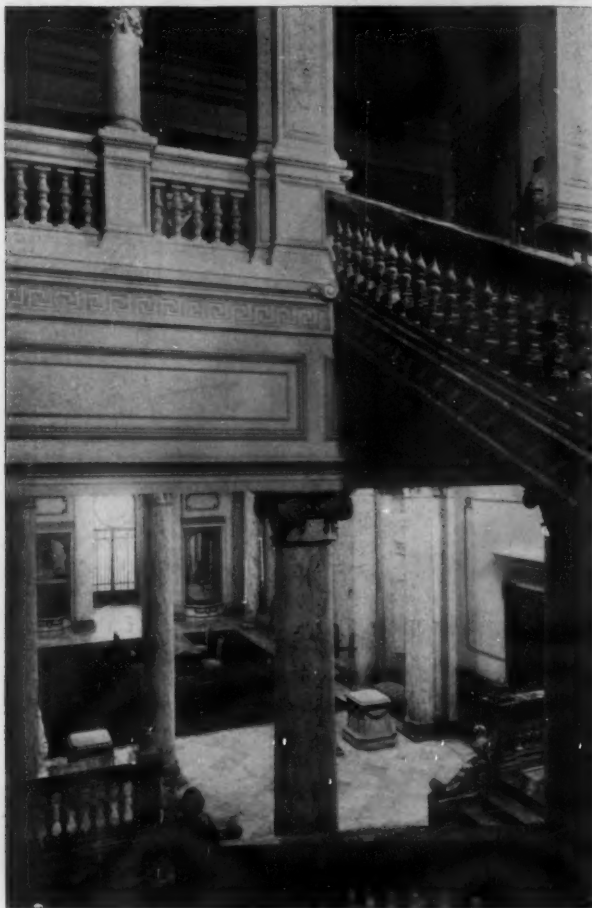
The ornamentation in bronze and the large candelabra in the staircase, of most artistic modeling and de-



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NORTH ELEVATION

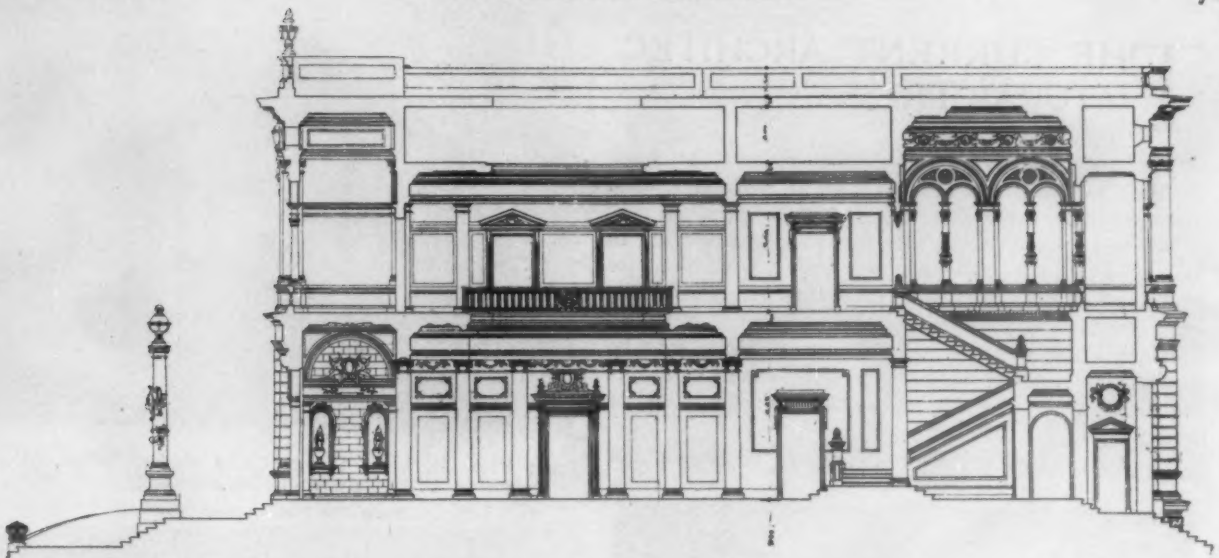
VIEW IN HALL, SHOWING GROUND FLOOR, PART OF SECOND FLOOR
AND GRAND STAIRCASE

sign, form an important part of the decorative treatment of this stately hall.

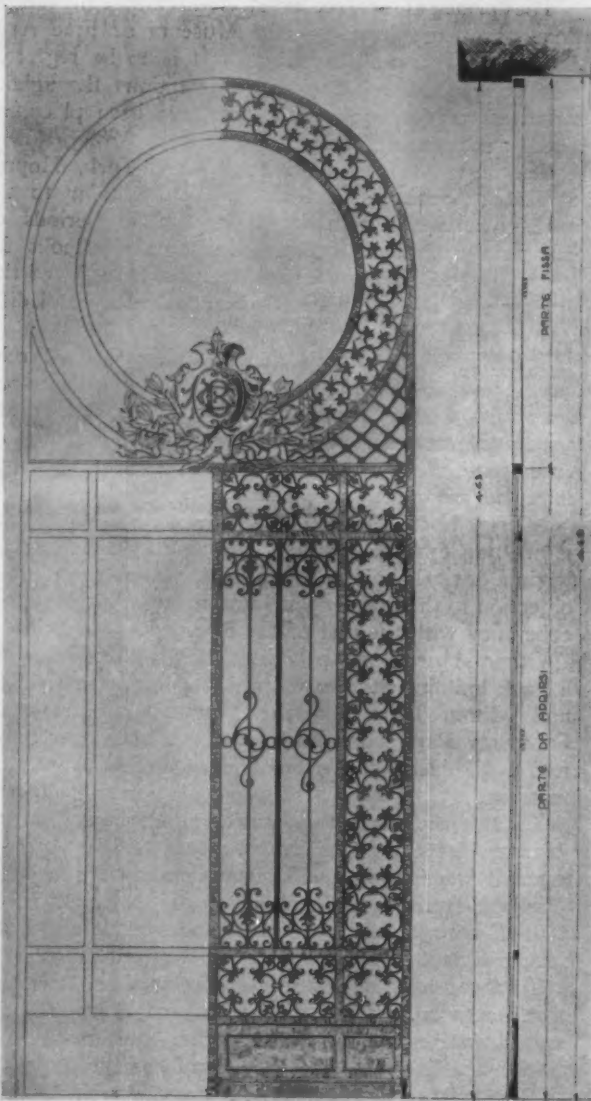
The bedrooms, many in number, have each its adjoining bathroom and special toilet rooms. The general decorative treatment of these rooms is ivory white.

In the gardens surrounding the house is located a

THE "ACRAN" DESIGNED TO CONCEAL THE RADIATORS SET IN THE
WALL.



SECTION



DETAIL OF MAIN ENTRANCE DOORS

two-story building for servants, and also garages, stables and an isolated electric generating station.

Señor Prampolino's work is not unknown to readers of *THE AMERICAN ARCHITECT*. His prize winning designs of the proposed buildings for the Credit Foncier Egyptian, were published in our issue of July 11, 1903.

MR. THOMAS HASTINGS ON THE EVOLUTION OF STYLE

Thomas Hastings, of Carrère & Hastings, architects of the New Theatre and of the New York Public Library, contributes to the February number of *The North American Review* a highly interesting article on "The Evolution of Style in Modern Architecture." Mr. Hastings concludes his article as follows:

"The unsurpassed and inspiring beauty of the Gothic cathedrals which bewilders us, and the cloisters which enchant us, impress on our minds a living picture of the feverish and morbid aspiration of mediæval times—a civilization which must have had mingled with its mysticism an intellectual and spiritual grandeur which the so-called Dark Ages of the historian have failed adequately to record, and here, in and around Washington and in our own country in general, even amid the all-absorbing work of constructing a new government, our people found time to speak to us to-day in the silent language of their simple architecture, of the temperament and character of our forefathers.

"Consider the time in which we are now living. Will our monuments adequately record the splendid achievements of our contemporaneous life—the spirit of modern justice and liberty—the progress of modern science—the genius of modern invention and discovery—the elevated character of our institutions? Will disorder and confusion in our architecture express the intelligence of this twentieth century? Would that those in authority might learn a lesson from the past and awaken in their wisdom to build our national monuments more worthy of the dignity of this great nation, and more expressive of this wonderful contemporaneous life!"

THE CURRENT ARCHITECTURAL PRESS

The matter-of-fact grind that surrounds the work incident to the editing of a technical publication has, fortunately, at times some element of humor.

We were moved some time ago to take exception to the critical analysis of certain types of architecture published in the department of criticism conducted by our esteemed contemporary, *Architecture*. It would seem that the writer in *Architecture* realizes that he might have suffered lapses of good judgment at different times, as, in his review in the January issue, he writes:

"A word about criticism.—Criticism at best is but



Detail of House at Dover, Mass. James Purdon, Architect
(From *The Brickbuilder*)

the expression of an individual opinion, and an opinion warped and biased by external circumstances. A dramatic critic may, for example, go to see a performance after a poor supper and with a bad cold, and send to his paper an exceedingly unfavorable report. Now, I have had poor lunches at times, and, not being a Christian Scientist am not altogether free from colds. In consequence, my viewpoint is not always the same."

For the sake of the architects whose work may be illustrated in future issues of *Architecture*, we trust that "good digestion may wait on appetite, and health on both."



Front View St. Louis County Court House, Duluth, Minn.
D. H. Burnham & Co., Architects
(From *The Western Architect*)

The text in this issue contains an article by Sidney Warren entitled, "Selecting a Site."

The principal subject illustrated (although this is done very imperfectly) is the Museum of Fine Arts, Boston, Guy Lowell, Architect. It is to be regretted that in some cases of similar institutions throughout this country the work could not have been placed in equally competent hands.

The new police headquarters, New York, Hoppin & Koen, Architects, a building long familiar to the profession, is so reminiscent of certain periods of European architecture that one instinctively looks for its prototype. The problem of fitting a building of this character to the site selected presented many and difficult problems.

The Kinko Apartments, Mann & MacNeille, Architects, show a pleasant variation of the usual low-cost apartment where the rule has been to ignore any feature of architectural refinement. They suggest in a truer sense the fact that they were designed as homes than do most apartment houses.

A brick house in Brooklyn by Herts & Tallant is an interesting example of the city house. If we were to begin a critical analysis of this building, we would make objection to the dormer windows, as lacking, in a sense, coherency with the rest of the design.

Other subjects partially illustrated in this issue are a bank building at Alexandria, Va., by Oscar G. Vogt and Milton Dana Morrill; a studio apartment on Gramercy Park, New York, Herbert Lucas, Architect, and a dignified suburban residence by J. Carby's Zimmerman.

To the architect, two articles that appear in the January issue of the *International Studio*, are of especial interest and will repay reading. They are: "Leaves from the Sketch Book of Norman Irving Black," showing many clever sketches made afield, and "Etched Book Plates," by Frank Newbolt.

To the reader who desires to keep abreast with all that is new and good in the field of art, there are other equally interesting articles, together with many illustrations in half-tone and color that are object lessons in the study of art, both in this country and abroad.

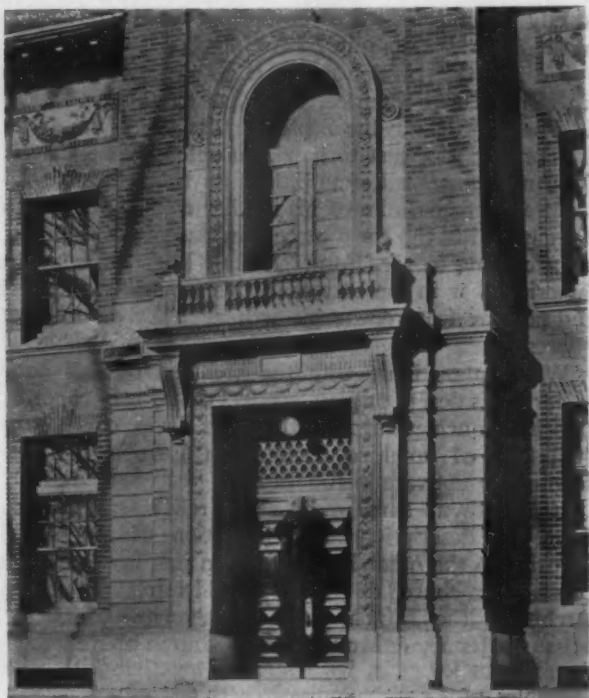
The October issue of *The New York Architect* is

just received. It illustrates some work by Holabird & Roche, and presents in the mechanical aspect of its illustrations a marked improvement over previous issues.

We believe it to be quite unnecessary to indulge in any critical review of the buildings illustrated. The subjects presented in this issue are generally familiar to the profession, and their excellence has been many times acknowledged.

The leading article is an editorial on the Hudson-Fulton Celebration held last summer. While a somewhat belated review of an occasion that has passed into history, it presents criticisms and suggestions that it would be well for promoters of future celebrations to keep in mind.

Mr. Martin Roche contributes an article descriptive



Entrance of Town Hall, Clinton, Mass. Peabody & Stearns, Architects

(From *The Brickbuilder*)

of the work of his firm, illustrated, which adds materially to the interest in the subjects.

The usual careful selection and presentation of buildings in which brick and terra cotta are the principal materials used in construction marks the December issue of *The Brickbuilder*.

The number contains a town hall at Clinton, Mass., by Peabody & Stearns, which shows in a splendid way the artistic possibilities of modern brick; a dining hall in a boys' school at Mount Hermon, Mass., Parish & Schroeder, Architects, and the well-known town building at Lenox, Mass., not credited.

The Russell Sage Hall, at Northfield, Mass., by Delano & Aldrich, shown both by photographs and working drawings; a house for the Protestant Episcopal Bishop of California, by Bliss & Faville, and examples



Kinko Duplex Apartment, Brooklyn, N. Y. Mann & Macneille, Architects

(From *The Brickbuilder*)

of suburban houses by Charles Barton Keen, James Purdon, and Robins & Oakman complete the illustrations.

The text describes and illustrates three Massachusetts school houses by Kilham & Hopkins, Architects, and a schoolhouse at Newton, Mass., by Ripley & Russell.

Part III of Mr. Thrall's series on Terra Cotta; its Character and Construction; an instructive article on Composite Hollow Tile, by George S. Drew, Jr., and a paper on specifications for office buildings complete a text that is replete with interesting and well-written articles.

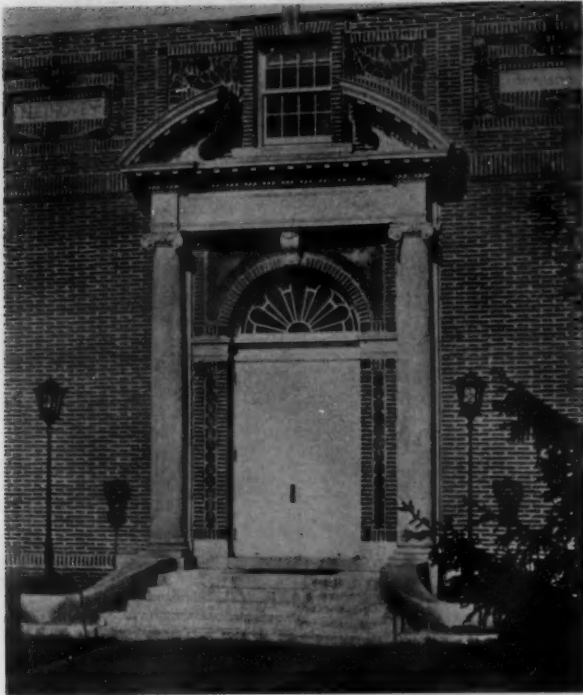
We are glad to note in the January issue of *The Architectural Record* its return to the true field of architectural publication. This number is one of particular importance, its entire contents being devoted to the work of Carrere & Hastings.

To say that most of the subjects published are familiar to the profession does not in any way lessen the value of a presentation of this kind. The collection and publication of so large and varied a quantity of material is in itself a journalistic effort worthy of commendation, while the advantage to the student of easy



Illinois State Monument, Vicksburg, Miss. Jenney & Mundie, Architects

(From *The Architectural Review*)



Russell Sage Memorial, Northfield, Mass. Delano & Aldrich, Architects

(From *The Brickbuilder*)

access to the record of the work of this well-known firm is beyond question.

The older members of the profession will scan this issue of the *Record* in a reminiscent way, as representing the well-learned teachings of the Ecole des Beaux-Arts, expanded and made practical through successive years of practice.

The firm of Carrere & Hastings has always been closely identified with every movement that has found favor with those who have striven for the æsthetic welfare of this country. With enthusiasm and demonstrated ability they have given much time and effort to the advancement of architecture, and it is not to be wondered that in this collection of their work we find so many dignified examples of buildings that have become artistic monuments.

The Western Architect greets its readers on its first appearance this year with a new and more artistic cover. The January issue contains the usual number of well-selected illustrations, and we note with satisfaction the omission of contractors' and supply firms' names that marred a previous number.

Probably the most important subject illustrated is the St. Louis County Court House, Duluth, Minn., designed by D. H. Burnham & Co. Some features of the site selected for this building demanded the consideration of problems in planning the various façades not common in buildings of this character. The solution presented apparently fills the requirements and the result is a dignified building, although it appears somewhat heavy in its proportions.

A Y. M. C. A. building, also at Duluth, German & Lignell, Architects, can scarcely be regarded as setting

a standard for this type of building. As pictured in the illustrations, the stone courses with the sills and keystones glaringly white, together with the fenestration, is all suggestive of a commercial building, and does not satisfactorily convey a feeling indicative of the purpose for which it was erected.

The Baptist Social Union, Boston, Brainerd, Leeds & Russell, Architects, while pleasing in proportion, fails in this same particular.

The new Blackstone Hotel, Chicago, Marshall & Fox, Architects; a school at East Orange, N. J., by W. B. Tubby & Son, together with country houses by R. B. Young, Nimmons & Fellows, and Frank B. Meade are all made the subject of plate illustrations. Exterior views only are shown.

The principal article in the text is Mr. Frederic A. Delano's address on railway terminals and their relation to city planning delivered before the recent convention of the American Institute of Architects.

We fear the traveler abroad who, visiting Paris, puts up at the Hotel Meurice, which, to quote Mr. George B. Ford's article in the September issue of *The Architectural Review*, just to hand, "is intended exclusively for Americans," will note little if anything in its architecture to remind him of his mother country. Perhaps he may find in the bar a more reminiscent surrounding, as, according to Mr. Ford, "A stair leads down to the American bar in the basement, this bar being a special and popular feature, though architecturally of no great interest."

We take no issue with the architect of this hotel either in his design or plan, but feel that it is but another step in the achievement of the ultra florid, over-decorated type of hotel so common in Europe, and unfortunately not rare in America.

It is with no small measure of relief that we turn from the description and illustration of this Hotel Meurice to the other illustrations in this issue. These consist of a church at Butler, Pa., Mr. John T. Comes, Architect; the Illinois State Monument, Vicksburg, Miss., by Jenney & Mundie, and a church at New London, Edwin J. Lewis, Jr., Architect, together with some examples of English domestic architecture.

In the current review the author of an article en-



A House at Chicago, Ill. Nimmons & Fellows, Architects

(From *The Western Architect*)

titled, "The Grotesque in Gothic Ornament," which appeared in our issue of August 25, is taken to task at this late day for failing to give some measure of credit to the sculptor or modeler, who, it is intimated, was chiefly responsible for the excellence of these grotesques.

A criticism that is not based on a knowledge of facts cannot be of value. There can be no exception taken to the sentiment that it is intended to express, but the choice of examples chosen for illustration seems unfortunate. In the cases of the City College and the Union Theological Seminary the grotesques were designed, drawn to scale and turned over by the architects to the modelers, who were watched over and directed as are any other workmen, even to the point of taking the tool from their hands and wielding it in explanation and

demonstration of the author's wishes. The modeler who, for example, ordinarily furnishes samples of the egg-and-dart ornament for approval, is entitled to about the same measure of credit as the ones effected in these particular instances. Had the critic read Mr. Collen's article carefully he would have known that this was true as to the Union Theological Seminary, and reference to Mr. Willauer's articles on the College of the City of New York, published in the *AMERICAN ARCHITECT* some two years ago, would have been equally convincing that these grotesques originated in the office of Messrs. George B. Post & Sons. The statement, therefore, that the architects have "blandly absorbed unto themselves the credit" for this work would seem to call for some explanation and apology.

TWENTY-FIFTH ANNUAL EXHIBITION OF THE ARCHITECTURAL LEAGUE OF NEW YORK

Of the many exhibitions held under the auspices of the Architectural League of New York during recent years, perhaps none has been so non-technical, so educational, and so very attractive in appearance as the one now being held in the Fine Arts Building on Fifty-seventh Street, this city. To enumerate the subjects exhibited would be to summarize the most important and interesting examples shown in the architectural journals during the past year supplemented by others no less interesting which have escaped publication. But while possibly the majority of the examples shown are in general familiar to the profession, the manner of their presentation renders them attractive to the architect and exceptionally interesting and instructive to the layman.

The galleries are this year resplendent in color. The selection, grouping and hanging of exhibits appears to be beyond serious criticism. If this collection of material could be made a permanent one and find a home where it would form the nucleus of an exhibition to be added to year by year, it would become a most powerful agent in the education of the masses to an appreciation of good architecture. It is a grouping of work of this character that serves to demonstrate the high place that architecture has attained in this country. It proves most conclusively the right of the architect to rank with the artist painter or sculptor in the uplifting and beautifying of the daily life of the people.

Past exhibitions have depended largely for their spots of color on the work of the mural painter, but this year the many finely rendered drawings distributed throughout the galleries leave no monotonous expanse of wall space, and the result is most satisfactory. To dwell in criticism on any single exhibit or to single out for special commendation any one of the numerous admirable examples shown, would, under the circumstances, amount practically to a show of partiality or prejudice.

The thoughtful visitor will this year be more than ever impressed with the close relationship existing between the work of the architect, the sculptor and the mural painter. He will be able to observe many instances

where the union of these three arts has accomplished results of the highest character. The time when only in national, State or municipal buildings was found that combination of the fine arts which resulted in buildings of the highest type, has passed. It is now almost universally recognized that only from such a combination can the best be secured, whether the problem be a state capitol or the most modest dwelling. Year by year the value of good art as an asset is becoming more and more recognized, and the time is not far distant when this feeling is bound to extend to all kinds of implements, utensils and articles of daily use.

Now that the necessity for a yearly exhibition that will more particularly meet the demands of the laymen seems to be conceded, we believe that an extension of space to allow for a showing of the crafts engaged in supplying artistic ornament and materials without encroaching upon that which belongs to the architectural exhibition proper would be of particular value. We appreciate how this suggestion, if taken in the broadest sense, might lead to commercialization and thus change and ruin the character of the exhibitions. It appears, however, that the general showing of materials and ornament both for exterior and interior application which would properly include new forms and colors in all the various materials of construction is of very great interest. Such a branch or department of an architectural exhibition could very well be shown in an annex or separate gallery in conjunction with the main exhibition, and thus add to the scope and value of the undertaking without in any way detracting from its general dignified character.

THE LEGAL RESPONSIBILITY OF AN ARCHITECT—PART III

BY HOWARD C. LAKE

There is an old New York case which holds that an architect is liable for inferiority in the material or labor put upon his building to the amount required to make a good job of it. First-class material is not, however, to be looked for unless called for in the specification. But if the builder employed by the owner fails in his work from incapacity, misconduct or intemperate habits,

the architect is not liable for the consequences, unless he should wrongfully give a certificate to the builder.

A workman on a building was killed by the falling of a wall which resulted from the giving away of the supports on which it rested under a jackscrew. It appeared further that the appliance was put to work under the immediate direction of another person employed by the owner of the building in the architect's absence although the manager of the jackscrew was employed on the advice of the architect and was subject to his direction. The latter knew of and approved of the method adopted for effecting the raising. The architect had general charge and superintendence of the construction of the building and was held *res ponsible*, in Missouri, for the workman's death.

We pass now to the questions arising under certificates issued by an architect employed for this purpose as well as to supervise the erection of the building. In this, also, he must use reasonable diligence and care.

This point was also illustrated in the case against the State of Wisconsin which we have already mentioned in the first part of this article. The superintendent was required to make monthly estimates of the work done. It was held that he could not be required to furnish "correct and accurate estimates," monthly estimates being in their nature mere approximations.

Negligence in certifying for too much work imposes liability upon an architect who had contracted to furnish certificates from time to time for a certain per cent. of the value of the work.

The courts have refused, however, to extend this rule so as to require an architect, before issuing a certificate, to make a special inspection of the work sufficient to satisfy himself that the particular work for which the certificate was asked for was done in accordance with the plans and specifications. This, at least, would seem to be the holding of the Illinois court construing the terms of an architect's contract.

With regard to minor details, another Illinois case is authority for the proposition that a superintending architect is not required to see that they are done properly. In the case mentioned he was held not liable for failing to observe that the contractor had failed to fasten the mortised joints with pegs, in putting on the porch roof.

He who asserts that an architect was negligent has the burden of proving it, and an architect when sued is not required to introduce evidence to the contrary until a *prima facie* case is held to have been made out against him. The question of negligence is not one of law for the trial judge to determine, but always one of fact for the jury to pass upon.

A complaint against an architect for damages from the collapse of a wall, which merely alleges the making of unsafe plans and specifications, is insufficient if it fails to allege that the accident resulted from the defects in such plans and specifications. Alleging a departure from the plans and specifications, but failing to allege that the architect-defendant permitted the departure, or had knowledge thereof in time to remedy the defects in the work before the accident, is fatal.

This, in brief, is the gist of a recent decision (Potter versus Gilbert) by the Appellate Division in New York

City. The case seems of more than ordinary interest and importance to the profession. The court was pretty evenly divided, two of the five judges dissenting from the views and decision of the majority.

The action was brought to recover for the death of a carpenter who was working on a building under construction. The death of Potter was caused by the collapse of one of the walls and his administrator brought an action against the architect.

In his complaint, the plaintiff-administrator alleged in substance that defendant was an architect and drew the plans and specifications, and supervised the erection of the building for the owner, under the contract between the owner and the employer of decedent for the erection thereof; that the building was of concrete construction, and the outer walls had been erected to the height of 20 feet "when * * * a part of the walls of said building, known as the east wing, collapsed and fell down"; that "defendant had the supervision of the construction of said buildings and walls, when the same fell down"; that it was essential to the safety of a large number of persons who were constantly engaged in work in and about the building that it "be constructed according to proper plans and specifications, in a proper manner, of proper materials, and under competent superintendence"; that it was the duty of the defendant to furnish proper plans and specifications; that he failed to do so; that "it was the duty of the defendant to properly superintend the construction of said building"; that he failed to do so; that the wall "collapsed or fell by reason of the failure or negligence of the defendant, his agents and servants, to use due diligence in the supervision of the construction thereof"; that it was the duty of "defendant, his agents and employees, to condemn, as unsound or improper, the wall that fell down, if the same had been constructed improperly"; that the wall was constructed improperly, and the construction was not condemned; that it was necessary to have the work performed under the supervision of a person skilled in such construction; that defendant undertook to supervise the work; "that by reason of the negligent manner of performing said work, said building and wall collapsed," causing the death of plaintiff's intestate while in the performance of his work and without negligence on his part; that "said building or wall fell or collapsed by reason of the negligent and improper manner of construction and erection of said building while under the supervision of the defendant, his agents or servants"; that the improper construction and erection "was known to the defendant, or should have been known if he or they had exercised reasonable diligence in the performance of his duties."

It will be observed that there is no charge of negligence against the architect with respect to the preparation of the plans, so that the general rule that an architect, in preparing plans for the construction of a building under employment by the owner is responsible for any negligence in failing to exercise the ordinary skill of his profession which results in the erection of an unsafe structure whereby any one lawfully on the premises is hurt, did not apply. While it is alleged that unsafe plans were prepared, there is no allegation that

the collapse of the wall was owing to any defect in this regard. Nor is there any allegation that he permitted a departure from the plans.

The architect demurred to the complaint upon the ground that it did not state facts sufficient to constitute a cause of action. The demurrer was held well taken.

The prevailing opinion is, in part, as follows: "The complaint merely charges an omission of duty on the part of the architect while acting for his principal, the owner, which constitutes only nonfeasance for which he may be liable to his employer, but is not liable to third parties.

It can make no difference in principle at what stage of the work the architect violates his contract with the owner, or whether the violation be a total or only a partial breach. The architect may owe a duty to the owner to visit and inspect the work hourly, daily, or weekly; but he owes no duty to the employees of the contractor to remain on the ground any given length of time or to inspect the work at given intervals to see that the plans and specifications, which fully and definitely prescribe materials and dimensions and quantities, are followed by the contractor, who is presumed to be competent or to employ a superintendent or foreman competent to follow them. . . . The architect owed the decedent and every one lawfully on or about the premises the duty of preparing plans and specifications under which the building could be constructed with safety, and the decedent's employer owed him the duty of following the plans and specifications; but the architect owed no duty of active vigilance to the decedent to supervise the work of the employer of the decedent, although he may have owed such duty to the owner by whom he was employed."

The last sentence, especially the latter part, seems to us convincing and indisputable.

There was a very strong dissenting opinion which took the position that, from the allegations pleaded, the complaint charged the defendant with negligence in furnishing the plans and specifications and by reason of which fact the wall fell. The dissenting judges thought that it might fairly be inferred "that the negligent and improper manner of construction and erection," which was alleged to be the reason of the collapse of the wall, was the result of the improper plans furnished.

If this was the proper construction, all the judges agreed that it stated a cause of action. The majority, however, did not consider this the proper construction.

The two judges who dissented thought that assuming that the architect was charged with negligence only in superintending the erection of the building, still a cause of action was stated. The contract between the owner and the contractor which was accepted on behalf of the former by the architect, provided that the work was to be done under the direction of the architect, that no alterations were to be made except upon his written order, that the contractor should provide facilities for inspection and within one day after written notice by the architect should take down all work condemned by him as unsound, or as failing to comply with the plans, and make good the same.

Having in mind these particular facts, the dissenting judges said that as an architect had to determine, among

other things, the thickness of walls and then specify the necessary support, that for this and other reasons his calling was of such a character that when an owner employs a competent architect to draw plans and supervise a building, he is relieved from the consequences of a collapse resulting from defects in either. There is high New York authority (Burke versus Ireland) for saying that an architect's relation to the building which he has planned and the erection of which he is superintending is independent of that of the owner, and in the performance of his duties he is not the agent or servant of the owner in such sense as makes the owner responsible for his negligent acts.

After citing and quoting from Michigan and Massachusetts cases, the dissenting judges conclude that, having assumed to superintend the construction, and actually entered on his work, the architect's negligence in doing it was not a mere omission of duty to the owner, but was misfeasance, or wrong doing, as to the deceased employee.

This case, ably presented by eminent counsel and carefully considered by one of our leading courts, merits careful study, presenting, as it does, conflicting views upon a subject of great interest to the profession.



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A PLAN: A ROMAN CATHOLIC CHURCH Judgment Feb. 1, 1910

Name	Award	Atelier	City
N. H. Larsen	2d Med	Boston Arch'l Club	Boston
L. E. Langille	M	Washington Arch'l Club	Washington
W. Jones, Jr.	M	Carnegie Tech. Schools	Pittsburg
Ernest Heyd	M	Cleveland Arch'l Club	Cleveland
J. S. McIntyre	H C	Washington Arch'l Club	Washington
J. J. Candier	M	Prevot	New York City
H. Tatton	M	Barber	"
W. F. Burkhardt	M	Carnegie Tech. Schools	Pittsburg
F. H. Brendle	M	Bosworth	New York City
H. Buxton	M	Carnegie Tech. Schools	Pittsburg
R. C. Jones	M	Bennett	Chicago
D. D. Ellington	2d Med	University of Pennsylvania	Philadelphia
J. McGinnis	M	Boston Arch'l Club	Boston
R. M. Wright	M	Barber	New York City
C. S. Pierpont	M	Ware	"
Geo. S. Koyl	1st Med	University of Pennsylvania	Philadelphia
J. Moscovitz	M	Bosworth	New York City
A. F. Adams	2d Med	Prevot	"
F. K. Detwiller	M	Ware	"
W. F. Hitchens	M	University of Pennsylvania	Philadelphia

B ESQUISSE-ESQUISSE: AN AUTOMOBILE EXCHANGE

C. M. Foster	H C	Barber	New York City
C. W. Porter	M	Washington Arch'l Club	Washington
F. Larson	M	Boston Arch'l Club	Boston

A ESQUISSE-ESQUISSE: A DRINKING FOUNTAIN

E. P. Chrystie	M	Hornbostel	New York
A. H. McGrail	H C	T-Square Club	Philadelphia
J. N. Hettel	H C	"	"
R. Cowie	M	Hornbostel	New York City
J. R. Lautenbach	H C	"	"
T. H. Burditt	2d Med	"	"
L. M. Dorsey	H C	T-Square Club	Philadelphia
F. H. Barry	M	Hornbostel	New York City

PUPIN PRIZE: AN INCLINED RAILROAD

J. Moscovitz	1st	Bosworth	New York City
R. M. Wright	2nd	Barber	"

ARCHAEOLOGY: ENTRANCE DOOR OF A ROMANESQUE CHURCH
Judgment Feb. 1, 1910

Name	Award	Atelier	City
S. J. Berman.....	M	Washington Arch'l Club.....	Washington
H. E. Rich.....	M	T-Square Club.....	Philadelphia
H. P. Foster.....	M	Drexel.....	"
P. R. Hooton.....	Medal	Geo. Washington Univ.....	Washington
P. D. Morgan.....	M	T-Square Club.....	Philadelphia
F. Wray.....	M	Boston Arch'l Club.....	Boston
F. W. Hauptle.....	Medal	T-Square Club.....	Philadelphia
E. W. Boyer.....	M	Carnegie Tech. Schools.....	Pittsburg
M. L. Andrews.....	Medal	Drexel Institute.....	Philadelphia
J. W. Cope.....	M	T-Square Club.....	"

CRITIQUE—JUDGMENT OF FEBRUARY 1

Although the designs for the Inclined Railway submitted in competition for the Pupin Prize offered a good deal of variety and no mean skill in presentation, by far the greater part of them showed a disproportion between the dimensions of the railway station at the top of the cliff and the ferryhouse at the bottom. The two prize designs, however, were in this respect a shining exception to the others; and, in addition, contained a genuine feeling for "iron embellished with stucco, or brick and tile architecture," as called for by the program.

In the Class A project, "A Roman Catholic Church," considering the difficulty of the program and the number of drawings required, the showing was remarkably good. The chief points considered by the jury were an open effect in plan, constructive excellence, and a due regard to scale, and last, but not least, consistency of style.

The general fault was a tendency to treat the design for a moderate sized church with a number of elements more properly suited to a cathedral. But this was conspicuously not the case in the first medal design, which was excellent in scale and charmingly studied. One design with a cleverly studied plan might have received

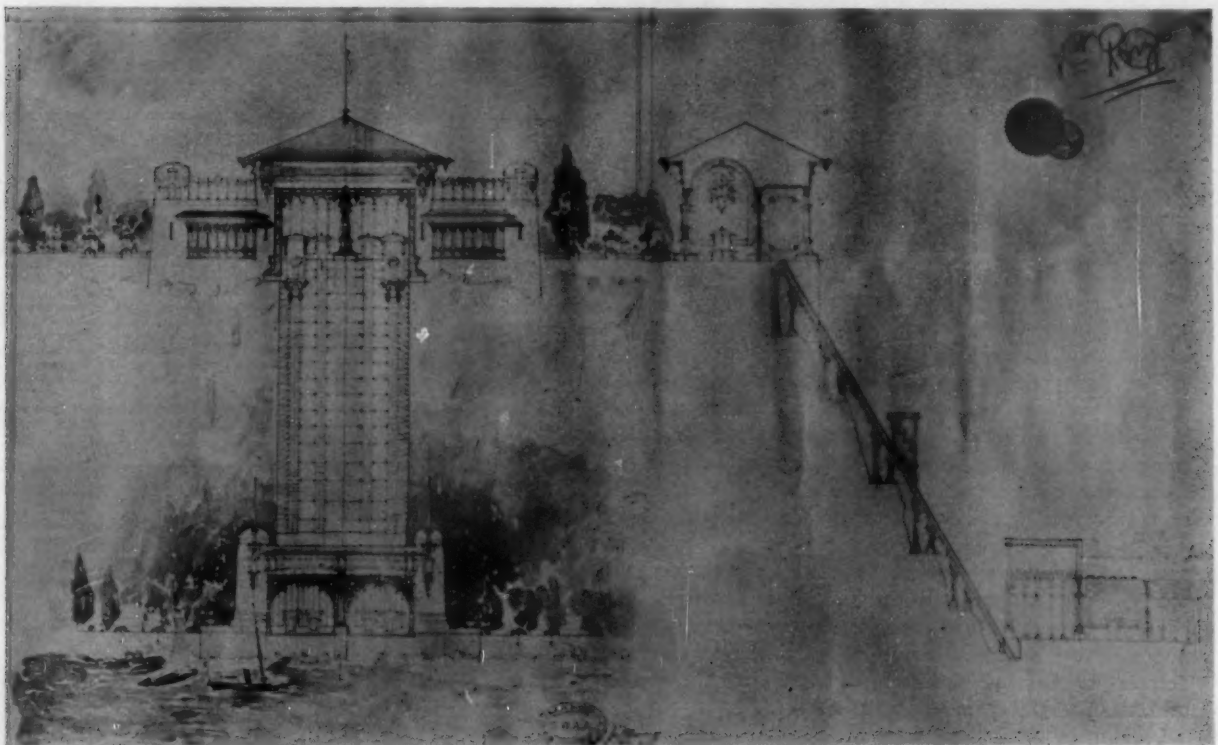
a medal, had there been, in the preliminary sketch, a proper indication of the sacristy. As it was, it narrowly escaped a *hors concours*.

There is scarcely any training of more practical use to the student of Class B than that afforded by "Esquisse-esquisse" problems in planning; and although the subject, an "Automobile Garage," brought out some interesting studies, these were neither as numerous nor as seriously done as they undoubtedly will be later on, when the students become more accustomed to handling them. The jury favored those in which the exhibition hall, the open court and the restaurant divisions were clearly brought out in the composition.

In the Class A "Esquisse-esquisse" problem—subject "A Monumental Drinking Fountain"—the jury preferred the designs that, while possessing a sufficiently monumental character to be seen at a distance from up or down the avenue, were also sufficiently "open" in effect not to obstruct the view. One of the sketches, however, was so carefully drawn and studied that it was awarded a mention in spite of its being somewhat too wide and solid for its position.

Of the archeology drawings there is little to be said except in the way of praise. They were almost all seriously studied, and in excellent Romanesque style, according to the requirements of the program. The drawing and rendering were particularly well done.

Owing to the excellence of the work medal awards (crediting two values) were made by the jury to a few drawings. Three values will be required hereafter to be received by each student before the completion of the course. The values received in archeology will be counted when ranking students for the "Bacon Prize."



PUPIN PRIZE—AN INCLINED RAILWAY

J. MOSCOWITZ, ATELIER BOSWORTH

THE AMERICAN ARCHITECT

PUBLISHED EVERY WEDNESDAY BY THE
SWETLAND PUBLISHING COMPANY

236 West 39th St., New York

H.M. SWETLAND, *President*, J.T. MORRIS, *Treasurer*, M.J. SWETLAND, *Secretary*,
G. E. SLY, *Advertising Manager*.

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SUBSCRIPTION RATES

United States and possessions, Mexico, Cuba . . . \$10.00 per year
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To insure the accuracy of our mailing lists, subscribers are requested to notify us promptly of any change of address, stating at the same time the address to which the paper was formerly sent. Our Subscription Department should also be notified if, for any reason, copies are not received promptly.

Entered at the Post-office, New York, as Second-class Matter.

February 9, 1910

Vol. XCVII., No. 1781

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THE twenty-fifth annual exhibition of the Architectural League, now being held in this city, is one that, while perhaps something of a departure from former efforts, will, nevertheless, amply repay the most careful study. It not only presents some of the more important examples of work done by prominent league members in and about New York during recent years, including a number of interesting subjects submitted by non-members, but in the character of the exhibits shown can be discerned certain significant tendencies of the profession which it seems reasonable to expect may develop into a movement of some architectural moment. A few years since, exhibitions held under the auspices of this organization consisted almost entirely of purely architectural themes, giving practically no attention to the matter of materials of construction or to considerations of color, texture and harmony, which it must be conceded contribute quite as much to the success of a building as does a theoretically correct design treating only of form. This year the casual visitor to the galleries will be at once struck with the preponderance of decorative features and structural materials, which are also given some prominence in the exhibition. There has been apparent, for some time, to anyone who has given attention to the matter, a growing tendency to attach greater importance to these features than formerly, and perhaps the pendulum has swung a trifle far in the direction of the decorative, a condition apparently reflected by this exhibition.

MUCH has been written of late concerning the desirability of educating the masses to an appreciation of architecture, and a general realization of artistic values. Certainly the Architectural League Exhibition should this year serve such an educational purpose. There is no doubt but that it is particularly attractive to the layman and he will be able to understand, and in some instances probably utilize, the lessons taught by the very excellent decorative work shown. At least, it should have the effect of lessening the architect's difficulties in gaining approval of suggested decorative features. After all it must be understood that the character and success of an exhibition of this nature depend almost wholly upon the degree of cooperation extended by the profession. Without complete and full support the committee in charge is forced to avail of many exhibits which it would unhesitatingly reject if it were possible to secure access to all the current work extant, even in a restricted territory, from which to make selections. If the profession could be made to realize the great benefits to the country at large which would result from such an exhibition as could be gotten together by the generous support of all its members, we believe there would be less difficulty experienced by the earnest hard-working members of committees having these matters in charge, in preparing an exhibition that would not only gain the unqualified praise and commendation of the profession and public, but would meet with their own full approval.

IT seems very probable that reports of the Paris flood have greatly exaggerated the amount of damage which has been done to the architectural monuments of that city. In fact, we have no doubt that the excitement and distress of the time have caused the losses that will be occasioned by the recent almost unprecedented rise of the Seine to be greatly over-estimated. Great damage has unquestionably been done to the roadways, tunnels, sewers and structures of the city, but it is our belief that when the waters have fully subsided and a careful record made of the effects of the flood, Notre Dame, the Palace of Justice, the Louvre, the Tuileries, the Madeleine and other historical structures located along the banks of the river in the inundated section, will be found intact. Of course, the full extent of the injury done to the buildings will not be known for some time to come, but with them standing it would seem to be entirely feasible to repair or restore any section or portion which may have been injured. Probably, to the inhabitants of Paris the greatest danger now lies in the possibility of diseases or epidemic following in the wake of the flood, and the world at large, although assured that it will not suffer the irreparable loss of any of the incomparable buildings mentioned above, or others which might be added to the list, will, nevertheless, await with greatest anxiety reports on the progress being made in the removal of debris, the reconstruction of water mains and sewers and the disinfecting processes which it is hoped will prevent the threatened ravages of sickness. A frightful money loss not only to the people of Paris, but to those throughout the flooded districts of France, appears inevitable.

RECENT LEGAL DECISIONS

ARCHITECT'S LIEN FOR SERVICES

An architect who prepares preliminary sketches for a building is entitled to a lien for his services, provided the building finally erected is substantially the same as his sketches.—*Cornelius vs. Ungar*, 56 Pittsburg Law Journal, 233. 11 Delaware County Reports (Pennsylvania) 26.

RECOVERY FOR DELAY IN COMPLETION OF CONTRACT

Where the owners availed themselves of a provision of a building contract permitting them to complete the work and deduct the expense from the contract price on giving 48 hours' notice if the contractors failed to complete it within 40 days, by notifying them 13 days before the expiration of such period, but waited 30 days after the 40 days expired before completing it, when they could have done so in a day and a half, they cannot recover for delay in doing the work.—*Gillett v. Young* (Supreme Court of Colorado), 101 Pacific, 766.

FAILURE TO SUE TIMEOUSLY ON CONTRACTOR'S BOND

Where a building contractor's bond provides that in no event shall the surety be subject to any suit on the bond instituted later than a specified date, the obligee is not excused for failure to sue within the time prescribed by the contractor's failure to complete the building within that time.—*Leshner v. United States Fidelity and Guaranty Co.* (Supreme Court of Illinois), 88 Northeastern, 208.

SUM RECOVERABLE ON CONTRACT SUBSTANTIALLY PERFORMED

In an action to recover the contract price for a building constructed by the plaintiff for the defendant under a contract in writing, if the plaintiff in good faith has performed the contract in substance, but there have been some unessential variations from the letter of the contract, the plaintiff can recover the value of his work and materials, not exceeding the contract price reduced by the amount of damage suffered by the defendant on account of the plaintiff's departure from a strict performance.—*Butterick Lumber Co. v. Collins* (Supreme Court of Massachusetts), 202 Massachusetts, 413.

CONSTRUCTION OF PROVISION FOR PAYMENT BY INSTALLMENTS

A contract for the erection of a building provided for payment by installments of the contract price as the work progressed. The third payment was to become due "when house is inclosed, except window and door openings and porch floor"; the fourth, "when wall board and patent wall plaster is on." After the wall board and patent plaster were on, but before the porches and windows and door openings were completed the contractor claimed payment of the fourth installment, which the owner refused, whereupon the contractor abandoned the work and brought suit for the fourth payment. The court held that the contractor was not required to do the work excepted from the third payment in order to be entitled to the fourth payment. If the parties intended that this excepted work

should be done before the fourth payment became due, it should have been so stated in the clause providing for that payment.—*Jones v. Whittier* (Court of Errors and Appeals of New Jersey), 73 Atlantic, 497.

INSUFFICIENT SUBSTANTIAL PERFORMANCE

Where a contractor agreed to build a house for \$3,945 and abandoned the contract when the building was in such a stage that it would require an expenditure of \$2,200 to complete it, there was no substantial performance and where, in such circumstances, the owner had executed a note to the contractor as a part payment on the contract price, the note was without consideration, and neither the contractor nor his transferee could enforce it.—*Tice v. Moore* (Supreme Court of Errors of Connecticut), 73 Atlantic, 133.

FAILURE TO PRODUCE ARCHITECT'S CERTIFICATE EXCUSING.—MEASURE OF CONTRACTOR'S RECOVERY WHERE WORK UNCOMPLETED

A contract for the erection of a large school building provided for a penalty in case of its non-completion on or before a certain date. Disputes arose between the builders and the owner and architects. The latter pointed at a large number of defects after the builder claimed to have fulfilled his contract, and he was ordered to remedy them but never did so. Two days after the date fixed for completion the architects inspected the building and reported that it was not ready for acceptance and so notified the builder by letter. Three weeks after the architects served upon the builder a notice from the school board to complete the job within 10 days and on the expiring of that time, the building not being completed, the school board took possession of it and proceeded to complete it. About a week later the architects wrote to the builder granting him an extension of time of 11 days from the date of their letter. On that day the builder went to the building and found the school board in possession, which it refused to surrender to the builder. Two days later the board discharged the architects and on the same day the builder brought suit in chancery against the board praying for an injunction restraining it from interfering with him in the completion of the building. The injunction was denied and the board completed the building at a cost of \$777.29. The builder brought suit and obtained a verdict and judgment for \$3,004.17. On error to the Supreme Court it was held that as the contract provided that, in case the architects were discharged, the school board itself should act in the place and stead of the architects, the builder's failure to produce the architects' final estimate or explain its absence was of no consequence. It was also held that as the contract was a non-apportionable one and the plaintiff did not complete it his recovery must be on the *quantum meruit*, and his measure of damages would be the reasonable value of the building as the board took possession of it, not exceeding the contract price and the value of the extras, less what it would reasonably cost to complete it and make it comply with the contract and specifications.

Germain vs. Union School Dist. of City of Stanton (Supreme Court of Michigan), 122 Northwestern, 524.

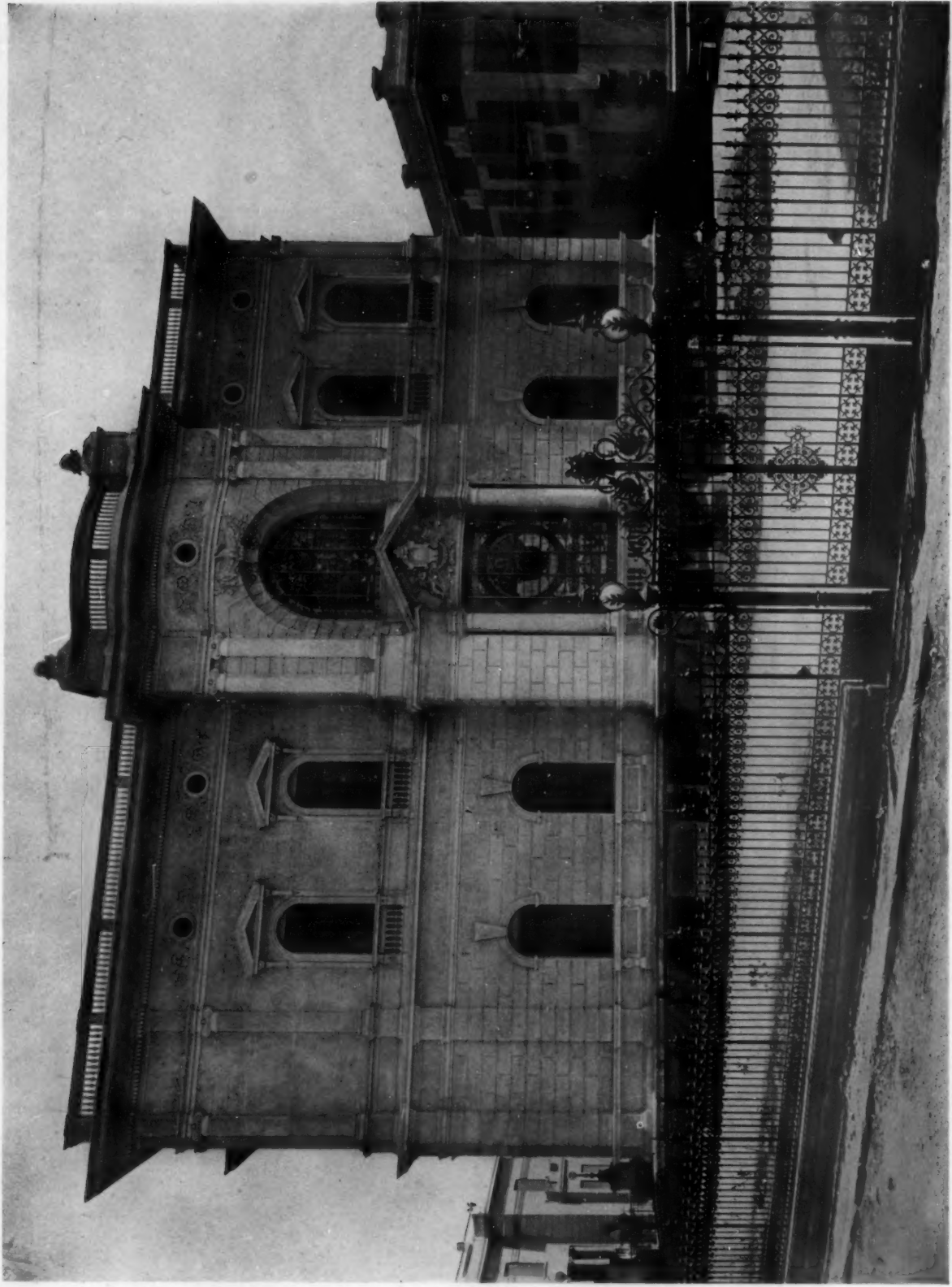


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CAIRO, EGYPT

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EAST ELEVATION

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GRAND STAIRCASE HALL

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FIRST FLOOR GALLERY, STAIRCASE HALL

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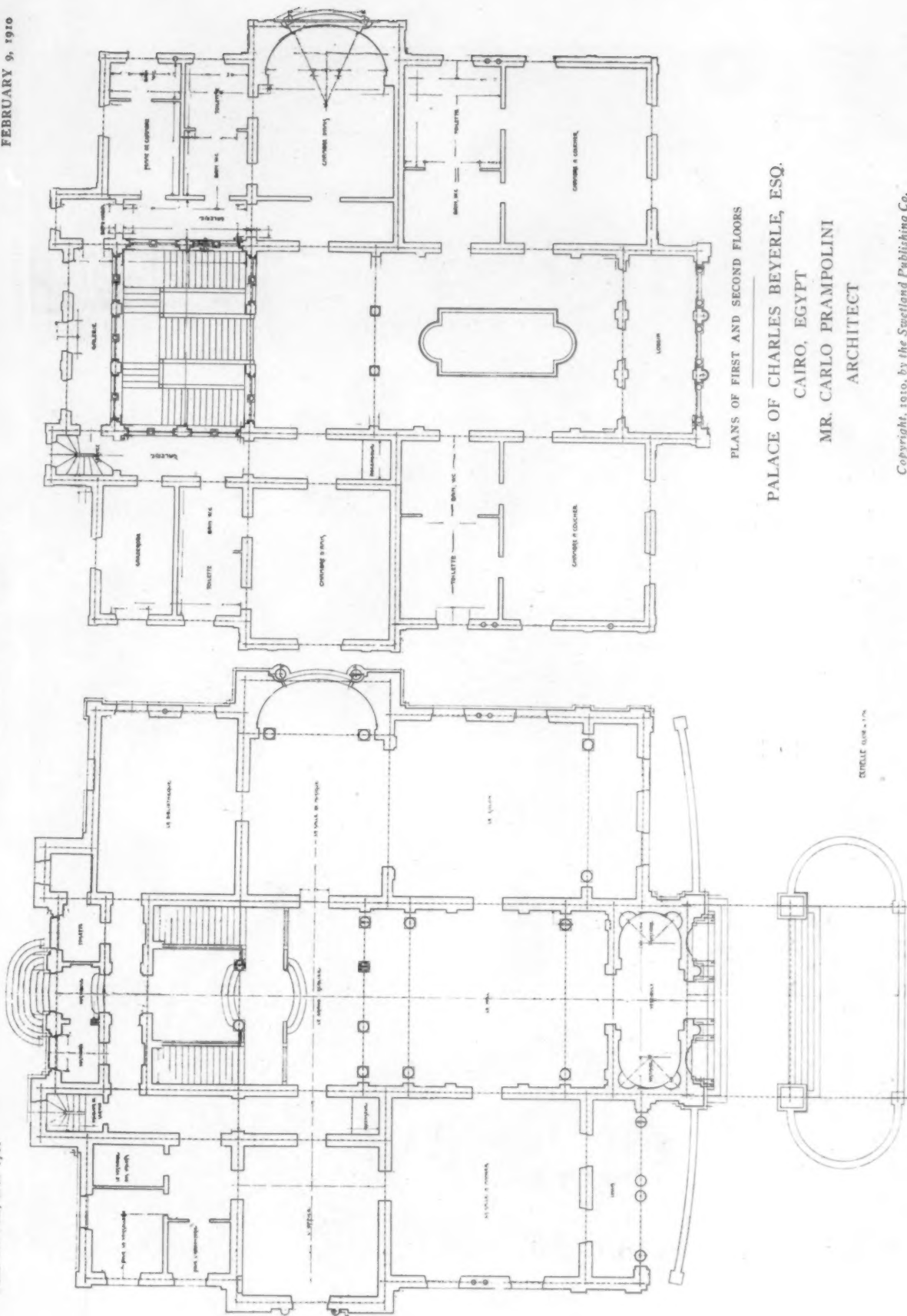
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VIEW IN HALL, LOOKING TOWARDS STAIRCASE

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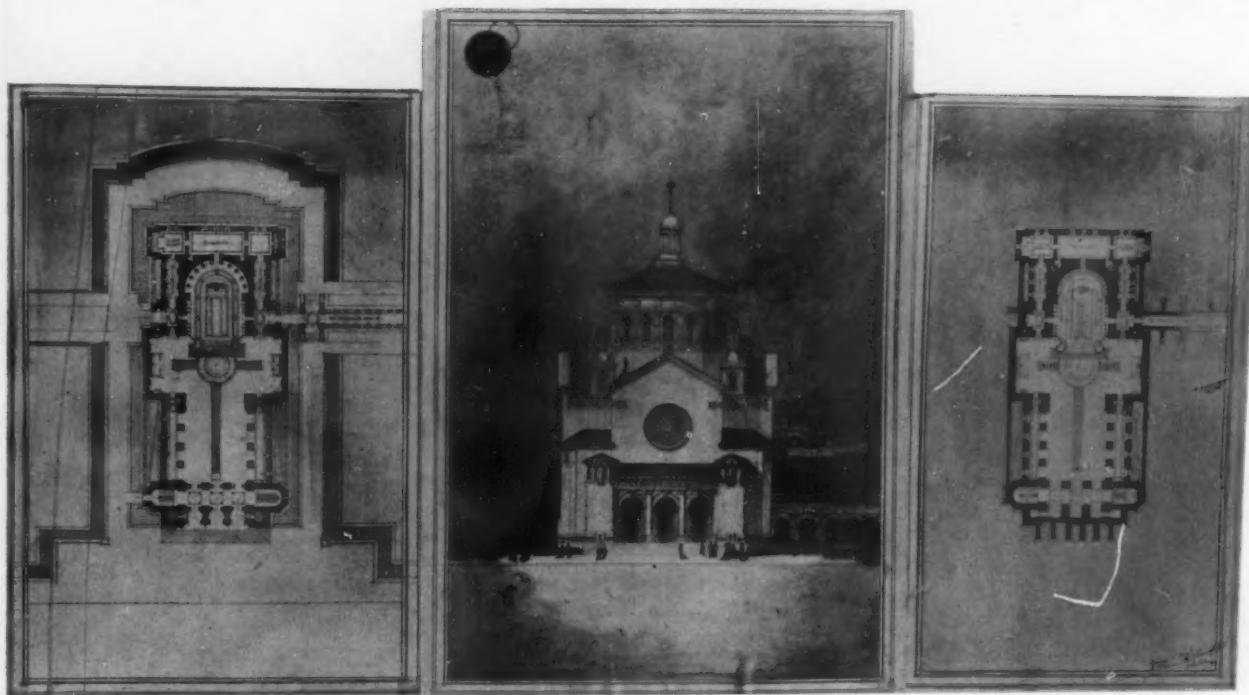


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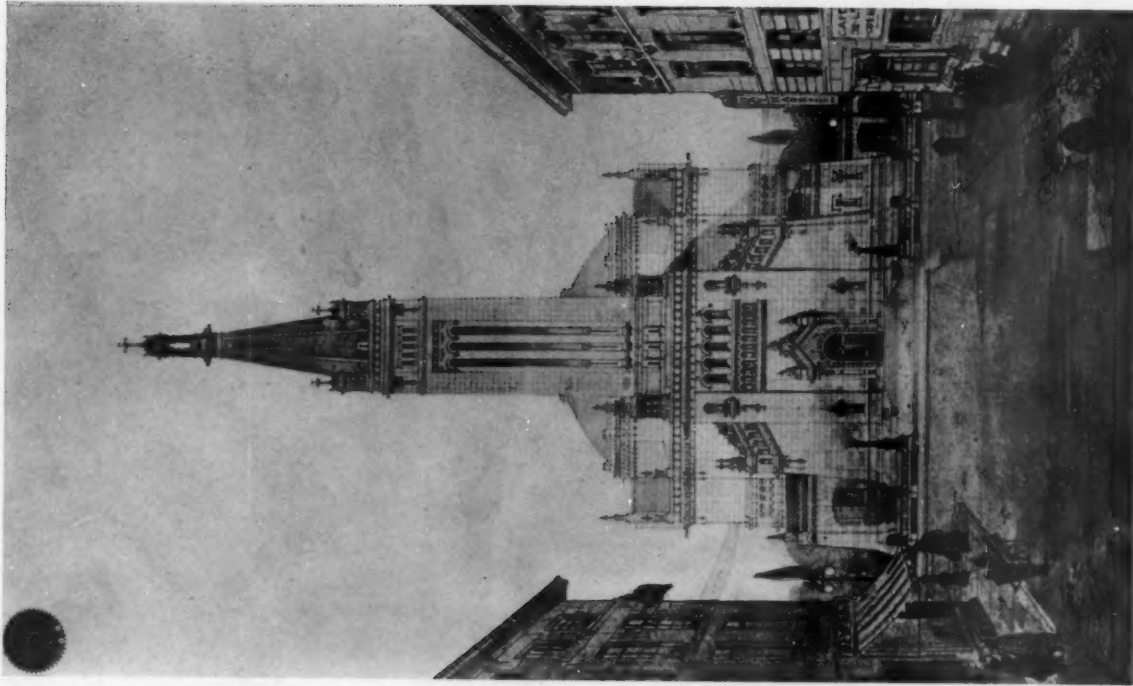
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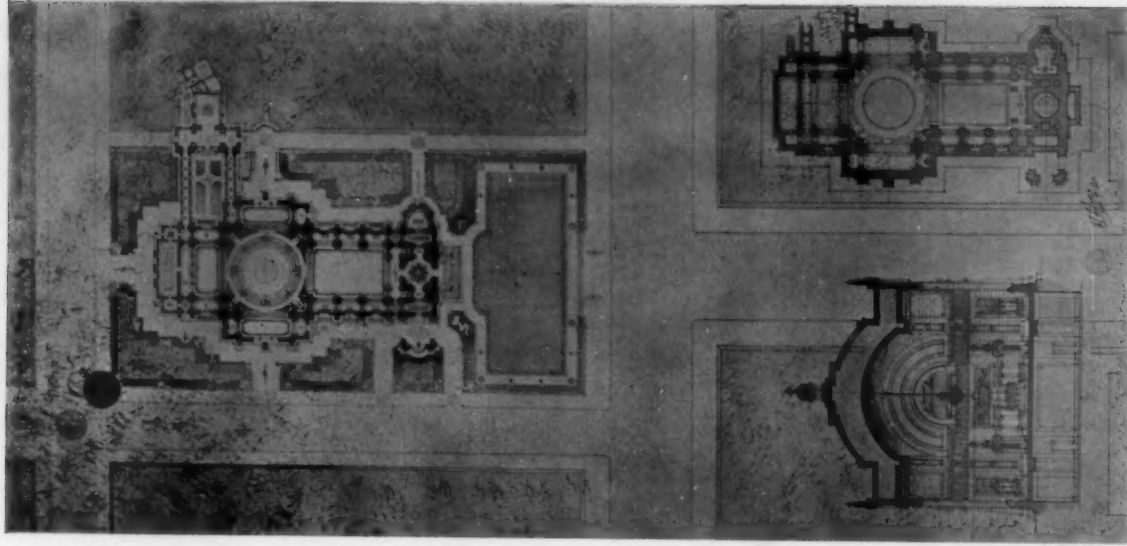
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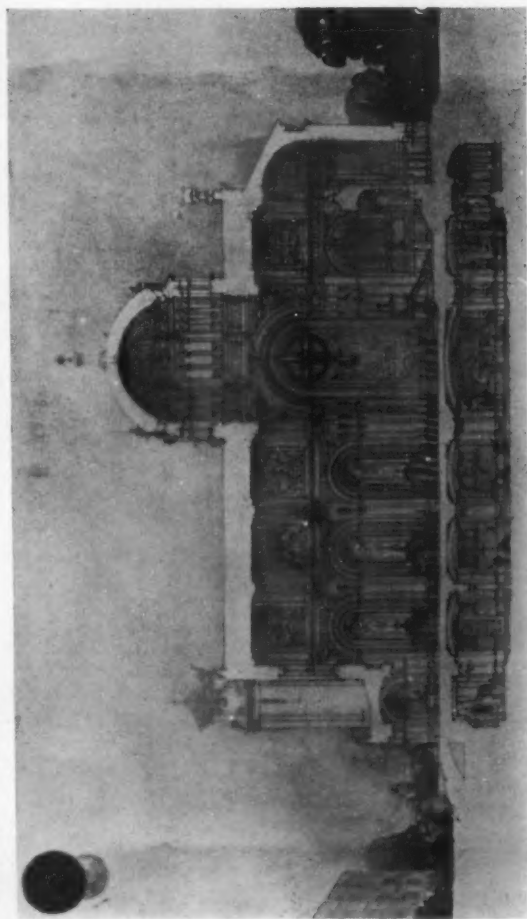


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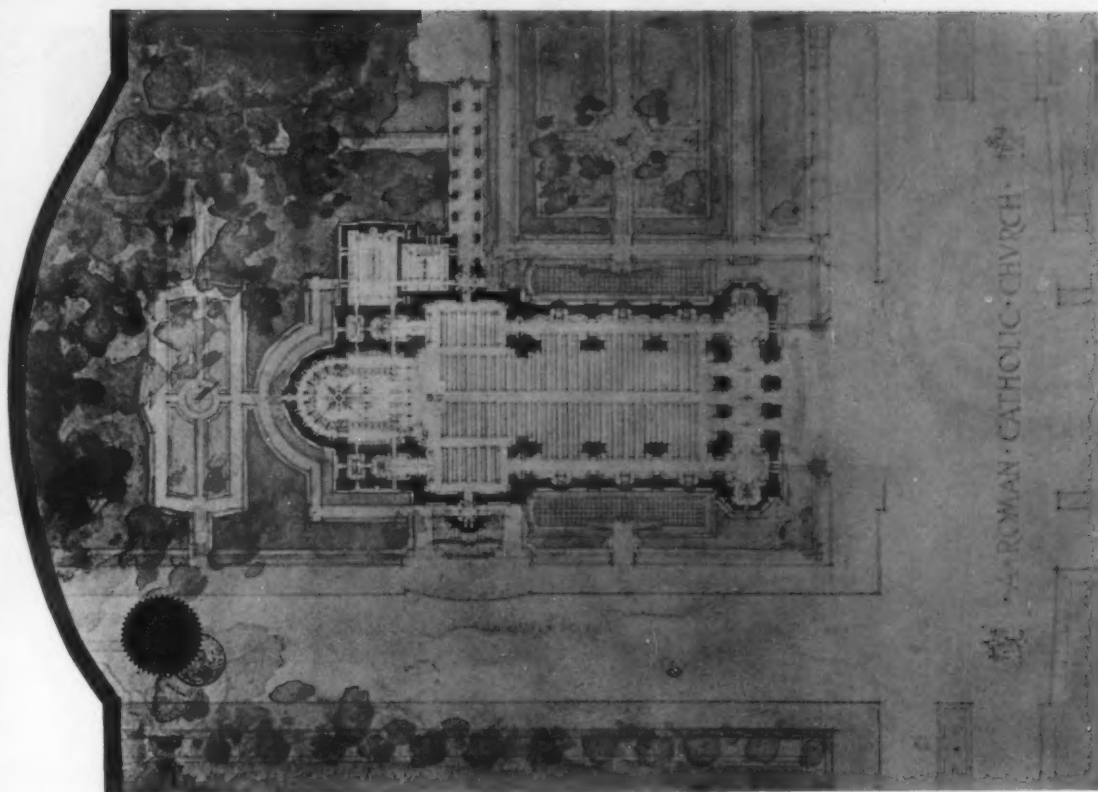
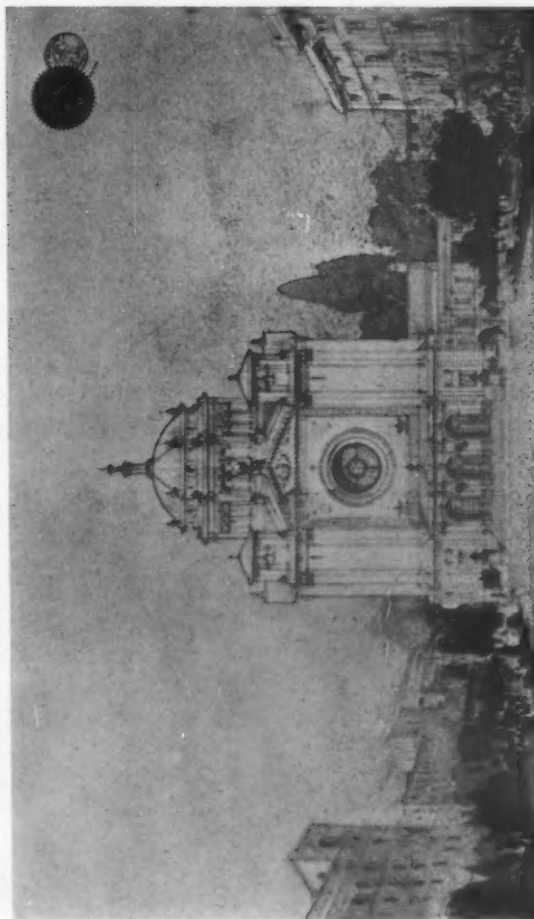
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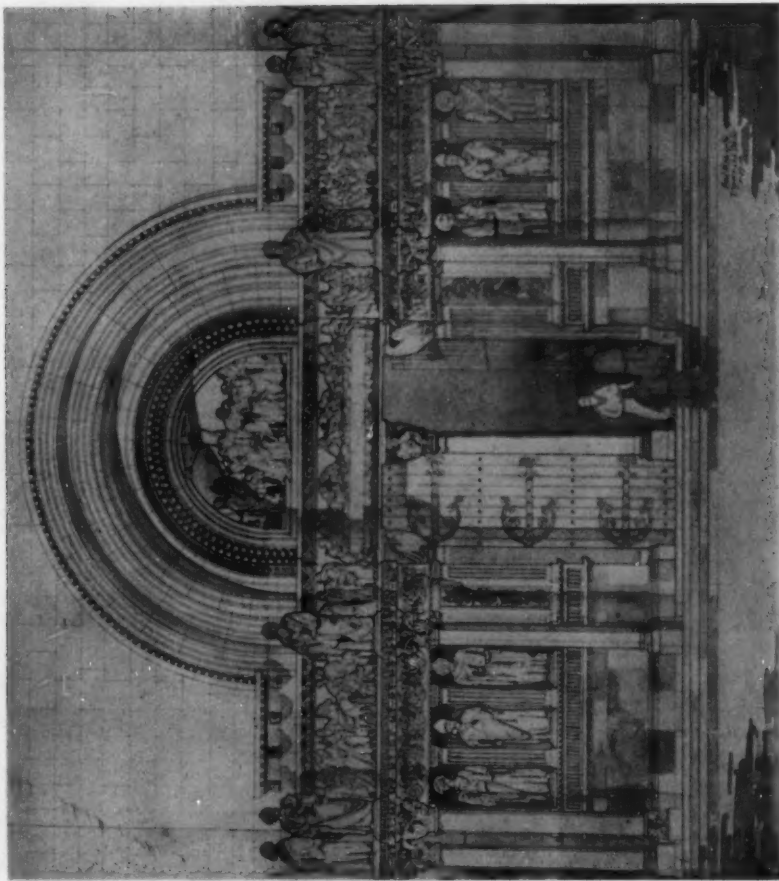


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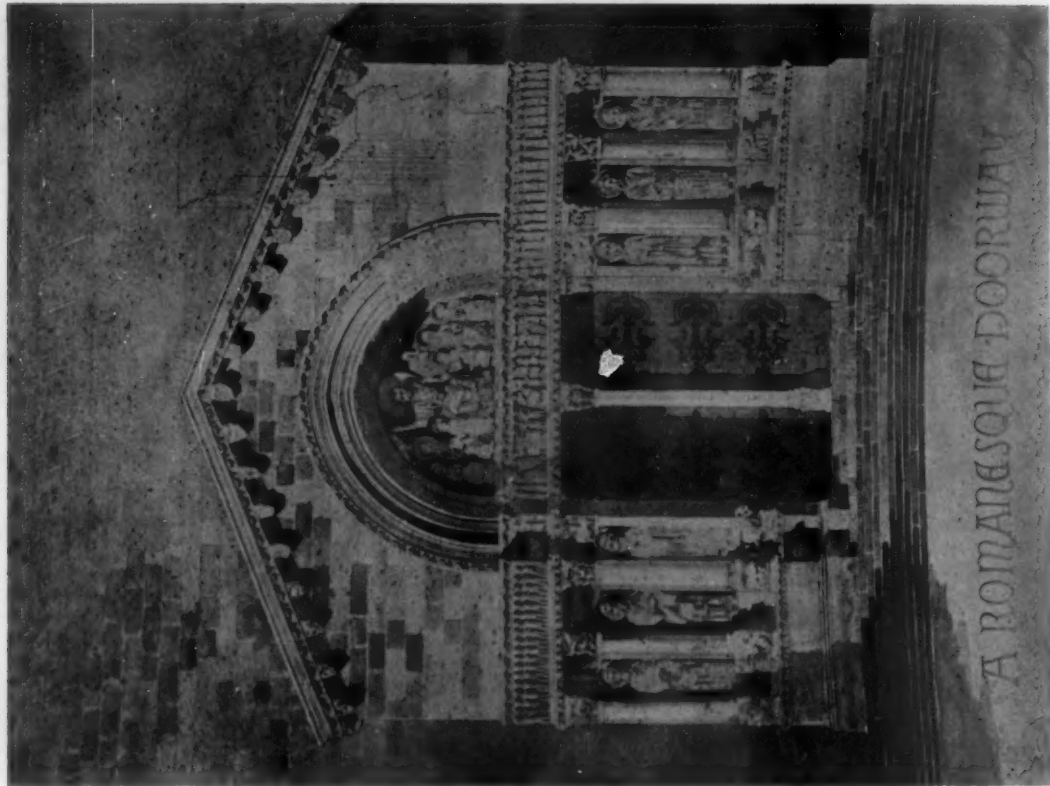


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A ROMANESQUE DOORWAY

ARCHAEOLOGY

ENTRANCE DOOR OF A ROMANESQUE CHURCH

PHILIP ROGERS HOOTON

MEDAL

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