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THE INLAND ARCHITECT

VOLUME
XCVIII

AUGUST 24, 1910

NUMBER
1809

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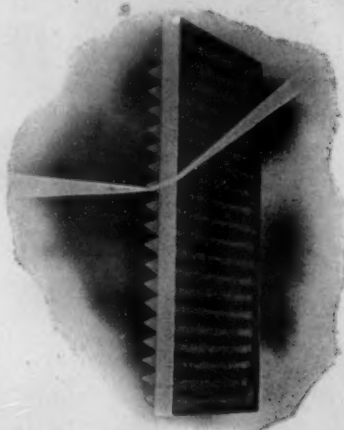


PLATE I. This illustration shows how light rays are bent by means of prism angles.

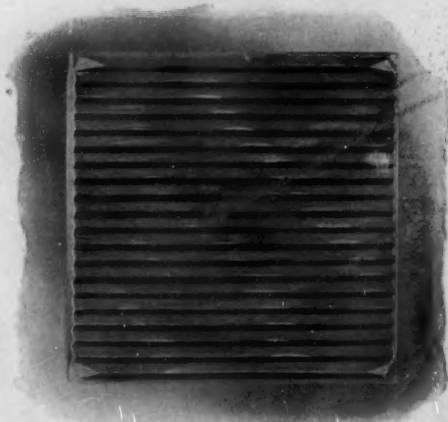


PLATE II. This illustration shows appearance of simple prism square. Note angles on surface.

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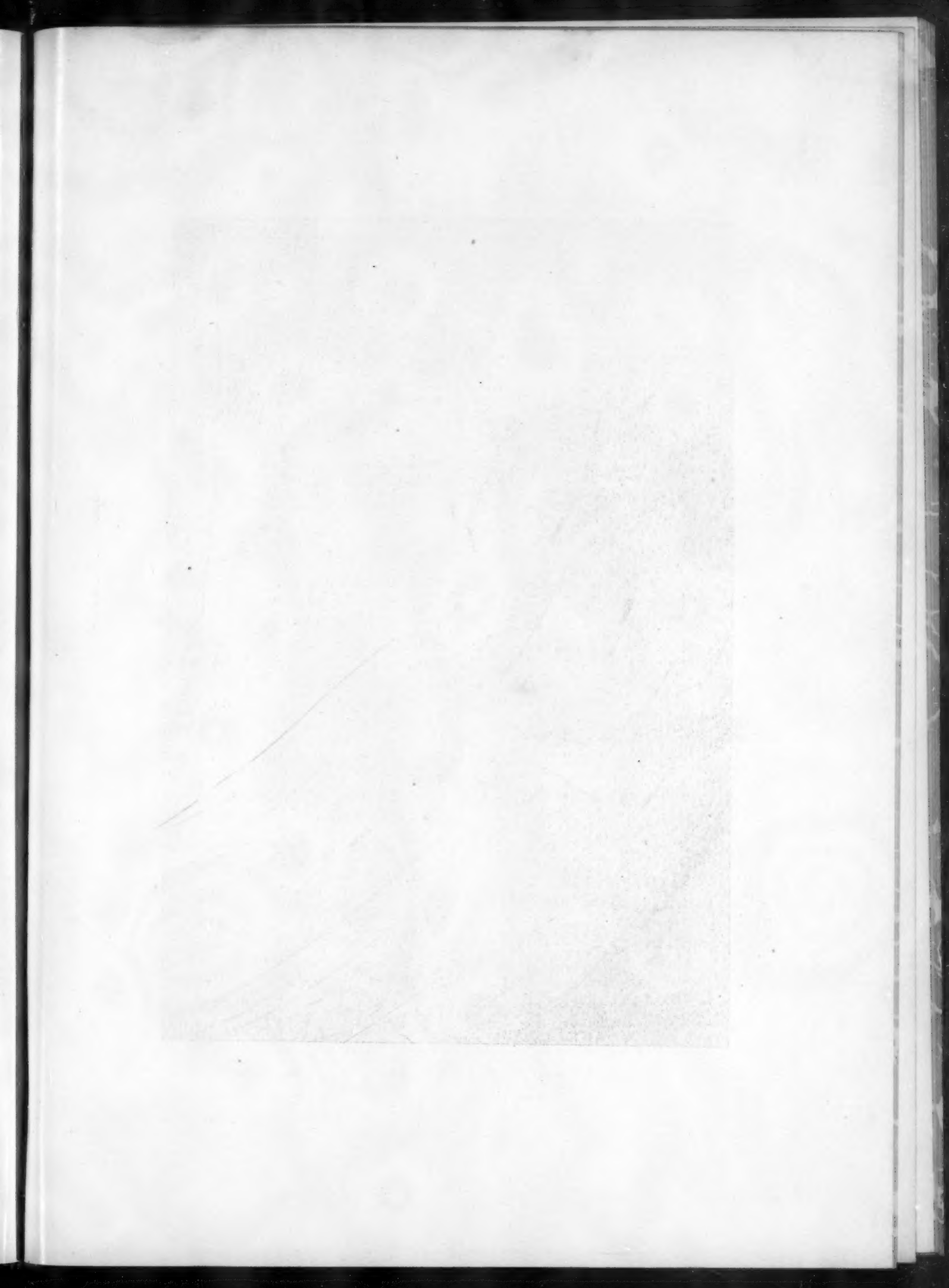
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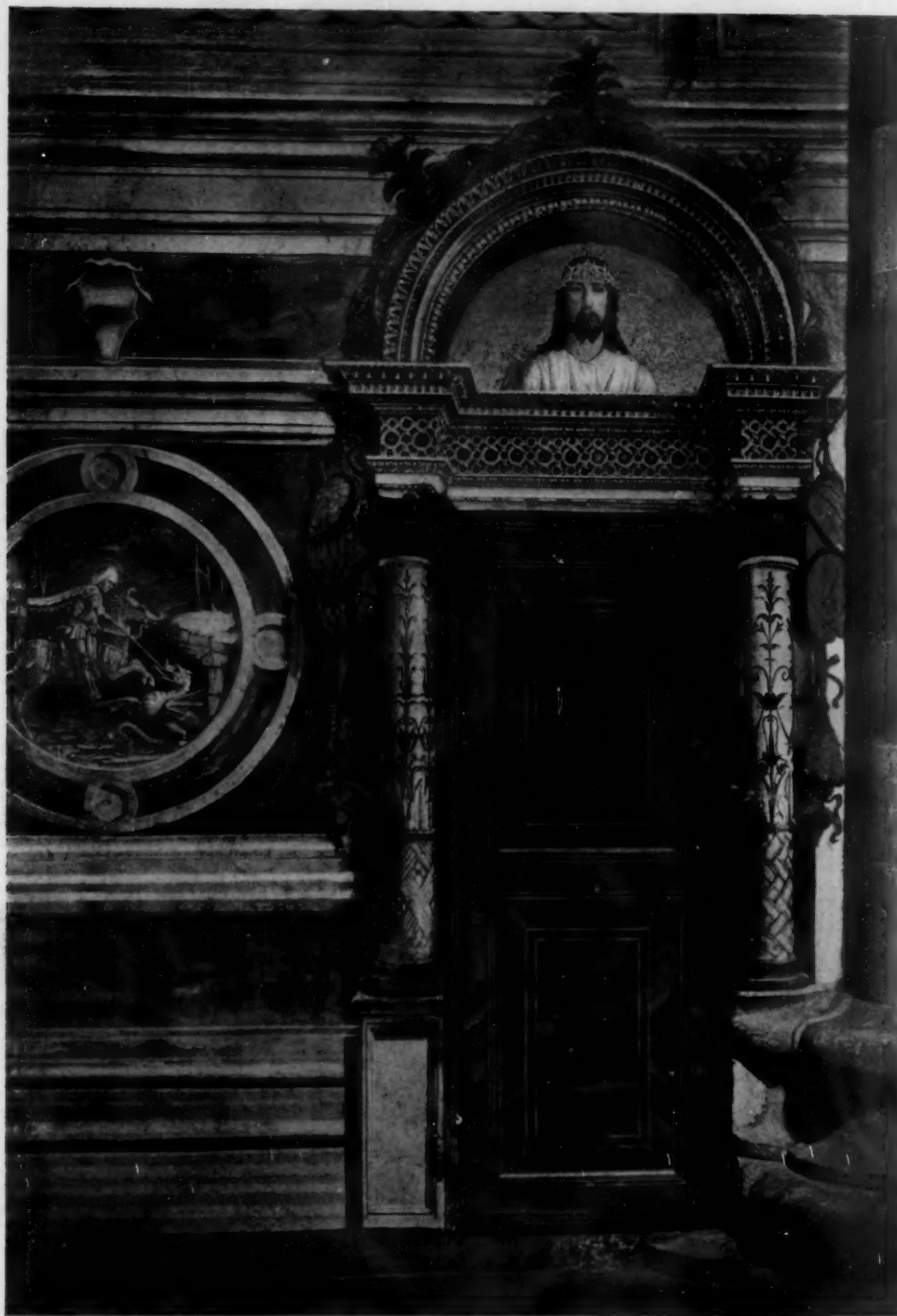
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THE AMERICAN ARCHITECT



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THE AMERICAN ARCHITECT

Vol. XCVIII

WEDNESDAY, AUGUST 24, 1910

No. 1808



THE ENGLISH-DERIVED TREATMENT OF THE SMALL AMERICAN DWELLING

BY FRANK CHOUTEAU BROWN, ARCHITECT

THE editors of THE AMERICAN ARCHITECT have selected for publication a group of sketches of small houses, all designed in an American modification of the modern English spirit, and have asked for an article to accompany these illustrations that will be descriptive of the intentions in mind during the conception and development of these compositions. Believing that these schemes, as published, should, as a rule, be self-explanatory to the profession, the only excuse that exists for taking further space for explanation lies in making that explanation of such practical assistance to other designers as would enable them perhaps the better to employ, for their own purposes, what the designer of these houses believes to be a particularly natural and desirable ele-

ment to introduce into the design of the small American home. In undertaking that explanation, a few incidental references of autobiographical character will perhaps be forgiven, inasmuch as they express, better than anything else, the processes that led up to the adoption of this style for this particular purpose; and so enable the writer to more concisely state those factors that may assist others to clarify their own conclusions in their attempts at solving their own individual and different experiments.

When, after more than a half-dozen years of experience in a Western city, the designer first came into actual contact with the old Colonial dwellings in which the New England coast so richly abounds, it was natural to greatly admire the beauty, refinement and delicacy of



detail to be found in this work; to which in the West—where the local precedents were almost exclusively derived from the picturesque Romanesque movement—he had not been accustomed. It was perhaps as inevitable that he should pass through a period during which this intimacy and study resulted in the constant and exclusive reproduction—in current work—of these same forms, even at the expense of imposing upon his designs the somewhat bare and uninteresting Colonial plan-arrangement, to which the American householder, through constant habituation, has become inured.

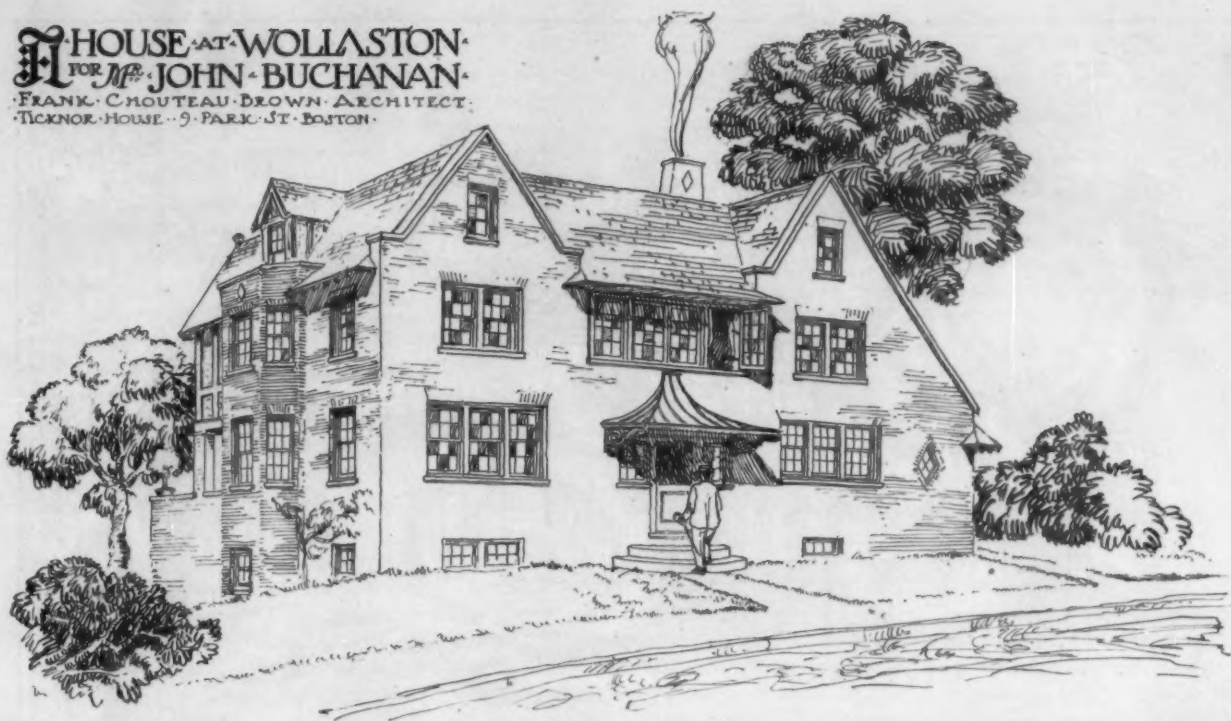
It did not take many years, however, to discover that

the Colonial plan, and the Colonial design, had its limitations. The plan allowed of little variety,—and by constant repetition tended to a type that admitted of still less variation in exterior treatment. If not consistently carried out in the same exquisite taste in papering and furnishing, the work of the architectural designer was spoiled and rendered ridiculous in an overpowering swelter of unbeautiful, unrefined, commonplace *impedimenta*. Besides, after the basic idea of a Colonial house was once thoroughly comprehended, and its various possible combinations architecturally realized, there remained but little incentive to continue indefinitely to repeat them with the few minor modifications available.

The next logical step led back to the precedent of the architecture of the Colonies itself, but here the American architect runs directly into the difficulty of attempting to reproduce the simple, dignified Georgian architecture of England under the harrowing conditions imposed by the American client, who demands that everything on his house be abandoned to pretension and cheapening of cost, necessitating a consequent cheapening in material and reduction in dimensions in all the different details and parts that go to form the beautiful structures left us by the English Renaissance. Even in the use of good Colonial precedent, there is required a refinement of molding and execution entailing much extra labor and expense in finish, that is only too often entirely unwarranted by the later use of crude or unre-



A HOUSE AT WOLLASTON
FOR MR. JOHN BUCHANAN
 FRANK CHOUTEAU DROWN ARCHITECT
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finer furnishings. This was particularly true during those near-contemporary periods when popular taste was swamped in such transitory fads as the so-called "Mission" style of furnishing. This "Mission" style, however, with all its crude faults and false pretenses of craftsmanship, contained one valuable incidental element that should be recognized by the architect, and that was the element of simplicity. To anyone having acquaintance with the work being done at the same time in the vicinity of Chicago where, in the development of simple effects obtained by the use of lumber in stock dimensions, moldings of conventional outline were being gradually eliminated, it may easily be seen how certain of these results corresponded with similar tendencies found in this mis-named Mission style.

A further natural step towards English precedent dwelt in the architecture of the English cottage, combining Georgian and Elizabethan forms with a simplicity and directness of treatment available for inexpensive dwelling construction in any locality. In its very simplest manifestations it is so available; while in its more mannered examples it is not—merely because of its inappropriateness, when reproduced without modification, in the American landscape and to surrounding structures. The necessary modifications, however, proved on analysis to be comparatively simple; being but an adherence to the very simplest and

most naturally direct forms of the older work, and the conscious elimination of the more mannered details and types of construction, along with the use of native American materials for wall surfacing. This process of reasoning—if accepted as logical—at once made the use of half-timber impossible, but nevertheless allowed of the employment of brick—a material as natural to America as to England—and of broad plain surfaces of plaster, a modern ma-



SECOND FLOOR
 "LIVING HALL"

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terial not necessarily conveying any strong suggestion of its inherent dependence on any historic style.

A study of the English cottage from Elizabethan times down to today would show what characteristics have dominated its construction and design. Always there has been employed a local material. This prevents the design from violently contrasting in color with its neighbors and surroundings. The inherent necessity for this restriction is often forgotten in America. The designer makes his house without any regard to the houses existing around it, having in mind only the most "stylistic" effect possible with his own individual problem. As a result, the house so designed never looks "at home" in its location—a strangeness that one never feels in England.

Second, the materials employed abroad are always used by local workmen who maintain, with unvarying fidelity, methods of handling to which they have always been accustomed—and to which their predecessors before them were accustomed. Local ledgerstone was *always* laid up in just this certain way. The local rough brick was *always* employed with this same sort of a joint—and the jointing, or the way of laying, that long experience had found to be the most adaptable to their own condition is, in the last analysis, always that found to be most amenable to artistic treatment and local effect. In America the architect is too often striving to get the most bizarre or "unusual" effects rather than those most natural—with the same resulting restlessness and nervousness that occur from the wrong use of the right kind of a house design!

The type of English cottage being built in England

today is itself almost a parallel experimental solution of the same problem and is conducted along the same lines as are in evidence in the accompanying sketches—with the exception that the incidental factors of style that naturally result—even in half-timber work—are in themselves locally suitable to English surroundings without any modification whatsoever. Even in England itself, in such problems as the workingman's cottage, for instance, when keeping the cost down became an important item, the process of selection that resulted followed almost the identical lines that—under precisely similar considerations—were working themselves out to a logical result in America; the most important difference being that the English cottage was to be undertaken as a fireproof dwelling, whereas the first attempt to reduce the price of an American house consists in substituting wood and the less fire-resisting materials for the better simple masonry of old England.

The modern English cottage, also—being built permanently and at a small relative expense—is almost always simple, containing little expression of passing fads in architectural style that would in a few years be out of place. The American house, being built for purely transitory use, does not imply any such limitations as would naturally be provided in the employment of a more durable material. And, finally, there comes always the necessity that exists in the mind of the English house-owner that his house shall be unpretentious, almost forbidding in its aspect, that the actual living portions shall be retired upon the opposite side of the building from the street, and the entire fabric shall, as much as possible, be embowered or overgrown with

vines. In America we have characteristics equally prevalent—the desire to give as much embellishment to the street front of the house as is possible, and to make the opposite side the mere back door and service yard of the dwelling; while most of our house-owners live in a constant fear of growing vines because they will rot the woodwork or interfere with the constant repainting necessary in the upkeep of the wood-surfaced wall, or keep their houses from looking as scrupulously neat and clean as they have been brought up, by the constant surveillance of a New England conscience, to consider desirable.

Bearing this in mind, the first individual experiments indicated the employment of as much brick as could be worked into the design. The underpinning could, in most locations, be built better and cheaper in brick than in stone. A slight stretch of ingenuity probably allowed using the same material for the balustrades, porches and for exterior chimneys—making the exposed surfaces of the latter somewhat wider and broader than would usually be necessary to carry out the required flue widths. The remaining wall surfaces of the building could then be plastered with a result that, from the point of view of the designer, could be considered quite as desirable as if finished in brick; and at a considerable saving in cost over the brick-constructed dwelling. Nevertheless, plaster costs more than shingles or siding, and in some houses it became absolutely essential to employ shingles for a major part of the wall surface, in which case plaster could be substituted for brick (for the lower wall surfaces) with shingles for the second story. The mistake made by most architects when varying materials for the wall-surface treatment of a small house comes in the adoption of a hard and fast horizontal line at which the material changes. It will be noted that in each one of the designs reproduced this unfortunate and hard horizontal line of demarcation has been avoided. If plaster has been carried up to the line of the second floor for a part of the house, it will probably have been carried up still higher in one or two of the gables and, at the same time, the shingling—on some other portions of the design—is allowed to come down to the line of the water table, so as always to avoid this awkward and unpleasant dividing line, without materially increasing or decreasing the areas covered by either material over what they would have been if the more conventional and much less satis-

factory division had been rigidly maintained throughout.

The second mistake is generally to allow, on the exterior, extreme differences in color. This has been avoided—for instance—by using shingles, wherever they occur with wall areas of light colored plaster, in the softest tones of grayish green, so as to preclude any violent contrast—either when the building is built, or in later years. The roof may similarly be handled in a slightly darker shade, or in a contrasting color scheme—as may best suit the purposes of the design.

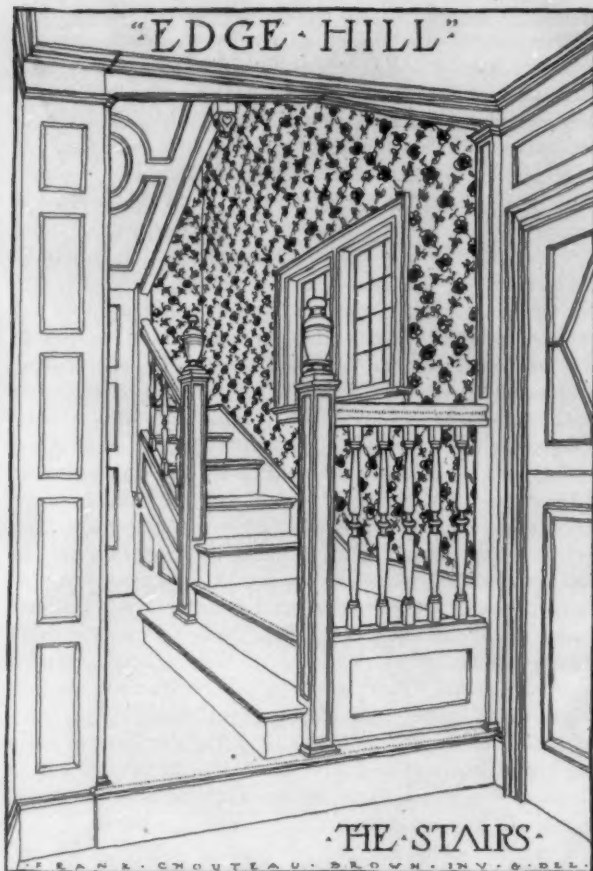
Half-timber has not been altogether eschewed. In one or two designs it will be found, employed in a restricted fashion; as in a gable overhanging a void or as a porch projected out to cover over a bay in the wall surfaces below, when the use of brick would be impossible, and the use of plain plaster not wholly desirable because of its sense of lack of support. This effect of support is obtained, of course, by the apparent and exposed use of timbers. Used in this way, timber-work is generally accepted and excused by the passerby, even by those to whom it may perhaps be least familiar, as the reasons for its utilization for this purpose are perfectly obvious to even the least trained eye. Besides, a very small amount of darkened timber contrasted with plaster panels gives, if used at the rightly accented point, a certain "sparkle" to a design that can be obtained in no other way. Despite its defects as a constructive material ill-adapted to our American weather conditions, the use of half-timbered work in this way is sometimes worth risking for the æsthetic results obtainable from the right use of the material.

The first study for the Springfield house, published herewith, shows a comparatively small dwelling intended for a suburban corner lot, with brick for the major part of the most important façade and with plaster for the rear and end.

All in all, the design is rather too "mannered" to suit most American lots and their surroundings. The brick buttresses on the projecting window bays and the elimination of members around the tops of bays and dormer windows suggest English derivation perhaps too closely, although the plan is conveniently adapted to most American conditions; while the isolation given to the living-room and dining-room is an idea derived from the English plan that might with benefit be incorporated into more American houses.

The second and larger house, designed for the same lot, gives greater room space in





the upper story and is probably the more "American-appearing" design of the two. It incorporates the veranda, so dear to the heart of the ordinary American citizen, and instead of the combination of plaster and brick for the exterior walls, the later design shows the use of plaster and shingles, with brick confined to the chimney. The plan gives not only rooms somewhat larger, but they have also been slightly modified to connect more thoroughly with the central hall and allow of a desirable circulation around the first floor plan. Making the end to the street a principal entrance has taken away a certain amount of usable space from the living room, and given it to the passage at the room end shown in the little interior perspective sketch.

"Edgehill" is undoubtedly the most thoroughly English plan of the entire lot,—the long gallery on the first floor being a distinctive feature. This house was planned to go on the top of a long sloping hill, rising slightly from the road, with a distant view at the rear, which has, therefore, become the living front of the house. The long gallery makes a connection between the library and the front part of the house, and at the same time isolates the kitchen; while the exposure of the house to the points of the compass allowed of the long corridor on the second story and of abandoning the use of the main front of the house on the street for rooms, the latter idea being certainly a revolutionary departure from the customary American plan. The exteriors are also extremely English in type, which was

occasioned by the fact that the dwelling was rather remote from any other type of structure and the natural surroundings themselves allowed of that treatment. The same feeling has been carried out on the interior of the house, the panelled hall and book-lined library being Elizabethan in derivation and the dining-room a rather stiff and formal Georgian interior.

The Wollaston house went in a more urban location, and nearer the street, although the back sloped off towards the view and the ocean, as in the dwelling just discussed. Here, too, more of an American plan arrangement, with a hall extending from the front to the back and the wide doors opening into adjoining rooms, is to be found, except that these doorways are at the rear and opposite end from the street. Exteriorly, the house towards the street is not too markedly different from any of its neighbors, being intended to present on that side a simple brick façade of slightly English character, half-timber being restricted to the overhanging gable at the back; and, as this side of the house was to be seen only from a considerable distance, it would here prove more effective than any other treatment available. The sketch of the hallway shows how simple was the handling of the interior.

The small cottage known as "Grey Rocks" went on a little peninsula or promontory jutting out into the ocean, with a principal bathing beach at the right-hand end. The plans indicate the extremely simple first floor, with large and roomy bedrooms above, that is generally considered the most desirable arrangement for seaside country life. The view of the hall on the first floor and the two exterior views indicate how the house was adapted to its surroundings.

Working with ideals in mind as radically different as these are at once seen to be from those that will be maintained by most clients, it becomes a matter of interest as to, how far any one of the designs shown in the sketches actually arrived at fruition—and here enters an element that, to a certain extent, proves, in the writer's opinion, the urgent necessity of educating not so much the architect as the client to a point where he can appreciate refinement, simplicity and directness in home-building—just as he appreciates those factors in his ordinary business life and in his points of contact with his friends and neighbors.

Many of these houses are not to be seen in the form in which they appear in these sketches. In one or two cases the houses have not been built at all. The house first shown, for instance, was the first study for the dwelling afterwards built in Springfield, Ill., and illustrated—in its completed and larger form—in another series of drawings; and here, even, in reality this house does *not yet* appear to the advantage that it does in these sketches. In part this is because the surroundings have not been planted to grow up so as to give the effect suggested in the drawings; in part it is because of the use of a different material for the shingles and to the substitution, at the last minute, of bricks of a bizarre and eccentric color instead of those chosen by the designer. The effect of the house has also been elsewhere somewhat vulgarized, as can be readily understood by the designer who has had the experience of carrying on work at such a distance from his office that

it is necessarily beyond his constant and immediate control. Yet the essential features of this house *are* to be found in execution in that locality.

In another case, the dwelling has not yet been built because of the delay in obtaining a clear title to the land. In two or three other instances, houses built substantially to conform to these designs have been, later, so enclosed or built around by adjoining houses that no point of view remains left for the photographer. In others, later additions made by the necessities of the owners have somewhat spoiled the simplicity of the original schemes—and in hardly one instance have the proper surroundings of planting and approaches been actually followed out.

If the architect should be asked to state the one factor that most militates against the appearance of the American dwelling, he would undoubtedly emphasize the general, almost universal, neglect of the client to provide the proper planting and landscape treatment for setting his dwelling off to the best advantage. When the structural part of the house itself has once been completed, the American client is inclined to think he has

fulfilled his part of the contract, and if he is disappointed in the appearance the house presents to the passerby he blames it altogether on his architect instead of realizing that there yet remains for him to do the planting necessary to heal the recently disturbed earth and tie the building properly into already existing surroundings. And the more noticeably attractive these natural accessories may be in the first place, the more important is this final softening of those angles that are always bound to result in the placing of a humanly built structure upon even the most perfectly adapted natural site.

Finally, throughout this series of designs may appear a certain gradual development towards the simplification and even the entire suppression of unnecessary applied detail, and a directness in treatment that indicates, in part, the result of the experience gained, and in part a strengthening of a feeling for the necessity of making the American house design more and more American—and less "English"—in its aspect, that may be proffered as the "reason for being" of these dwellings, and the best justification for this publication.

COMMUNICATIONS

To the Editors of THE AMERICAN ARCHITECT:

Upon sighting the heading of a communication in your issue of August 3, there came over me a feeling of gratitude to you for opening your columns so freely in the cause of ethical education among your constituents. A glance, however, at the communication showed me that it was not an educational document nor an effort in any way to help a very heavily worked committee of the Institute to perform the duties which the Institute had laid upon it, and which any thoughtful person must realize it is performing in a highly satisfactory manner at great personal sacrifice.

It is unfortunate that a member of the Institute should feel impelled to criticize and condemn in cold type without knowledge and without endeavoring even to use the most obvious channels of information. Your correspondent would have done well to write to the Standing Committee on Competitions for information as to the character and scope of its work, if he cared to know. He also would have done well to read the Circular of Advice which was sent out by that committee under instructions from the board. He also would have done well to follow the proceedings of the convention, for then he would know that this was no "committee fiat," but that the American Institute of Architects, in convention assembled, resolved without dissent that it was unprofessional for its members to enter a competition which had not received the formal approval of the Institute. He would do well to remember that the Canons of Ethics adopted by the American Institute some time since state that it is unprofessional to take part in any competition the terms of which are not in harmony with the principles approved by the Institute. So the movement emanates from the Institute and not from any committee.

I ask in sorrow, rather than in anger, if it is loyal in a member of the Institute and one upon whom the Institute has conferred the distinction of Fellowship—is it loyal in him to write anonymously to the press, belittling the work and character of the body? Might not his criticism with much better grace have been laid before the Board of Directors?

The communication shows that your correspondent has little idea of the character and authoritative standing of the Institute. There is not a reputable, and I might say not a disreputable, practitioner of architecture to-day in all the body of non-Institute members whose standing in the profession and in society is not dignified and exalted by the fact of the existence of the American Institute of Architects. Ratios have no bearing in matters involving character and principles, so it is of small moment that the Institute members in the profession are to the non-Institute members in the ratio of 18 to 82. The existence of one righteous man, we are told, would have saved the great cities of Sodom and Gomorrah. If, however, ratios are for a moment to be considered, the value of the Institute may be likened to the cement in a mass of concrete; there is one part of cement to eight parts of other material in the standard aggregate, and it is that one part which gives the great mass its strength and stability. It is for the loyal Institute member to maintain the integrity of this one small part.

I have been at pains to address you, not because the communication referred to merits response, but because it has in a way been dignified by your editorial comments. And as THE AMERICAN ARCHITECT has, to a slight extent, fallen into the error of its correspondent, I have asked Mr. Frank Miles Day, of the Standing

Committee, to inform you as to its attitude and aims. This I hope he will make time to do.

Respectfully yours,
IRVING K. POND,
President, American Institute of Architects.

To the Editors of THE AMERICAN ARCHITECT.

The ignorance of facts disclosed by a "Fellow of the Institute" in an anonymous article in your issue of August 3 criticising the methods of the Institute's Standing Committee on Competitions seems incredible after the consideration of the question within the Institute, after the decision of the Convention and after the issuance of carefully prepared documents by the Board.

As your correspondent assumes throughout that the Circular of Advice is the work of the Standing Committee and that it has no authority other than that of the committee, it is proper to say that the committee, though it heartily approves of the Circular of Advice, did not issue that circular. The board itself, acting under instructions from the convention, prepared and issued it and so stated therein.

The attention of your correspondent is directed to the fact that the circular draws a distinct line between the professional adviser and the jury of award, and that nowhere in the document is there any indication that the Institute intends to rob the owner of his prerogative of choice. The circular does, however, offer excellent advice to the owner when it urges him to submit his competitive designs to a properly constituted jury. A reading of the circular will make it clear that the Institute advises that the drawings to be submitted in a competition should be few in number and simple in character.

Your correspondent seems to rest under the impression that nothing has been done to inform the public and architects in general as to the Institute's attitude. It may, therefore, be well to state that the Institute has issued 15,000 copies of the Circular, sending them not only to its members and to architects who are not members, but to the public as represented by owners, editors, judges, educators, etc. The board feels justified in giving wide circulation to the document, but it does not assume to dictate ethics of practice to architects who are not members of the Institute. It has, however, in mind the advancement of the Institute ideals and the education of the profession and the public, not alone through the Circular of Advice, but through the medium of periodicals and technical journals, and it will welcome any serious suggestions tending to make its work effective either along these lines or otherwise.

The committee wishes to acknowledge the assistance of your correspondent who has, wittingly or unwittingly, helped to attract attention to the work of the Institute and who has thus aided in its efforts for the improvement of competitions.

Very truly yours,
FRANK MILES DAY,
Chairman, Standing Committee on Competitions,
American Institute of Architects.

To the Editors of THE AMERICAN ARCHITECT.

I was much interested in the article in your issue of August 3 from a "Fellow of the Institute" on the subject of Competitions and in your editorial comment thereon.

It is the old story again, "nothing is settled until it is settled right," and by the same token this subject is by no means settled.

I can quite agree with your correspondent that "expert advice" is not always what it should be, but I also agree with you and believe that any real expert advice is better than none at all.

Many years ago I was foolish enough to enter a large and important "open" competition where—if I do say it—they had competent expert advice, two architects, one of them now a Fellow of the Institute.

These gentlemen awarded my design first place in the competition, giving it no stinted praise in their report.

The competition was "called off," however, owing to the absence of local architects among the competitors, although, of course, another and somewhat specious reason was given, and a new one called.

Being still young and somewhat inexperienced in politics, and upon the expressed request of the secretary of the Board (its most influential member), I again entered the lists.

I submitted practically the same design, except that a few crudities had been removed by an additional three or four months' study.

The same experts were asked to serve in the second competition and both went to the city in question expecting to act in that capacity.

One of them, however, refused to act upon being informed by the board that they were to hand in their report in the form of a "round robbin" stating their opinion as to the best five designs *but not placing them in their order of merit*.

The gentleman who refused to act did so on the ground that such a report was an injustice to the competitors and not in accordance with the terms of the Board's Invitation to Architects. He is not at present a member of the Institute.

The other gentleman thereupon acted alone, and in his report to the board was good enough to place my design among the best five together with the designs of three local architects, but damned it with faint praise and in many essential particulars adversely criticised some of the very features he had most highly lauded in the first competition.

A local man got the work and remained local long enough to purchase a ticket to New York, where he wisely opened an office on the prestige of winning this competition.

I will be fair enough to say that he "made good" and gave them one of the best buildings of its kind in the country, albeit costing something like four times the original appropriation.

Under these circumstances you would hardly think I would be prejudiced in favor of "expert advice," yet, as I said above, I believe any real expert advice is better than none at all.

I think there is one point vital to the question upon

which neither you nor your correspondent has touched; it is this:

Not all of the architects of the United States in good standing in the profession, either within or without the ranks of the Institute, practice their profession in the large cities of the real architectural centers.

Some of us through choice, some through necessity, practice in smaller places where the matter of a \$20,000 "job" is of importance both to our clients and ourselves, where a bank directorate, a church building committee or a school board feel it incumbent upon them to have a competition, and not infrequently where it really is necessary unless they wish to make themselves open to a charge of favoritism.

In many such cases the prospective clients are reasonable enough to be convinced that it is a hardship upon three or four architects to spend their time and money upon such a competition and would be willing to pay to each of them a sum sufficient to compensate them for the work done.

They could scarcely be convinced, however, that they should submit their case to a standing committee of the American Institute, go through what would appear to them an endless amount of red tape to have their competition formulated for them; neither could they be convinced that if they were paying a proper amount to each competitor they should be compelled to abrogate their right to decide to suit themselves; this would appear to them something in the light of the "open shop" and unionism; many laymen have a very high estimation of their architectural discernment.

Since the rules of the standing committee were promulgated last March, I have been asked and have refused to enter several such competitions where had I "won out," and in one or two of them I have every reason to believe I would, I would have netted a very considerable sum.

In two of these cases the city where I am in practice has been "decorated" with buildings which would make you weep, while in one case, fortunately not as yet decided, an historic building well worthy of admiration stands in danger of being ruined by incompetent hands.

AN ASSOCIATE OF THE AMERICAN INSTITUTE OF ARCHITECTS.

To the Editors of THE AMERICAN ARCHITECT:

"A Communication from a Fellow of the Institute Criticising the Method of Conducting Competitions" seems to be more in the nature of "Reflections of an Architect on the Evils of Any and All Competitions" than a criticism of "The Circular of Advice."

We have all suffered from an \$80,000 building costing \$160,000 when erected by the successful "Other Fellow," but as the State House competition award undoubtedly inspired Wright Bros. to perfect their flying machine that professional adviser was (however, unwittingly) a public benefactor.

Who has not come in contact with church committees? Mr. Upjohn, Sr., is said to have remarked: "Is there a hell?" "Is there a hell?" If there is, all the church building committees will go there! And I may add that church competitions are the worst of all.

Remove the professional adviser and you give free

rein to the commercialized "Hustling Guerilla" described many years ago by Louis H. Sullivan, of Adler & Sullivan. Make the drawings in pencil and at a small scale, 1-100-inch, 1-32-inch or 1-16-inch scale, and you remove Mr. J. Stewart Barney's "Picturesque Near-Parisian Rugmaker" from the scene of activities. With elaborate competitive drawings a thing of the past, "The Hustling Guerillas" and "The Rugmakers" would suffer, like Othello, from a loss of occupation.

Keep the professional adviser and simplify the drawings.

Doing these two things a competition is reduced to the most direct procedure. Ability and experience will count in a competent architect's favor, and such competition will be of benefit not only to the profession, but to the client as well.

It would seem from certain clauses and statements in the criticism that the critic is not a Chapter member, but must be a Fellow and a member of the Institute at large, else he would have a better understanding of the matter involved, the cause of Chapter discussions, etc., covering a period of several years.

"The Circular of Advice" has been issued in accordance with the following resolution passed by the American Institute of Architects in convention, Washington, D. C., December 14th, 15th and 16th, 1909:

"Resolved, That it is unprofessional conduct for any member of the American Institute of Architects to take part as a competitor or juror in any competition unless its program shall have received the formal approval of the Institute, if the competition be open to members of more than one Chapter, or of the Chapter if the competition be open to members of only one Chapter; and that the Board of Directors be and it hereby is authorized to give such approval in the name of the Institute and to delegate this authority."

Accordingly, the Standing Committee has nothing to do but follow out the resolution passed by the convention and such mandates of the Board of Directors as they may issue.

The circular of advice is on trial. It may be a success—it may prove weak or it may prove strong. It has received commendation from all quarters whenever considered, as it not only appeals to the owner and building committee, but assures the competing architect (whether a member of the Institute or not) a square deal and fair treatment—something rarely received in the average old-fashioned free-for-all competition, unless there was a professional adviser.

The estimated number of practicing architects in the United States is approximately 4,500 or 5,000—say an average of 4,750.

Of that number 10 per cent. are very likely allied with the real estate or building interests or some other business, engineering, surveying, etc., combined, leaving as actual practitioners 4,275.

There are in the Institute and Chapters three classes of members who subscribe to the constitution, the schedule of charges, the code of ethics and the circular of advice in re competitions:

Fellows and associates, 900; Chapter members, 800; total, 1,700. Independent architectural bodies throughout the United States (approximately), 500 (this is ex-

clusive of Institute members belonging to same); total, 2,200.

That is, at the estimated number of the practicing architects of 5,000 or 4,750, nearly 50 per cent. of this number belongs to or is allied with the American Institute of Architects, instead of 18 per cent., as claimed in the criticism. If the 4,750 is discounted by 10 per cent. (which difference, it is more than probable, does exist), the organized bodies in the United States constitute more than 50 per cent.

The kindred bodies are the Architectural League of America, Chicago Architects' Business Association, Architectural League of New York, Beaux Arts Society, Society of Columbia University Architects, various architectural clubs, sketch clubs, etc. In many cases the principal officers of these societies are very active in the local Chapters, and as the societies are closely allied with the Chapters, they are very often the source from which the Chapter membership is drawn.

The Institute and its Chapters have extended until to-day nearly a majority of practitioners are enrolled or allied with it.

We hope in two years or less to have a full 50 per cent. and more.

Many young men and some few older men whose work ranks very high are not Institute members. These men are wanted, too, for with our present membership they will aid in maintaining the standards of practice, both direct and in competition.

They will uphold the Code of Ethics, which is now a matter of record, though, in effect, long established by the acts of Upjohn, Walter, Hunt, McKim and those who have gone before.

With our confreres we must look to the immediate and inevitable future for the ultimate "Code of Competition" to crystallize, and then it shall be recorded as a law of our profession.

Very respectfully, A. A. I. A.

RECENT LEGAL DECISIONS

TIME OF PAYMENT OF CONTRACT PRICE

A contractor for the erection of a school building sublet the roofing and metal work to a sub-contractor under an agreement providing for "tin roofing, cornices, slate work, leader and all metal works for Lincoln avenue school as per plans and specifications by E. F. Gilbert, architect, and to his satisfaction, for the sum of twenty-seven hundred dollars (\$2,700). Lincoln avenue school accepted." It was held that under this agreement the sub-contractor was not entitled to his contract moneys until he had finished his subcontract, nor until the architect was satisfied that the work was properly done. These were conditions precedent to any recovery by him against his contractor. *Meurer v. Kilgus*, New Jersey Court of Chancery, 75 Atlantic, 899.—J. S.

FRAUDULENT CERTIFICATE

A building contract provided that payments should be made only on the certificates of the architect and for final payments to be made within 30 days after the completion of the work. The architect issued a final certificate before the completion of the work with knowledge that certain specifications had not been complied with, and also on the promise of the contractor that certain things would afterwards be done. It was held that the certificate was issued in fraud of the owner and was not binding on him. *Frolich v. Klein*, Michigan Supreme Court, 125 Northwestern 14.—J. S.

A firm of architects claimed a lien on a building. This was objected to on the ground that the lien had expired before the lien claim was filed. A member of the firm employed to supervise the construction visited the premises at a time when no work was being done and had not been done for two or three months. Held, that the visit was insufficient to keep the architects' lien for

services alive. On another occasion he visited the building to take care of the place and see that things were safe and to serve notice on the contractors to finish their work, if any one was working. Held, that such acts were within his duties as architect and were sufficient to start a new period for filing the lien.

Federal Trust Co. versus Gingares, 74 Atlantic (New Jersey), 652 H. C. L.).

A building contract made the architect an arbitrator between the parties, to determine practical questions of construction arising under the plans and specifications in the execution of the work. Held, that his decision upon such matters is binding. If, under a building contract requiring the work to be done to the entire satisfaction of the owner, the contract is not performed by reason of the owner's failure to be satisfied with that which ought to satisfy him, there may be a recovery on *quantum meruit*.

Handy vs. Bliss, 90 N. E. Rep. (Mass.), 864.

H. C. L.

A building contract provided that the decision of the architect as to the quantity and quality of the work within the meaning of the specifications shall be final. Held, that this did not empower the architect to act as arbitrator, whose decision as to the interpretation of the contract is a condition precedent to the right to sue thereon. The specifications made a part of a building contract must be construed as a whole, and not by some of the language found in different portions thereof. Where a building contract is ambiguous, and evidence of the preliminary negotiations, the conduct of the parties, and interviews between them after the execution of the contract is received, the construction of the contract is a question of fact for the jury to determine.

Derby Desk Co. vs. Conners Bros. Constr. Co., 90 Northeastern Reporter (Mass.), 543. H. C. L.

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Frontispiece: Doorway to Lateral Chapel, Church of the Certosa.	

THE letters printed elsewhere in this issue in answer to a communication to THE AMERICAN ARCHITECT from a Fellow of the American Institute of Architects will, no doubt, be read with interest by the profession generally. The editors are glad to be informed, through the letters of the President of the Institute and through the Chairman of its Standing Committee on Competitions, that its communications on professional ethics were distributed not only to the entire profession, but in large numbers to the public. THE AMERICAN ARCHITECT stands corrected, therefore, in its assumption that only members of the Institute were honored with its important documents, such as its competition circular. The editors have reason to believe, however, based on the opinions of architects, both members of the Institute and non-members, that the matter of conducting competitions is not settled for all time to the entire satisfaction of the profession and in accordance with the broadest interpretation of custom and of contemporary business conditions. But no fault can be found with the Institute's excellent advice to the owner on many points, in deciding which his own judgment would not be competent.

THE AMERICAN ARCHITECT has always endeavored to be of service to the American Institute of Architects in the excellent work it is doing for the promotion of a higher architectural standard. It has kept in the closest touch with the Institute's proceedings and has taken care that those of its actions, which were intended for general publication, received careful and prompt consideration. It has, in every way, tried to lend whatever support lay in its power, to the end of

establishing a closer bond of professional union among architects, whether members of the Institute or of one of the other architectural bodies or not. This work it has felt encouraged to do by the visible results in achieving which it felt entitled to share, if only to a limited extent. There has sometimes been a feeling that much more of the same sort of work might be done, and that the architect, as a professional man, should be placed higher in the popular estimation, that he should be generally regarded at his true value, as the director of a building operation, not as a sort of after-thought which the owner felt it in the fashion to employ or whom the popular journalist sometimes felt it advisable to mention in concluding a discourse on the most notable building achievements of the time. The time has come when architects must stand together and assert their right, in a forceful and convincing manner, to occupy the position to which they are entitled. They can no longer feel satisfied that the few among their number who have achieved fame in the past or those of their contemporaries who have earned position and distinction, which is not theirs, will suffice to maintain the high professional ideals of architecture as a fine art. A general professional agreement and aggressiveness such as is indicated by our sentiment cannot, we feel, come about until the entire profession of the country finds common ground on which to stand, and on that common ground succeeds in building up a fabric that will stand the test of time and keep pace with the varying conditions of practice.

THE millionaire residential section of Fifth avenue in New York is soon to have an apartment house of its own. Messrs. McKim, Mead & White are now at work on the design for an extensive twelve-story corner structure to contain eighteen apartments, twelve of the duplex type and six, each situated wholly on one floor. The rents will range, it is said, between the modest limits of ten and twenty thousand dollars per annum, while the appointments will be of the grade that tenants of large means would have in independent residences of their own on the most expensive scale.

A house of this character is destined to be occupied but a small part of the year and can, no doubt, be made to afford conveniences not to be so completely enjoyed in the most expensive class of apartment houses or hotels to which its prospective tenants presumably now resort. The idea is an entirely new one, though it is obviously the result of a sufficiently large demand, for no investor would enter on an operation involving so much capital without a very good assurance, in advance, of financial success.

The exorbitantly high land values on Manhattan Island have, for a number of years, had the effect of wiping out the established residential districts of many of its well-to-do citizens or of forcing them, if they desired to continue occupying individual houses, to move into less desirable parts or into the suburbs and country. But here is an instance in which a number of wealthy families are electing to live under the same roof when each could perfectly well afford to occupy its own residence in any of the city's finest residential sections. We forbear to predict what will be the next step in the development of the house problem.

THE LEGAL DEFINITION OF AN ARCHITECT

BY HOWARD C. LAKE, LL. B.

An "architect" has been defined in law as "a person skilled in the art of building; one who understands architecture, or makes it his occupation to form plans and designs of buildings, and to superintend the artificers employed." (Wilson and another against City Council, 43 S. E., 967.) This definition has been followed in Illinois. The question at issue in the South Carolina case (*supra*) was whether the plaintiffs "did prosecute the business of architects" in a certain place in a specified year, and the definition is quoted by the learned justice from Webster's International Dictionary, which is substantially the same as that given in a note to the Encyclopedia of Law, "His duty is to draw plans, make out specifications, and generally superintend the execution of the work."

The Federal statute of 1866 provides that "every person whose business is to plan, design, or superintend the construction of buildings, ships, roads, bridges, canals, or railroads shall be regarded as an architect and civil engineer; provided that this shall not include a practical carpenter who labors on a building" (United States Revenue Act, 14 Stat. at Large, 121), and in Harmer against Cornelius (5 C. B. N. S. 236) it was said that a person following the occupation of forming plans, drawings and specifications for building purposes, representing himself as an architect, is presumed in law not only to be such, but to be learned in the profession.

So far we have considered only what, in law, an architect is. We pass now to what the Maine Supreme Court says he is not. In determining a controversy between architect and owner as to the former's compensation, the rule was laid down that the former "was not a contractor who had entered into an agreement to construct a house for the defendant, but was merely an agent of the defendant to assist him in building one," and the Chief Justice went on to say, "The responsibility resting on an architect is essentially the same as that which rests upon the lawyer to his client, or upon the physician to his patient, or which rests upon any one to another where such person pretends to possess some skill and ability in some special employment, and offers his services to the public on account of his fitness to act in the line of business for which he may be employed. The understanding of an architect implies that he possesses skill and ability, including taste, sufficient to enable him to perform the required services at least ordinarily and reasonably well, and that he will exercise and apply in the given case his skill and ability, his

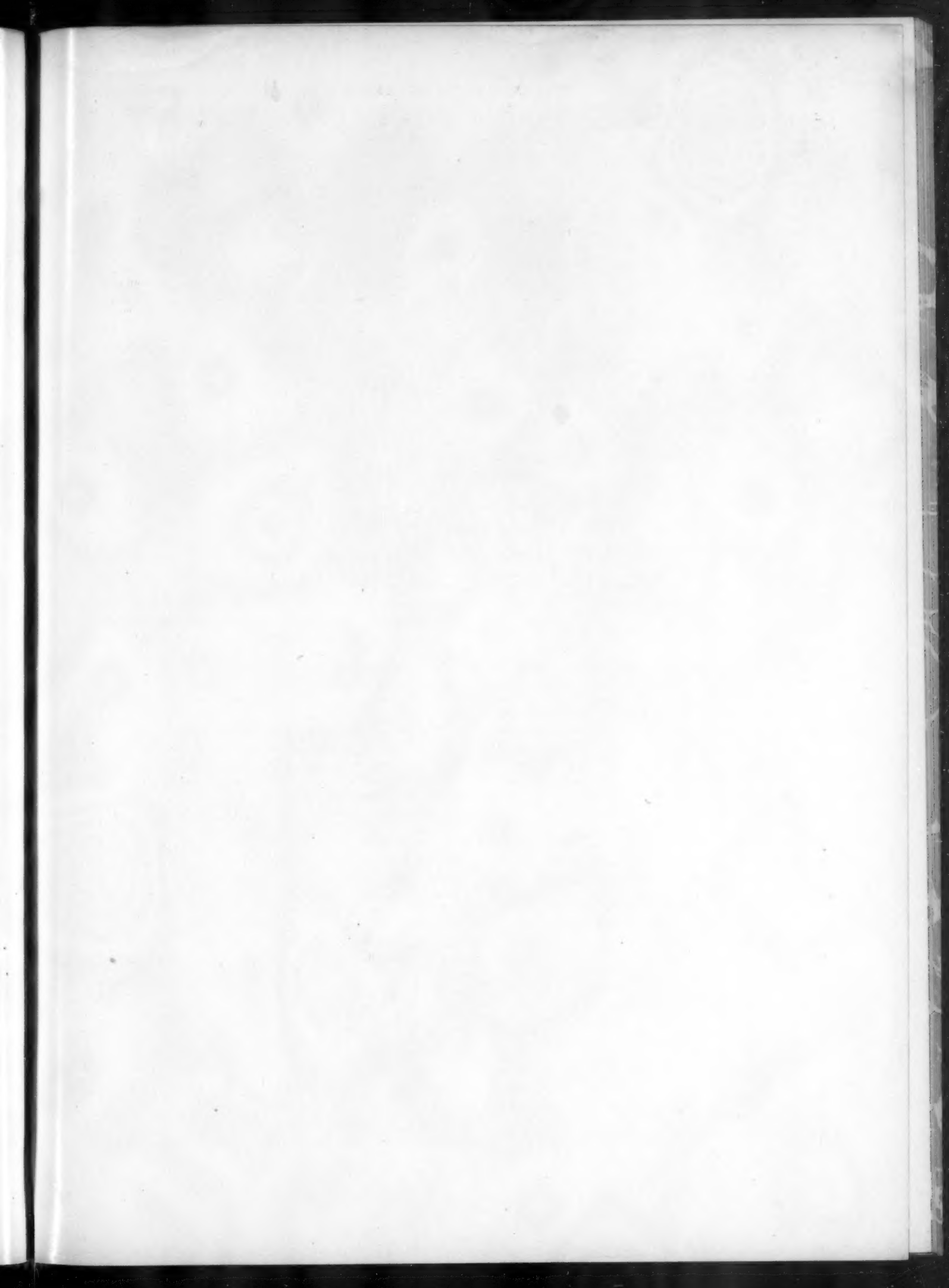
judgment and taste, reasonably and without neglect. But the undertaking does not imply or warrant a satisfactory result. It will be enough that any failure shall not be by the fault of the architect. There is no implied promise that miscalculations may not occur. An error of judgment is not necessarily evidence of a want of skill or care; for mistakes and miscalculations are incident to all the business of life." (Coombs against Beede, 89 Maine, 187.)

We have quoted at some length from this Maine case, decided about a decade ago, because it contains the most satisfactory and definite information along these lines which we have been able to find in a search of the law books, and there remain some considerations as to the interest, if any, which an architect may have in the work he undertakes. He is entitled to no other profit from his transactions in his employer's behalf than the agreed compensation or reasonable fees. (Lloyd, on Building Law, Sect. 11.) It has been held that where he guarantees his employer that the total cost shall not exceed a specified amount, and the agreement is unknown to the builder, the architect is an improper arbitrator and the builder is not bound by a submission to his arbitration. (Kimberley against Dick, 41 L. J. Ch. 38.)

In the performance of his contract the architect is not allowed to have any pecuniary interest whatsoever. But the case of Shaw against Andrews and another (9 Cal. 73) is authority for the proposition that an architect may superintend the construction of a building of which he is one of the contractors and recover for his services in superintending notwithstanding the plea that it was against public policy for him to occupy two positions of which the interests were in conflict. This plea was there held not well taken.

The acceptance of commissions, rebates, or money in any form by the architect from the contractor will be ground for his discharge.

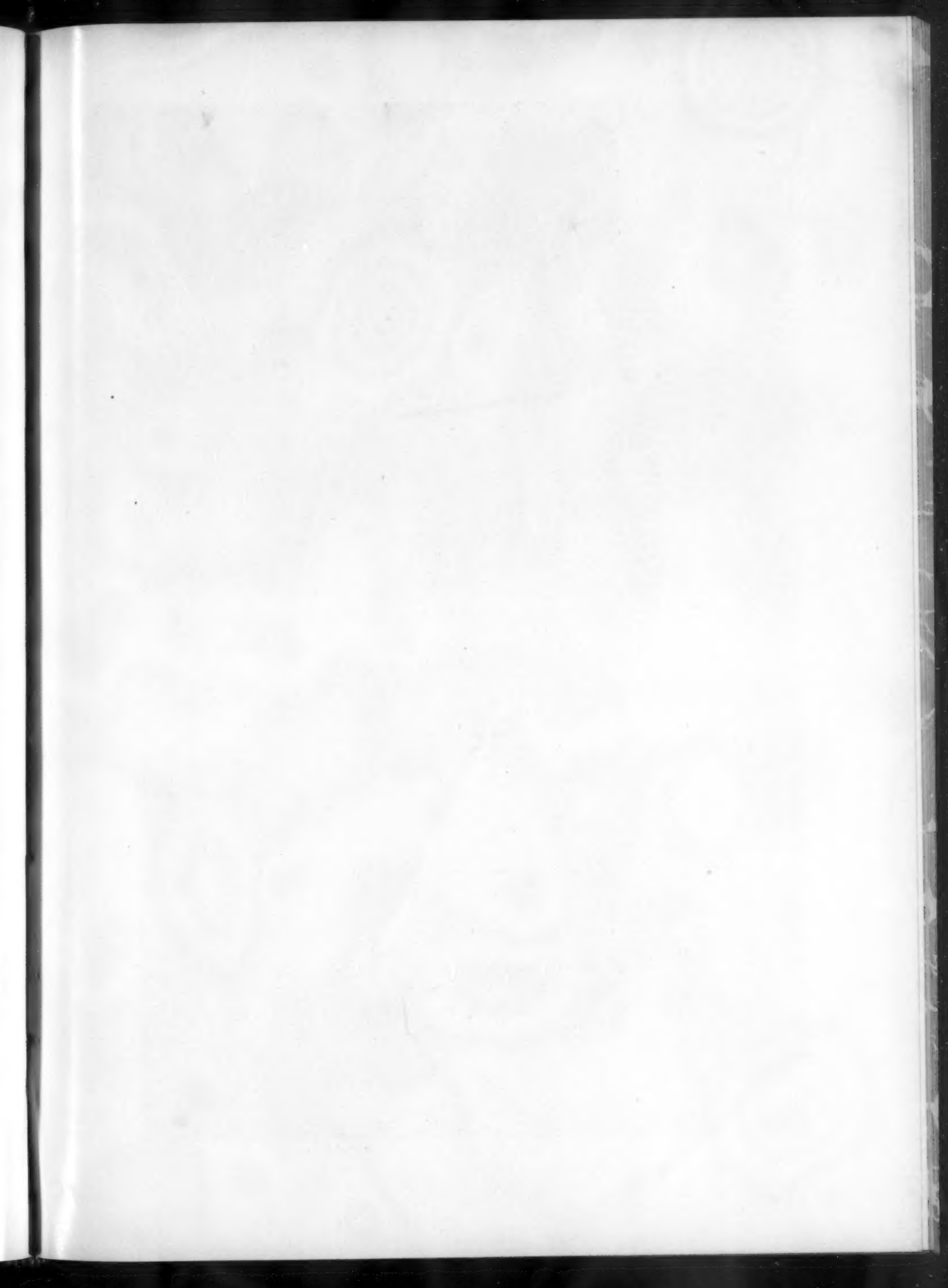
The reader will doubtless recall Scriptural authority that no man can serve two masters. It is good law, too. Further authority seems unnecessary, although two Missouri cases are interesting. In the first an agreement by a dealer in lumber to pay a building superintendent, whose duties required him to pass upon accounts for materials furnished, but not to make purchases, a commission on sales of lumber made to his employer through his influence, to be void because against public policy (Atlee against Fink, 75 Mo., 100), but a few years later the same court held in a libel action that words written of a supervising architect, charging him with having given work upon the building to certain parties for a commission, were not of themselves actionable in the absence of special damage.





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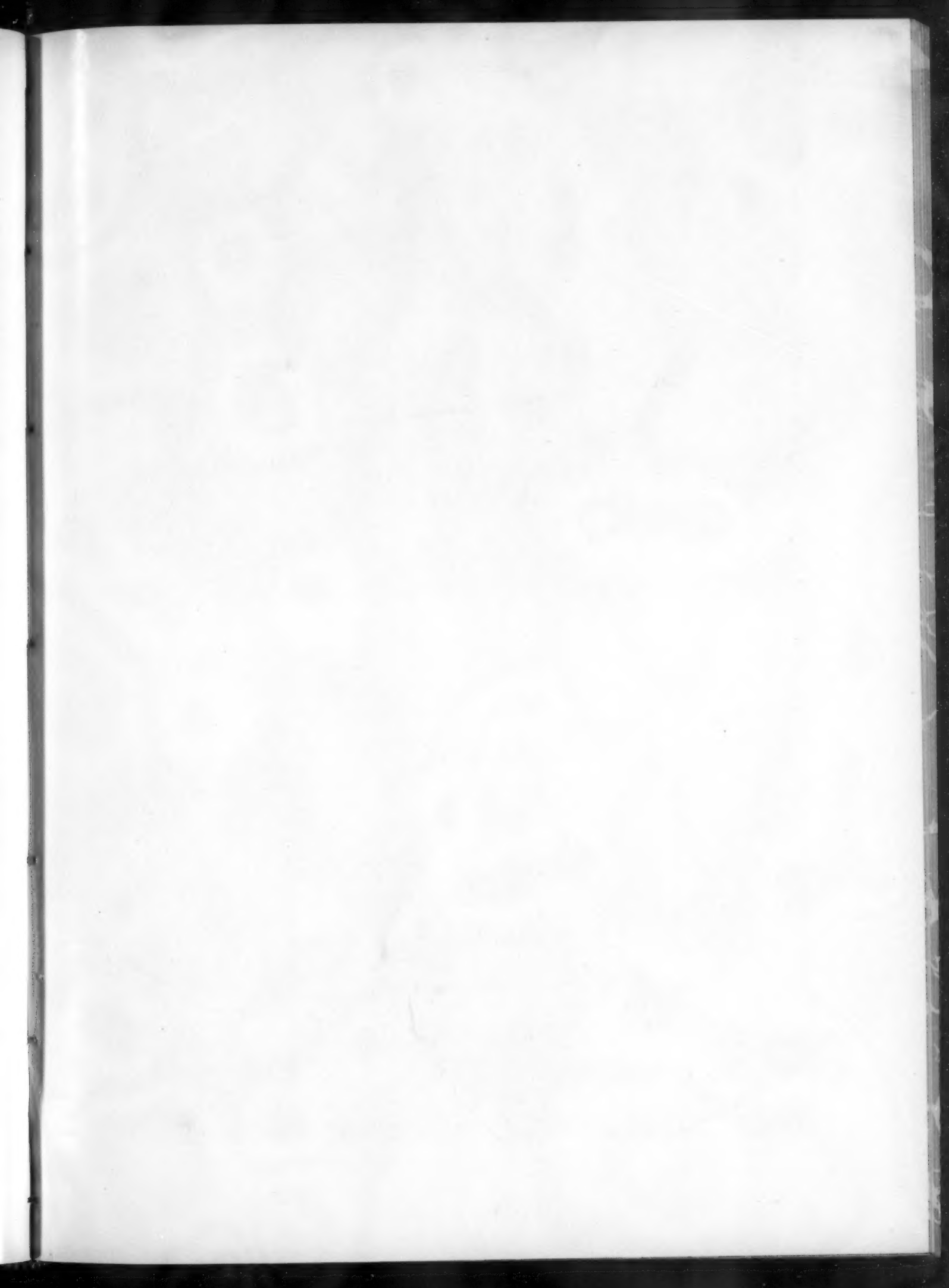


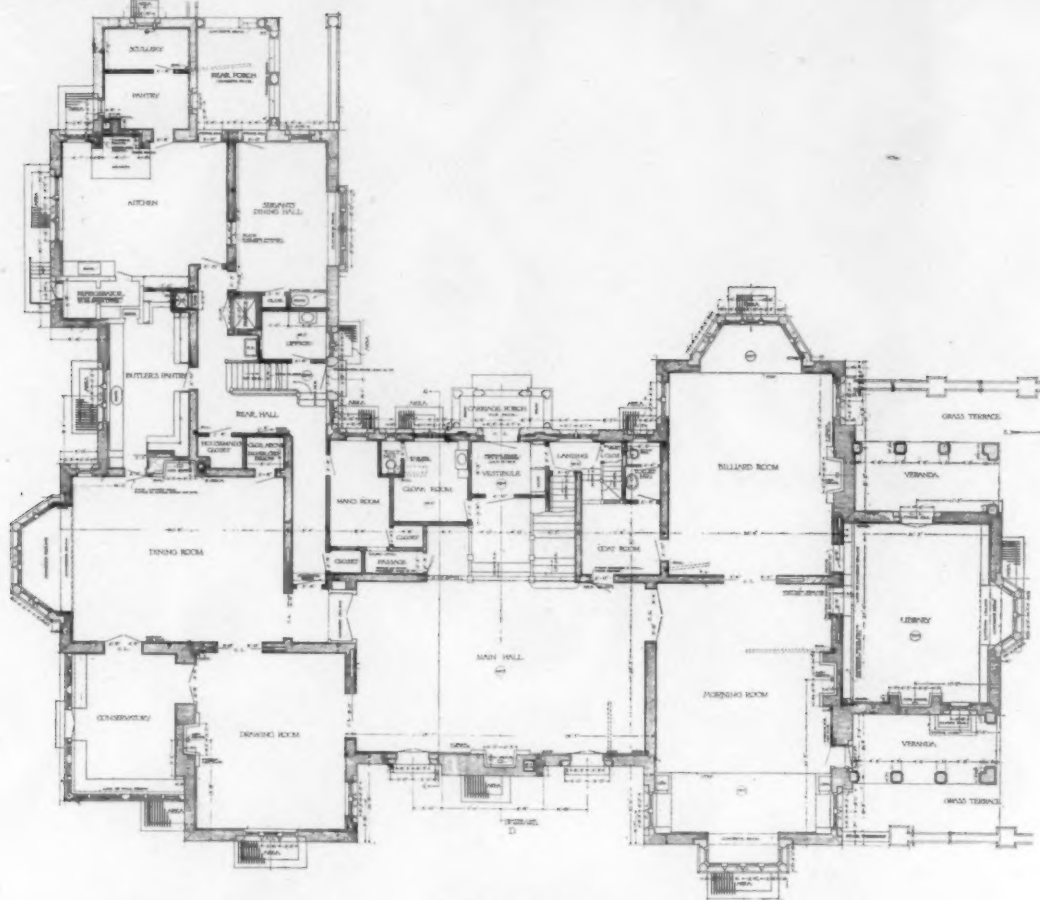
VIEW IN COURT

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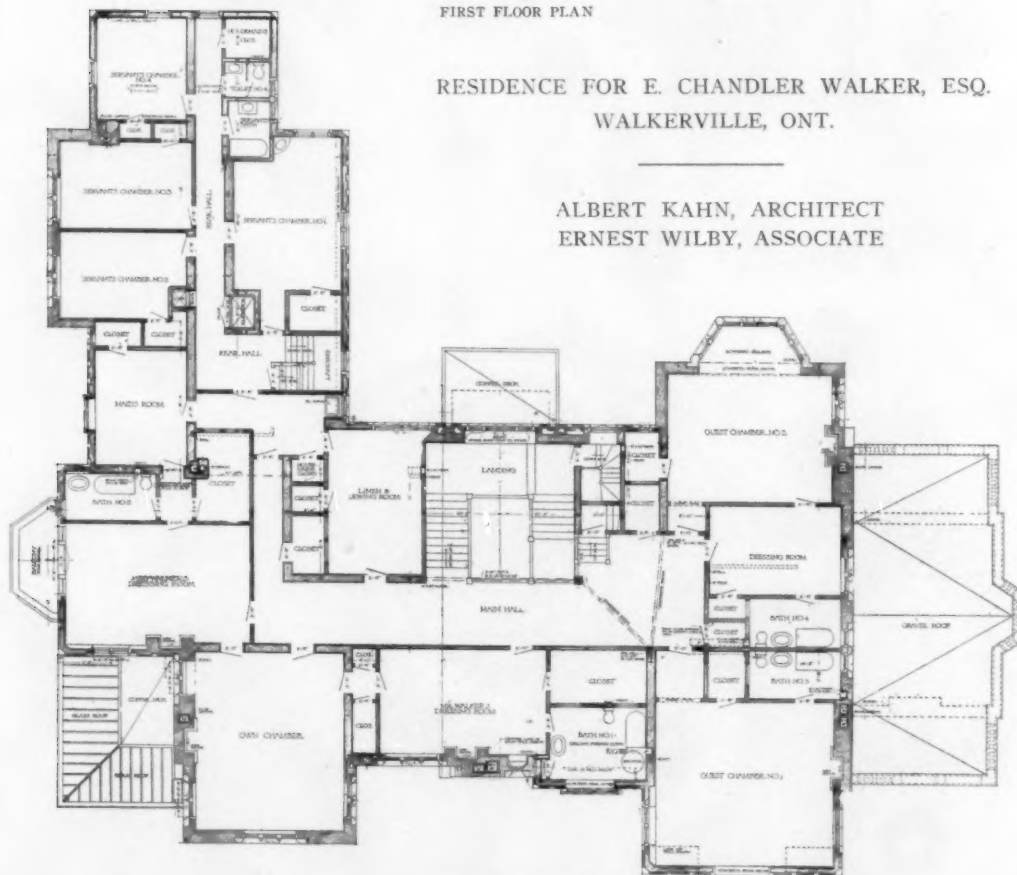




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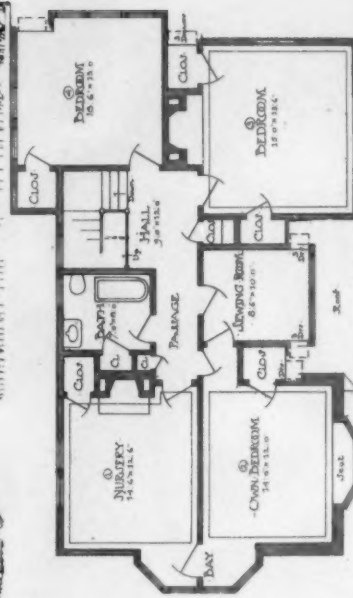
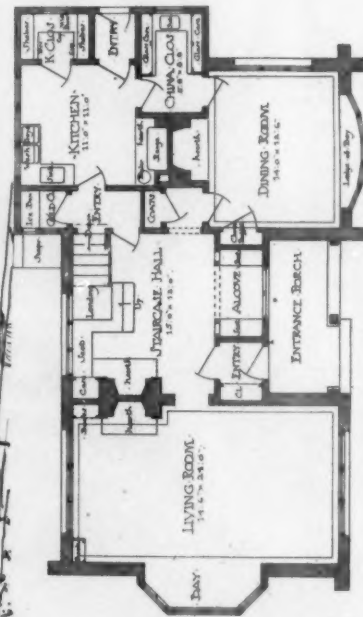
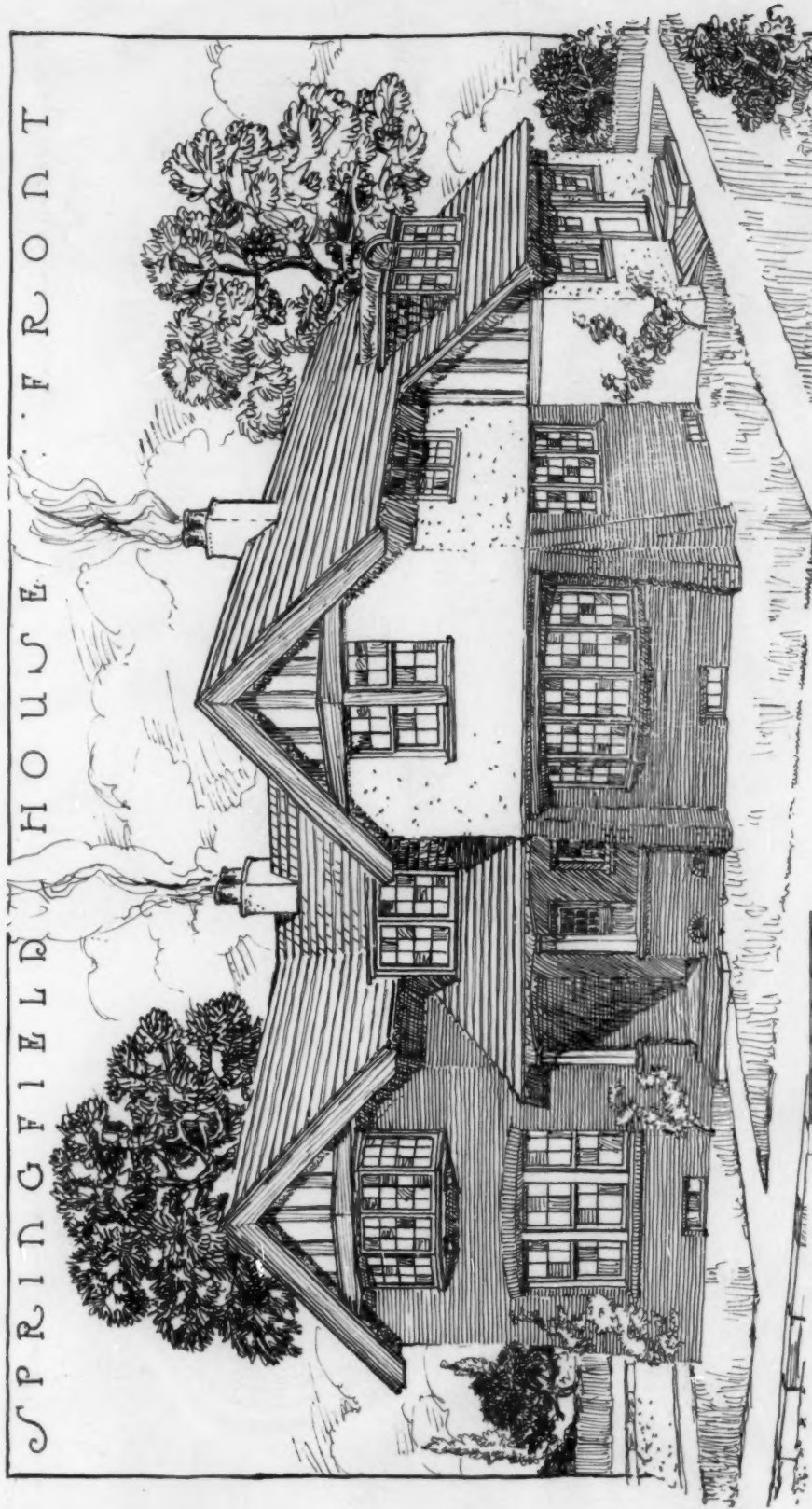
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SECOND FLOOR PLAN

THE AMERICAN ARCHITECT

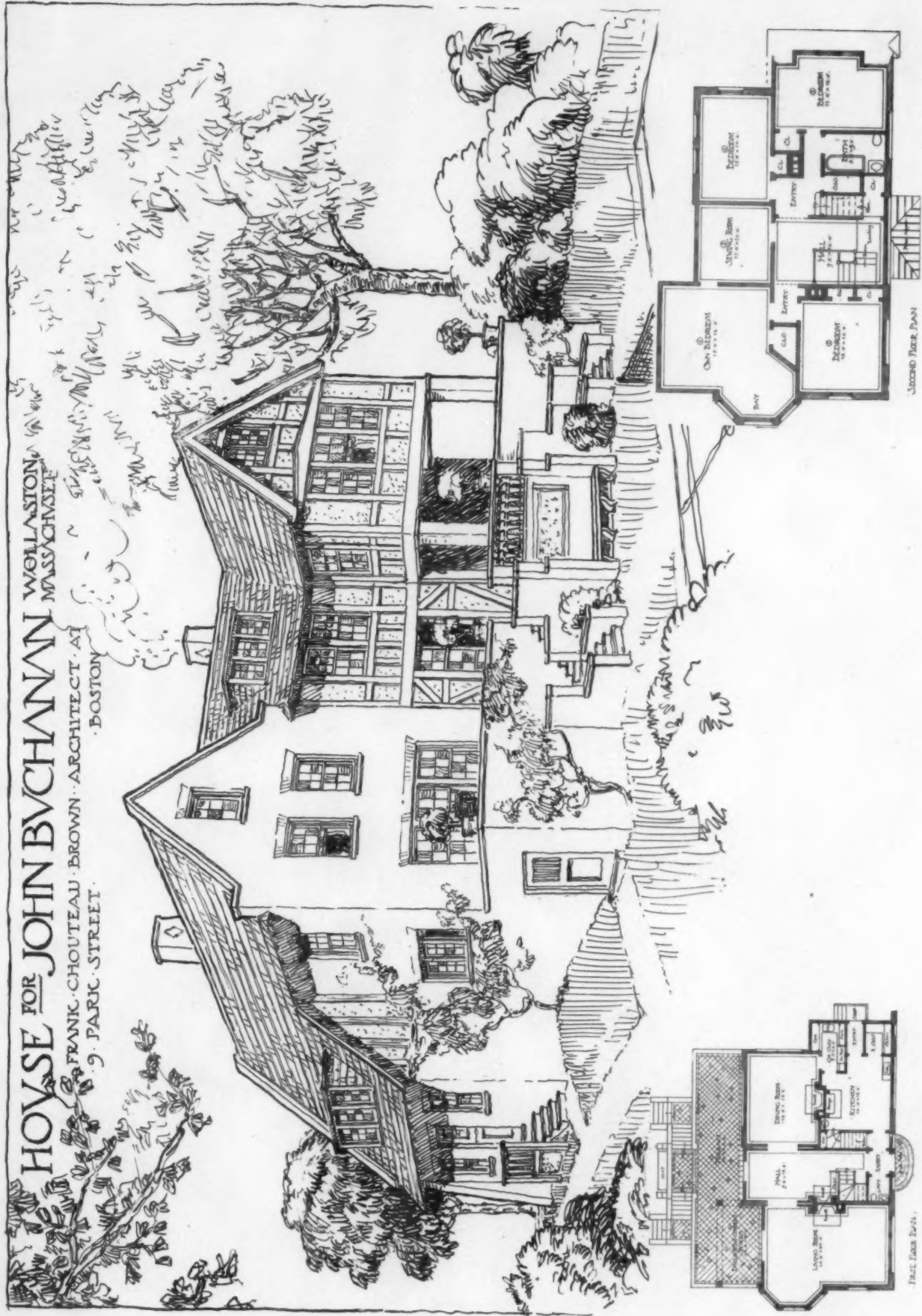
SPRINGFIELD HOUSE FRONT



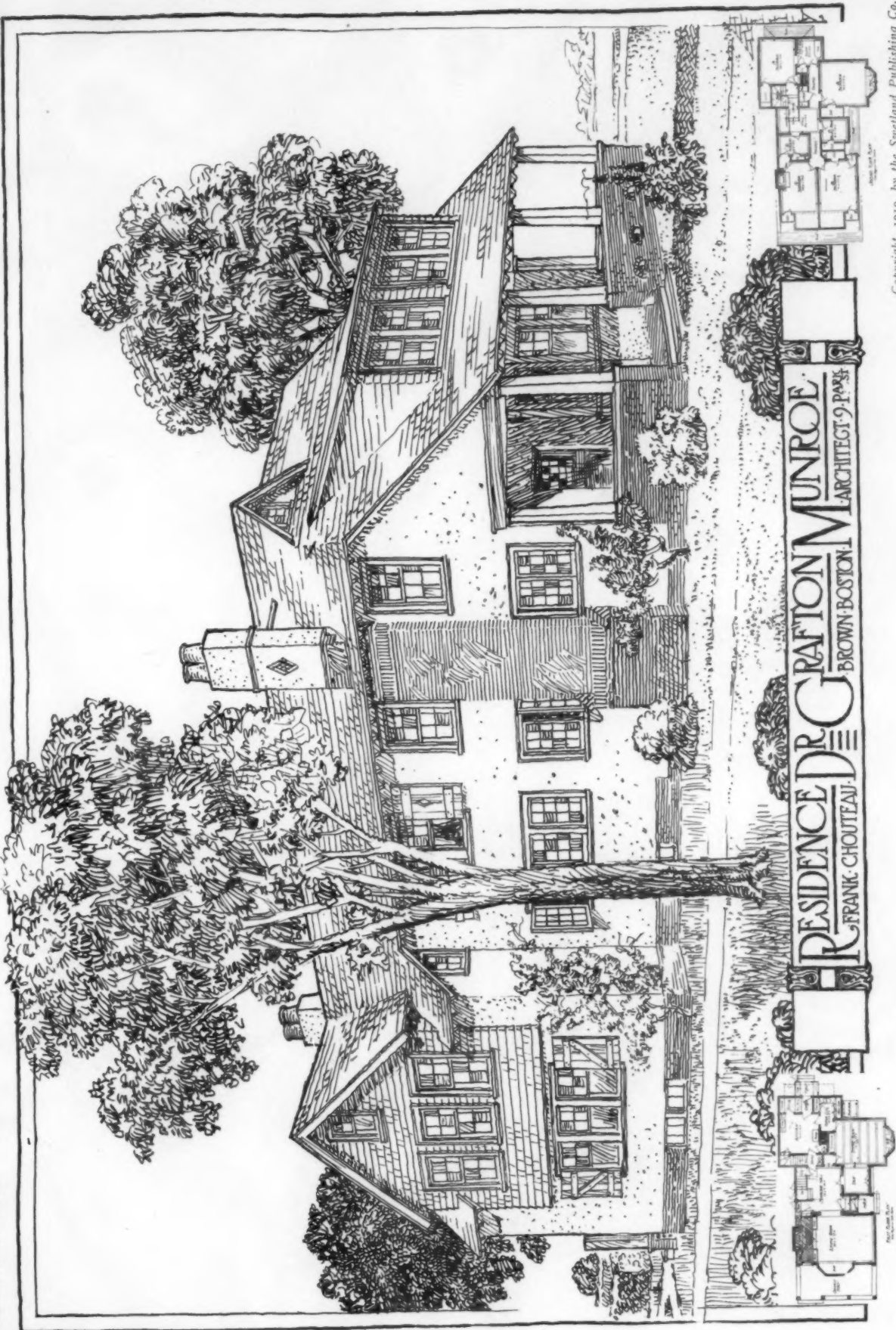
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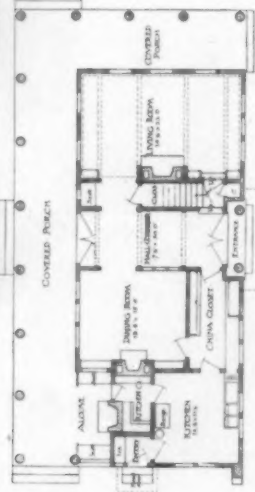
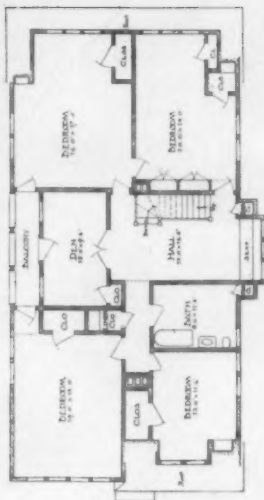
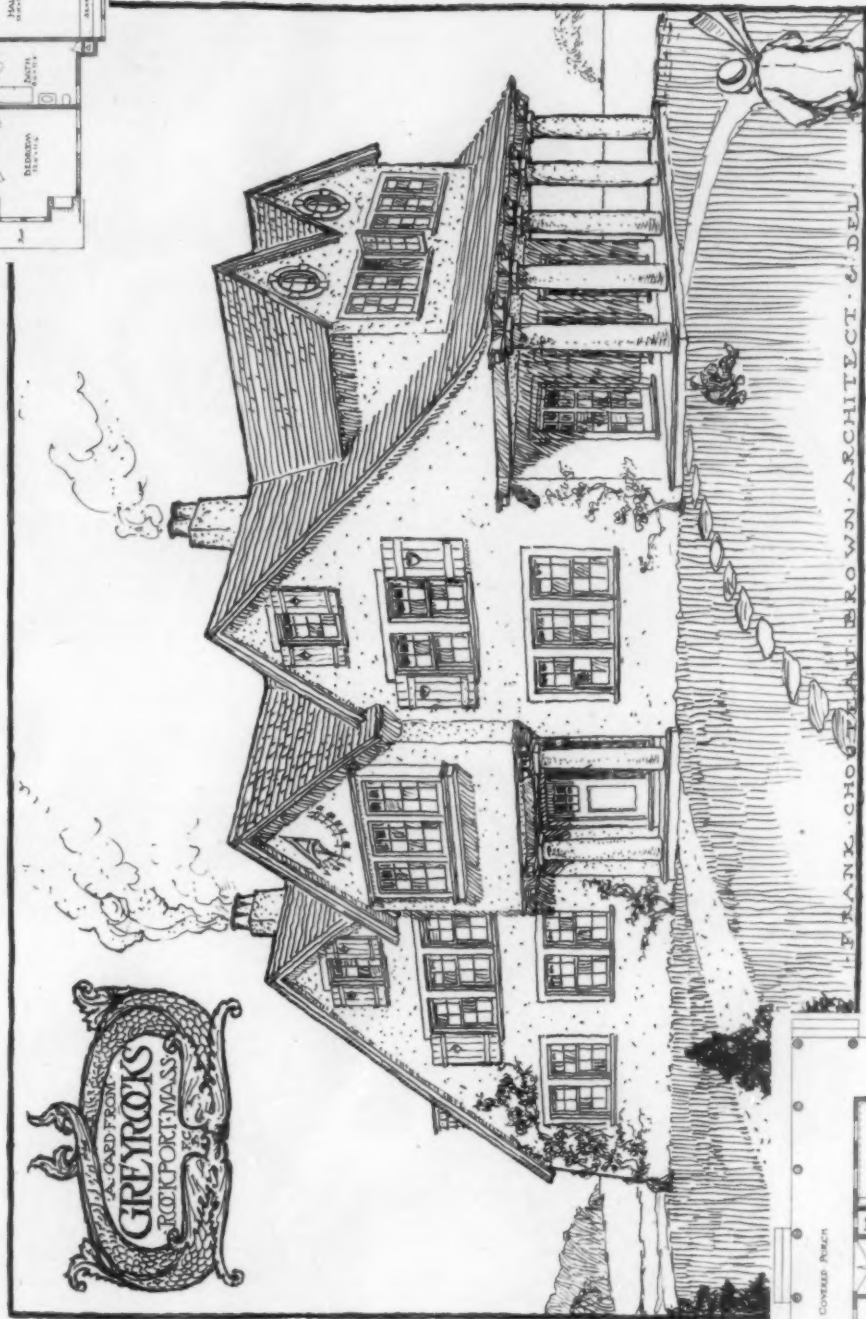
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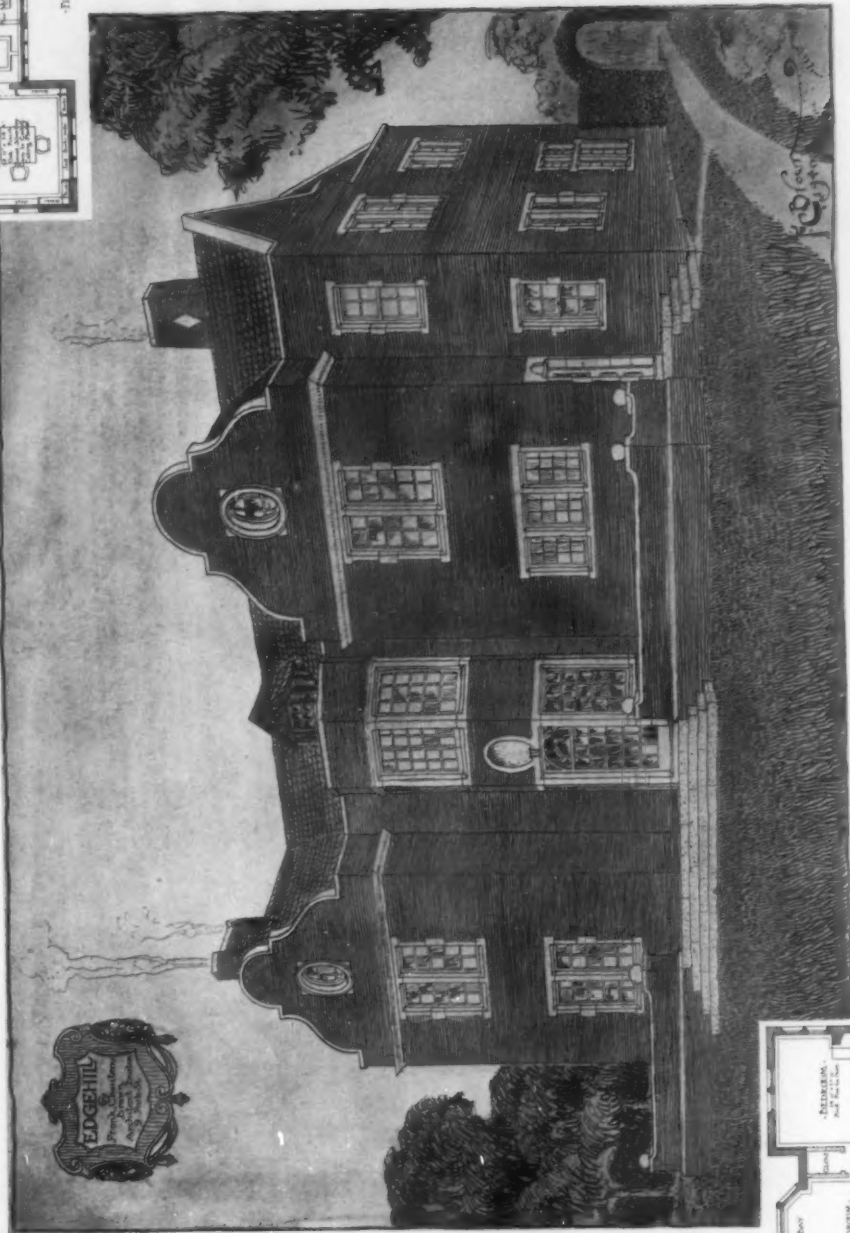
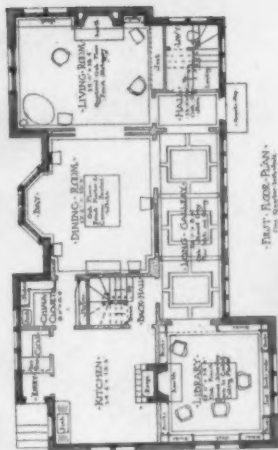


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AUGUST 24, 1910



FRANK CHOUTEAU BROWN, ARCHITECT

