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THE TARSNEY ACT

THE ECONOMY AND EFFICIENCY OF THE EMPLOYMENT OF PRIVATE ARCHITECTS ON PUBLIC BUILDINGS

REPORT IN PART OF A SPEECH DELIVERED IN THE UNITED STATES SENATE BY THE
HON. FRANCIS G. NEWLANDS OF NEVADA

IN our early history the control of the construction of Federal buildings was given to our Presidents, and Washington, Jefferson, and Jackson personally interested themselves in this work and each endeavored to select the most skillful architect of his day. In 1855 the Office of the Supervising Architect of the Treasury was created by an appropriation in the sundry civil bill, and from that time on it became the custom of Congress to place the construction of public buildings under this office. From this time on there was a gradual depreciation in the character of governmental architecture. The whole business fell, in a measure, under the spoils system, until the American Institute of Architects commenced in 1875 an agitation for the rectification of these conditions. After a long contention, from 1875 to 1892, during which period many measures for the improvement of the Federal practice relating to architecture were proposed, a bill known as the "Tarsney bill" was introduced by Mr. Tarsney, a Democratic Representative from Michigan, and in 1893, after a full hearing from representative architects from various sections of the country, it became a law. The Tarsney Act is as follows:

An act authorizing the Secretary of the Treasury to obtain plans and specifications for public buildings to be erected under the supervision of the Treasury Department, and providing for local supervision of the construction of the same.

Be it enacted, etc., That the Secretary of the Treasury be,

and he is hereby, authorized in his discretion to obtain plans, drawings, and specifications for the erection of public buildings for the United States, authorized by Congress to be erected under the supervision and direction of the Secretary of the Treasury, and the local supervision of the construction thereof by competition among architects under such conditions as he may prescribe, and to make payment for the services of the architect whose plan may be selected out of the appropriations for the respective buildings: *Provided*, That not less than five architects shall be invited by the said Secretary to compete for the furnishing of such plans and specifications and the supervision of such construction: *And provided further*, That the general supervision of the work shall continue in the Office of the Supervising Architect of the Treasury Department, the Supervising Architect to be the representative of the Government in all matters connected with the erection and completion of such buildings, the receipt of proposals, the award of contracts therefor, and the disbursement of moneys thereunder, and perform all the duties that now pertain to his office, except the preparation of drawings and specifications for such buildings and the local supervision of the construction thereof, the said drawings and specifications, however, to be subject at all times to modification and change relating to plan or arrangement of building and selection of material therefor as may be directed by the Secretary of the Treasury.

Approved, February 20, 1893.

Later on Mr. Carlisle, then the Secretary of the Treasury, refused to act under its provision, as the act was not obligatory and its operation was in the discretion of the Secretary. The refusal of the Secretary caused the noted Burnham-Carlisle correspondence, and the matter was taken up for discussion by the technical and daily press in all sections of the United States. Public opinion backed the Tarsney Act.

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During Mr. Cleveland's administration the Dockery Commission made a report on the Supervising Architect's Office. The commission recommended competition under the Tarsney Act, as well as the reorganization of the Supervising Architect's Office into a public buildings bureau to represent the Government, and advised that there would be a saving in expense to the Government by giving out the work to private architects at the regular rate of five per cent.

Later on, during the administrations of Mr. McKinley, Mr. Roosevelt, and Mr. Taft, the law was fully executed as to buildings involving large appropriations, and the result has been a distinct advance in the character of governmental architecture. The various Secretaries of the Treasury during the last three administrations have expressed their approval of the operation of the act and have declared that it has been successful.

During this session of Congress the House Committee on Expenditures on Public Buildings made an investigation of the Supervising Architect's Office, and on July 19, 1912, made a report criticizing certain features of that office, making a recommendation that the office should be made a bureau of the Treasury Department, insisting that its work had so enlarged as to make it impossible for the Assistant Secretary of the Treasury, with the numerous bureaus and divisions under him which required attention, to give the proper supervision to the work of the Supervising Architect's Office. It also criticized the Tarsney Act and indicated that the work now intrusted to private architects could be as well and as cheaply done by the Office of the Supervising Architect.

At this session of Congress a bill was also introduced in the House by Mr. Cox of Indiana for the repeal of the Tarsney Act. It was referred to the House Committee on Public Buildings and Grounds, and, so far as I am informed, no action appears to have been taken upon it, nor has any action whatever been taken upon the subject by the Committee on Public Buildings and Grounds of the Senate. The opinion, however, of the Secretary of the Treasury was asked regarding this bill, and appears in the following letter:

MARCH 5, 1912.

CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND
GROUNDS,

House of Representatives.

SIR: In compliance with your request for a report on H. R. 11179, a bill to repeal an act passed February 20, 1893 (27 Stat. L., p. 468), being a bill authorizing the Secretary of the Treasury to obtain plans and specifications for public buildings, etc.; also to repeal section 34 of chapter 383 of Thirty-sixth Statutes at Large, page 699, being an act giving to the Secretary of the Treasury power to employ outside architects, etc., I have the honor to advise you that in my opinion the act in question should not be repealed.

I feel most strongly that to make it impossible for the Government to secure the services of the best architectural ability the country affords would be most detrimental to the advancement of Government architecture.

Respectfully,

FRANKLIN MACVEAGH,

Secretary.

We find, therefore, that, on the one hand, the Dockery Commission advised the creation of a bureau of public buildings and the construction of all public buildings under private architects, upon the ground both of economy and efficiency; and that, on the other hand, the Committee of Expenditures on Public Buildings of the House, whilst repeating the recommendation of the Dockery Commission, as to the organization of a bureau of public buildings, makes a contrary report as to the employment of private architects. And we also find new legislation in the sundry civil bill providing for the repeal of the Tarsney Act; and this, too, apparently without any consideration or recommendation by the Committees on Public Buildings and Grounds of the Senate or House—committees charged with jurisdiction over the matter.

I believe, Mr. President, that this whole matter should be left either to the next Congress or, at the most, that a joint commission, composed of Members of the Senate and House, should be appointed to investigate the whole question of the construction of public buildings and to recommend legislation.

But lest it should be necessary to go further and to show that this legislation has no proper basis either with regard to the excellence or to the economy of the work, I have to say that there can be no question but that there has been an immense improvement in public architecture since the adoption of the Tarsney Act.

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That act introduced the merit system which now rules in public architecture, and has had a material influence in raising the general character of the work done in the Supervising Architect's office upon the minor buildings. The act has been beneficial in its example, both to the States and to municipalities, in securing regulations similar to the provisions of the Tarsney Act.

As to economy, I have to say that until recently the commissions of the Institute of Architects were five per cent. and they have recently been raised to six per cent. because of the higher cost of the services of designers, draftsmen, and employees generally. Some years ago a careful inquiry was made as to what proportion of the five per cent. really went to the architect for his services and what proportion was spent in subsidiary services and the employment of draftsmen, designers, engineers, etc., and it was found that at least three per cent. of the five per cent. was paid out by the responsible architect and that only two per cent. remained as his compensation.

It has been a matter of contention as to the comparative cost of making plans and specifications in the Supervising Architect's Office and in the offices of private architects. A public document (H. Doc. No. 845, 61st Cong., 2d sess.) containing a communication from the Assistant Secretary of the Treasury, includes an analytical statement of the expenditures for the maintenance of the Office of the Supervising Architect for the fiscal year 1909, and this has been relied upon as indicating that the cost of planning and specifications was less in the Supervising Architect's Office than if the work were placed in the hands of private architects. But the report of a committee appointed by the American Institute of Architects demonstrates that this inference was unwarranted; that the amount expended for planning and specifications by the Supervising Architect's Office on work conducted in that office was estimated, not upon the amount actually expended for public buildings during that year, but upon the amount authorized to be expended by completed contracts. It was also demonstrated that it was unfair to take a single year, and that by taking a series of years a more reliable comparison could be made; and, judged by this standard, it was shown

by the report of the committee of the American Institute of Architects that the percentage cost of planning and specifications in the office of the Supervising Architect for a period of six years amounted to more than the customary commission paid to private architects.

It is my purpose to ask the Assistant Secretary of the Treasury, under whose control the Supervising Architect's Office rests, to make a statement covering a series of years with a view to ascertaining the cost of preparing plans and specifications in the Supervising Architect's Office, and I shall present such statement when received to the Senate.

So much regarding the cost. But so far as efficiency is concerned, there can be no question of the great advance that has been made in the architecture of the Nation since the Tarsney Act was passed. The national architecture was exceedingly good under the administrations of Washington and Jefferson and men of their class of culture. Later on the architecture of the country, both public and private, became exceedingly inferior, and there was a restoration to the old standards of art only when the Chicago exposition was created by the matchless skill and genius of the architects of the country who had received the very best training in the *École des Beaux-Arts* of Paris.

Since that time and since the passage of the Tarsney Act, which was about the time of the Chicago exposition, there has been immense improvement in the public art, and the buildings constructed by these architects have been models not only to be followed by the National Government in its future work, but to be followed by States and municipal administrations. I think it would be a great misfortune to repeal that act and to throw over the planning of these magnificent public buildings which we contemplate constructing in the future entirely to the Supervising Architect's Office. The Supervising Architect's Office has been run well under the administration of the late Supervising Architect, and I have no doubt will be run well under the recent appointee. But the salaries of the Government employees are necessarily limited, and it can not be contended for a moment that that office can command the

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genius or the talent shown in the private architectural offices of the country.

These great architectural offices are not only models so far as the art is concerned, but are models in administration. One has only to go into the office of one of these great architectural firms in New York or Chicago, and he will find numerous employees, consisting of architects, artists, engineers, constructors and draftsmen whose entire work is conducted with the most admirable system. It seems to me that so far as efficiency is concerned, it would be a great mistake to go back to the old condition of things.

Continuing on August 9, Senator Newlands addressed the Senate as follows:—

Mr. President, some days since I presented my views with reference to the proposed repeal of the Tarsney Act in the sundry civil bill. I then stated my intention of obtaining from the Treasury Department a statement of the ratio of cost of preparing plans and specifications in the Supervising Architect's Office for the buildings planned, supervised, and constructed by that office and not intrusted to private architects. I present herewith a letter from the Secretary of the Treasury, dated August 6, 1912, inclosing two tables showing the ratio of the cost of the administrative expense of the Office of the Supervising Architect as compared with the total amount disbursed for each fiscal year. It will be observed by reference to the second table, covering the years from 1905 to 1911, that the average ratio of cost of preparing plans and specifications in the Supervising Architect's Office for new buildings not intrusted to private architects was 6.02 per cent., being in excess of even the present commission of private architects. The notes in connection with this table are explanatory.

Secretary MacVeagh's letter referred to by Senator Newlands is as follows:—

TREASURY DEPARTMENT,
Washington, August 6, 1912.

HON. FRANCIS G. NEWLANDS,
United States Senate, Washington, D. C.

SIR: Referring to letter from this department of July 26, 1912, acknowledging the receipt from you of a report prepared by a committee representing the American Institute of Architects, relative to the cost of architectural service in the Treasury Department, I have pleasure in sending you herewith a statement prepared some years ago showing the expenditures for administrative expenses as compared with the total amounts disbursed by the Office of the Supervising Architect for the fiscal years 1898 to 1908, inclusive.

The statement referred to shows that the average percentage cost as compared with the total amount disbursed during the years named was 7.2 per cent. It is, of course, evident that the total expenditures during the period covered features of work entirely aside from strictly architectural service, as, for instance, expenditures for sites, repairs, and maintenance of buildings already constructed, etc.

In order to arrive at a reasonably close estimate of the cost of strictly architectural service in the Office of the Supervising Architect a table has been prepared covering the expenditures for such service during the fiscal years 1905 to 1911, inclusive, as compared with the expenditures on account of new buildings for the same period which shows the average cost to be as follows:

	Per cent.
Ratio of cost of administration to work performed as relates to the office proper—items 1 and 4....	8.42
Ratio of cost of administration to the total cost of the work—items 3 and 4.....	6.77
Ratio of cost of office administration as related to new buildings only.....	6.02

The percentage of cost, as related to new buildings, does not include the cost of field service, such as superintendents of construction, etc.; for the reason that in comparing the cost of such service for Tarsney Act work the same charge is made against buildings designed by private architects as is made against buildings designed in the Office of the Supervising Architect.

The amounts in item No. 7 are determined on the assumption which has been recognized as correct for a number of years in the Supervising Architect's Office, that the proportion of the administrative cost to be allotted as a charge against new construction work is equal to 65 per cent. of the total administrative cost.

Respectfully,

FRANKLIN MACVEAGH,
Secretary.

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TABLE REFERRED TO AS "SECOND" TABLE BY SENATOR NEWLANDS

Expenditures for construction of new buildings, with ratios of cost, for the seven years ending June 30, 1911

Classification	1905	1906	1907	1908	1909	1910	1911	Totals and average
6. New buildings only, from designs and drawings prepared in the office.	\$5,321,431.23	\$1,959,475.93	\$837,915.51	\$1,257,747.61	\$5,622,266.18	\$5,172,141.56	\$6,916,992.71	\$27,087,970.73
7. Administration, salaries and supplies, as related to new buildings (being the cost of preparing plans and specifications).....	201,590.75	151,338.76	171,218.70	203,980.53	285,804.26	331,302.97	287,500.78	1,632,736.75
Ratio of cost of above office administration, as related to new buildings only, per cent...	3.78	7.72	20.43	16.21	5.8	6.41	4.16	6.02

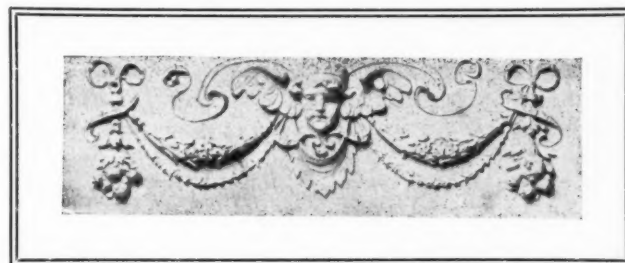
Under the provisions of the Tarsney Act, the architects are required to furnish local supervision, but not ordinary field service, and, therefore, the cost of field service is not taken into consideration. In connection with the buildings constructed by the Supervising Architect's Office, services equivalent to the local supervision under the Tarsney Act are furnished by the supervising superintendents of construction and inspectors, and if the cost of this item, together with the administrative work performed in the Supervising Architect's Office, in connection with Tarsney Act buildings, is taken into consideration, it will further increase the percentage of cost of architectural services under the Tarsney Act buildings. On the other hand the cost of the service rendered by the Supervising Architect would be increased if that office was charged with rent, light, and other costs which the Tarsney Act architect pays out of his commission, so that one item may be considered as offsetting the other.

The statement covering expenditures for construction of new buildings for the seven years ending June 30, 1911, shows that for the years 1907 and 1908 the ratio of cost of office administration is somewhat beyond the average. This is due to the following causes, briefly stated:

It is well known that there is no regular program for public-building work, as shown by the fact that in 1902, 100 new buildings were provided for, and that in 1903 only ten were authorized. Over three years afterwards, in 1906, 161 buildings were authorized; in 1908, 209; and in 1910, 231. This uncertainty as to the amount of work to be accomplished necessarily leaves the office in a somewhat embarrassing position, it being necessary in off years, as was the case in 1905 and 1906, to reduce the force and subsequently to increase it in order to meet the requirements of public-building legislation.

In 1907 and 1908 the office force was in process of being built up, and but little real work was done in connection with new buildings, the activities of the office being confined to the acquisition of sites, work on extensions, repairs and maintenance, and the gathering of data upon which to base the preparation of plans.

It must be conceded, in view of the brief résumé above of the conditions as related to the public-building service, that no fair comparison can be made upon the business of a single fiscal year. It is only by taking a period of years embracing fluctuations, so to speak, in the amount of work authorized, together with the other conditions affecting production, that a fair average of the relation of the cost of administration to work performed can be secured.



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THE EXPLOITATION OF MONUMENTS OF HISTORIC INTEREST

THE English architectural press sounds a note of warning against the possible depletion of their art treasures, either by destruction to make room for new buildings or their acquisition and removal to other countries by foreigners.

It is inconceivable that any American would want to purchase Stonehenge and transport it to America, but it is highly probable that buildings rich with carving or other artistic material might be if steps to prevent their sale were not taken.

Commenting on this possibility, *The Builder*, of London, states as follows:

"The exploitation of our national monuments promises to become a serious business unless the State steps in, as in Italy, to preserve its national treasures. From a correspondence in the *Times* a little while ago it appeared that Stonehenge might, at the caprice of a private owner, be transported to America. That is not likely; but the mere fact that it might in certain circumstances be possible suggests a danger against which the country should be forearmed. In a general way the private owners of objects of historic interest are not indifferent to their possessions and guard them loyally, notwithstanding considerable temptations to part with them. And the rights of a private owner should only in the very last resort be interfered with. The old Globe Room has been removed from Banbury, and a certain section of the press is creating considerable agitation on the point. Probably no class of the community can better appreciate the value of the old Globe Room than architects, and we certainly should like to see this specimen of domestic work retained in this country. But there are national treasures and national treasures; and the old Globe Room is by no means an only or unique specimen of its kind. The older type of vandal who was indifferent to such historic documents has been succeeded by a new type of vandal who regards them largely as objects for profit and commercial exploitation. If this sort of transaction is encouraged, the inflated prices which are asked for old masters

in painting will extend to everything removable which a country may most desire to preserve. The old Globe Room has, however, now been transplanted, and the historic interest largely departs with transplantation. The old Globe Room adorning the sumptuous habitation of an American millionaire can never be quite the same thing, or possess quite the same interest, as the old Globe Room *in situ*, in use as an inn parlor at Banbury. In any case, we need not be alarmed at the cry of 'Going—going—gone!' in this particular instance, although it is sufficiently serious to indicate a warning in regard to the preservation of works of art and craft which have some claim to be considered of national interest and historic value."

TO RESTORE THE BATHS OF CARACALLA

THE Italian government, carrying out a scheme originally due to the versatile mind of the late historian and statesman, Ruggiero Bonghi, and the ex-Cabinet Minister, Guido Baccelli, has intrusted Senator Professor Rodolfo Lanciani the celebrated archaeologist, well known to American readers, to bring to life what is known as the "Archæological Promenade," which already covers 180 acres of land. The whole forms a magnificent park surrounding and setting forth the unique ruins from Roman times, the greatest care being taken to recreate what it must have been when the remains were glorious realities, so that besides the natural plants of the soil, there are only seven kinds of trees, the classic trees of Rome, *i.e.*, olive, laurel, pine, cypress, ilex, oak and poplar, of which 10,500 have already been planted.

In the center, and overshadowing all, stand the baths. One does not need to be a profound student of Roman times to understand what it means to discover under one building (the *Thermæ*) one mile of underground passages, evidently for the use of slaves, as they led to the different bath-halls above, and were the vehicle through which the soiled linen passed.

It has just been ascertained that one of the wonders of this pile was the largest flat

(Continued on page 80)

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WHAT IT COSTS THE GOVERNMENT TO HAVE PLANS PREPARED IN THE SUPERVISING ARCHITECTS' OFFICE

ALL who have at heart the development of Governmental architecture in the United States will read with great interest the very notable address delivered by Hon. Francis G. Newlands of Nevada before the Senate on July 19th and August 9th, 1912. This speech, to which Mr. Newlands has given the title of, "The Tarsney Act—The Economy and Efficiency of the Employment of Private Architects on Public Buildings," will be found on another page of the present issue of THE AMERICAN ARCHITECT. It contains a most interesting outline history of the control of the construction of federal buildings, but its greatest value is in the letter from the Secretary of the Treasury and the accompanying table which it transmits. In connection with the investigation into the expenses in the Supervising Architect's office some years ago, a statement was submitted to Congress which seemed to show that the ratio of cost for architectural services to the actual cost of the buildings was considerably less when performed by the Supervising

Architect than the ratio of the cost when the services were performed by outside architects selected under the provisions of the Tarsney Act. The letter of the Secretary of the Treasury and the table above referred to, which Senator Newlands has transmitted to Congress, make it perfectly clear that the actual ratio of cost of the preparation of plans and specifications, only, in the office of the Supervising Architect is an average of 6.02 per cent on the cost of the buildings for the period of seven years from 1905 to 1912; in other words, during that period it costs the Supervising Architect's office something over 6 per cent to prepare plans and specifications only, or something over the same amount which is paid to the outside architect for plans, specifications, and *superintendence*. With this point definitely settled the argument of economy can no longer be taken as a justification for the repeal of the Tarsney Act. What then is to be the justification for the proposed repeal? Is it to be stated that the buildings cost more when designed by the Tarsney Act architect? The facts obtainable would show that the reverse is the case. Is it claimed that the buildings designed in the Supervising Architect's office are better buildings? We believe there is no such claim. What argument then is to be advanced in behalf of the proposed repeal? The Tarsney law is an act which provides simply that the Secretary of the Treasury may at his discretion obtain the plans and specifications for the erection of public buildings and their local supervision of the construction thereof by competition among architects. It provides that the Supervising Architect shall perform all the duties that now pertain to his office except the preparation of the drawings and specifications for such buildings and the local supervision and construction of the same—that is all. The Supervising Architect has ample power to modify or reject plans, and it has always remained his function to represent the Government in all matters connected with the contracts for the erection of the buildings, and if the underlying motive on the part of Congress should not be the desire for economy but some dissatisfaction connected with the placing of contracts or the increase in cost of any particular building, the root of the trouble would seem to be in the administration of the Supervising

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Architect's office and not with the operation of the Tarsney Act.

Through the agency of the Tarsney Act governmental architecture in this country has made an extraordinary advance. The repeal of the Tarsney Act would be retrogressive in every sense of the word.

UPHOLDING PROFESSIONAL DIGNITY

A RECENT incident reported from England wherein an engineer brought action for damages against the proprietor of a local newspaper for publishing unjust charges concerning him which reflected seriously upon his professional ability, seems to possess elements of interest sufficient to merit attention. The engineer was awarded heavy damages by the court, but the defendant being found financially irresponsible the plaintiff was called upon to defray the costs of the action. At this juncture the Society of Municipal and County Engineers of Great Britain, to which organization the plaintiff in the

action belonged, assumed responsibility on the ground that the engineer in defending his own professional standing had also upheld the dignity of the professional body.

It is a pleasure to record this incident, which will doubtless serve both as a precedent for future action on the part of professional organizations and a warning to a certain class of writers in the non-technical press who inadvertently, it may be, but none the less harmfully, assail the professional character or ability of men in both engineering and architectural practice. When it is generally understood that representative bodies of professional men will as an organization resent and undertake to punish unwarranted attacks on any of their members, there is good reason to believe that such attacks will become infrequent, and even the lay writer will take care to make sure of his facts before giving expression to anything affecting the profession or any member of it. It might also be reasonably assumed that the assurance of such protection and assistance in time of need would not have an unfavorable effect on the membership roll.

TO RESTORE THE BATHS OF CARACALLA

(Continued from page 78)

roof in the world, supported by copper beams, no longer in existence, but there are the walls and their formation shows that the roof was flat without support from below.

Another of the discoveries is a library, the only one known to have existed in Rome, in connection with the baths. The niches where the books stood are still to be seen, with the three steps which led up to the platform before them, and other signs which seem to point to the fact that there were reading desks attached to the walls. This Caracalla library is almost a reproduction of the Roman library at Pergamo, but is much larger.

In the middle of what was once the garden of the baths, and will soon be so again,

there lies on one side a huge capital, four feet high, partly consumed. It is the facsimile of two celebrated capitals in the Church of Santa Maria in Trastevere, the origin of which had been questioned, but which is thus settled beyond dispute.

The question has often been asked, What tremendous force could have so thoroughly demolished a building of the strength of these baths, while others not so strong, like the Pantheon, are almost perfect. Professor Lanciani would not hazard a decided opinion, but remarked that undoubtedly great havoc was worked in the Middle Ages when sculptures were collected and admired, palatial buildings were being built, and there was no reverence for the work of those who had gone before. —Brooklyn (N. Y.) *Eagle*.

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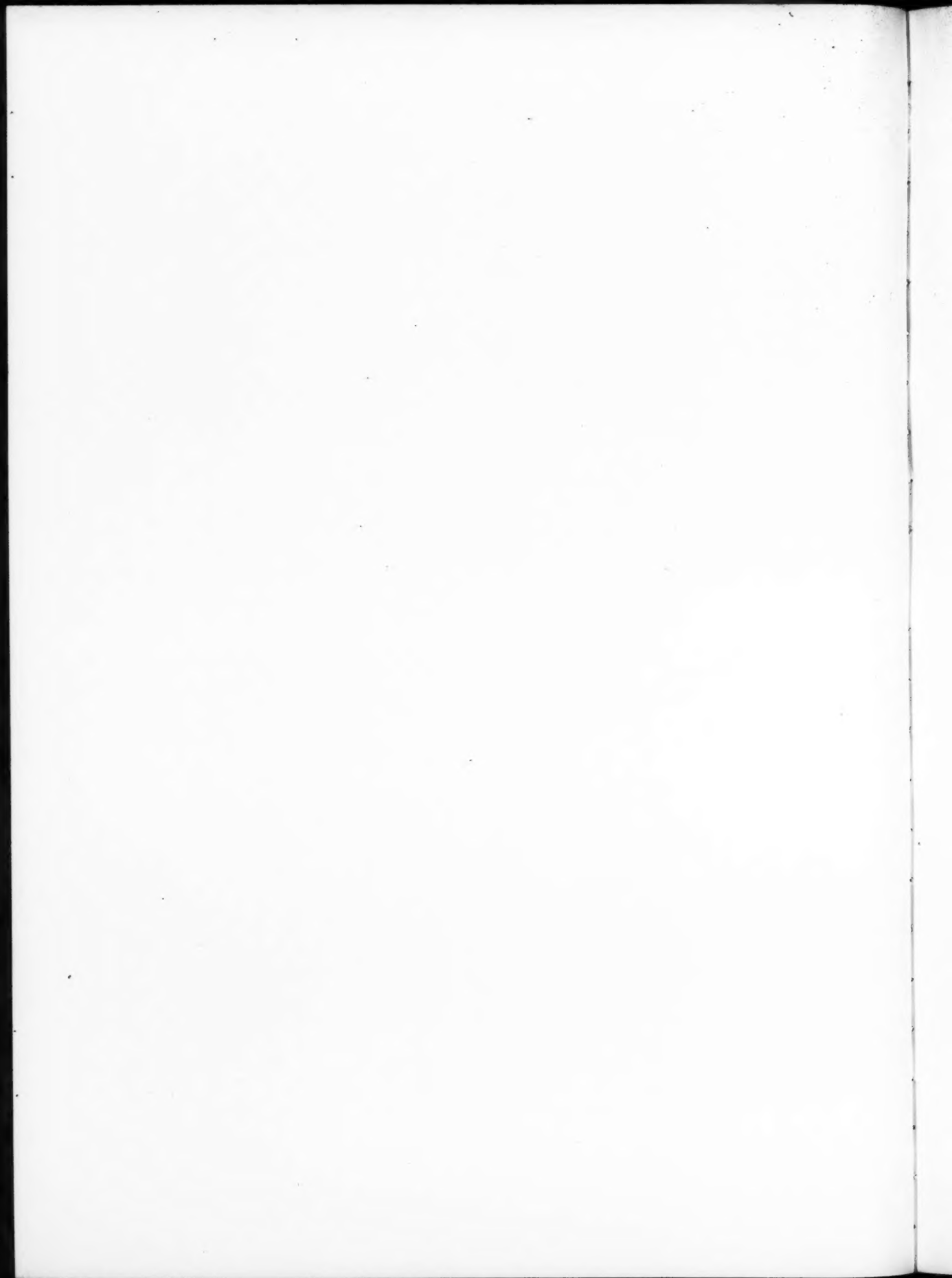
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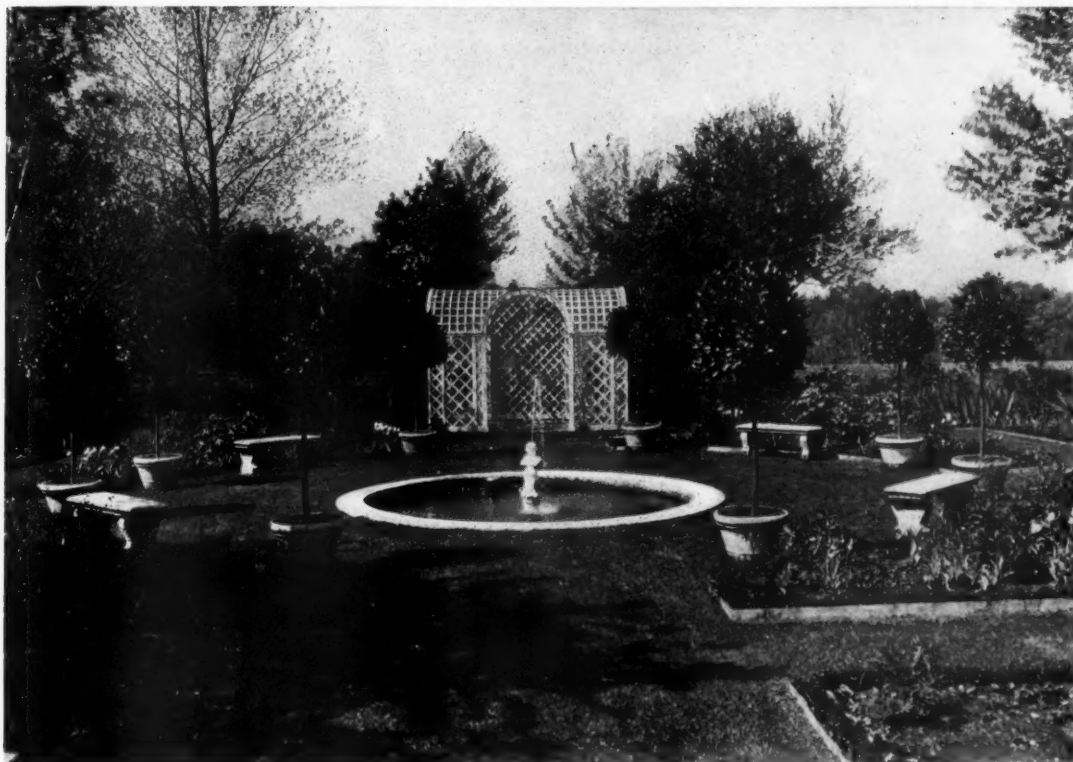
AUGUST 28, 1912



ENTRANCE FRONT

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MESSRS. BIGELOW & WADSWORTH, ARCHITECTS



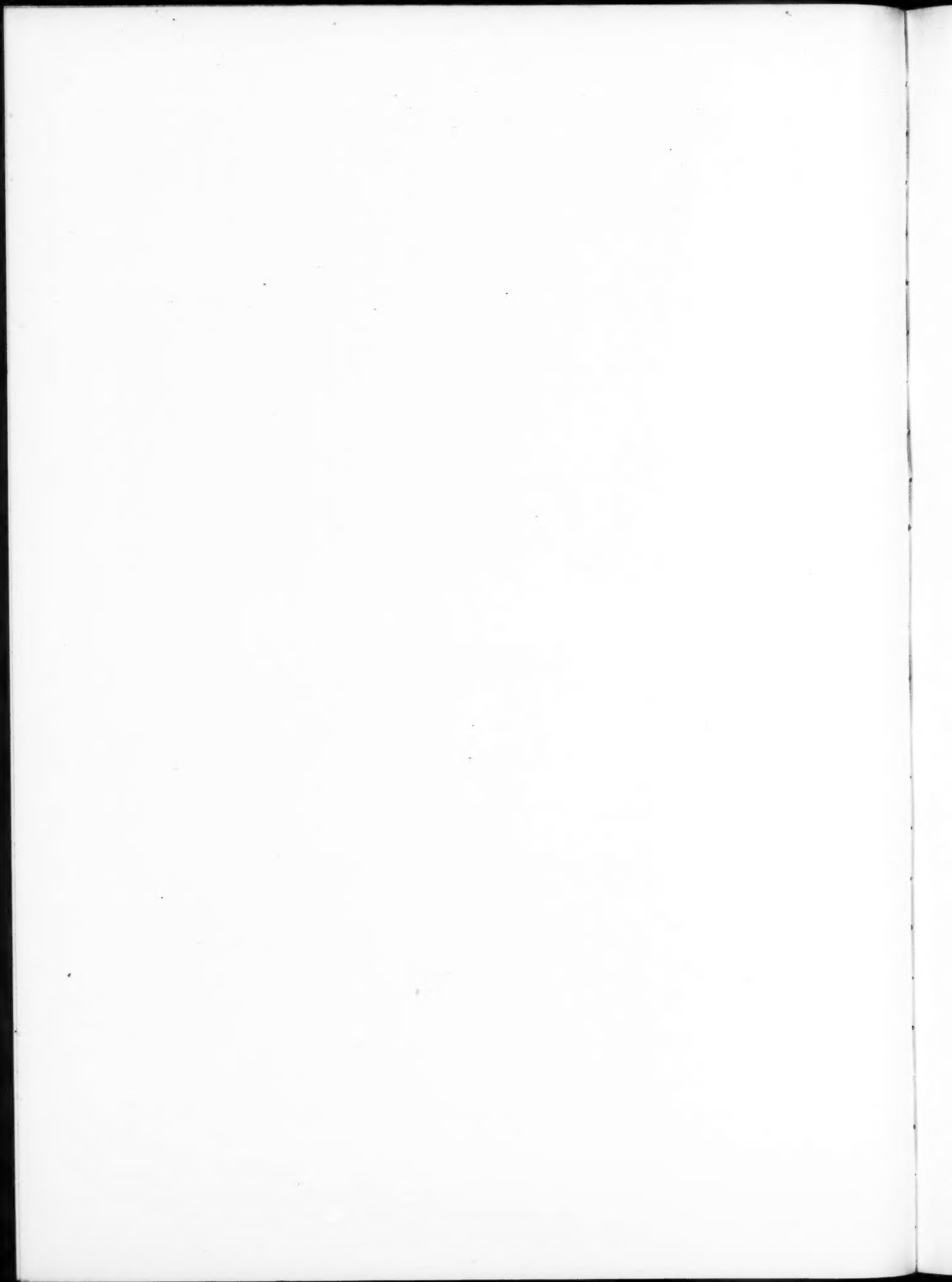


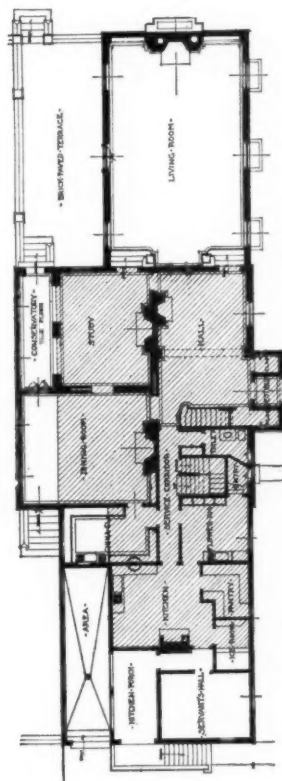
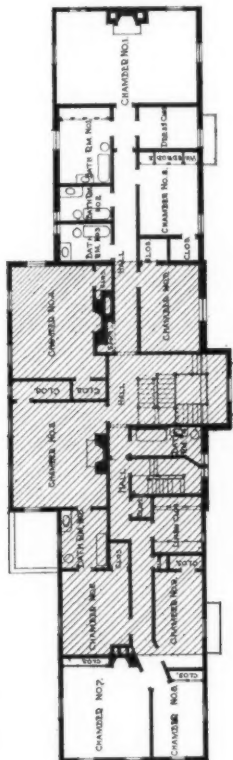
A VIEW IN THE GARDEN



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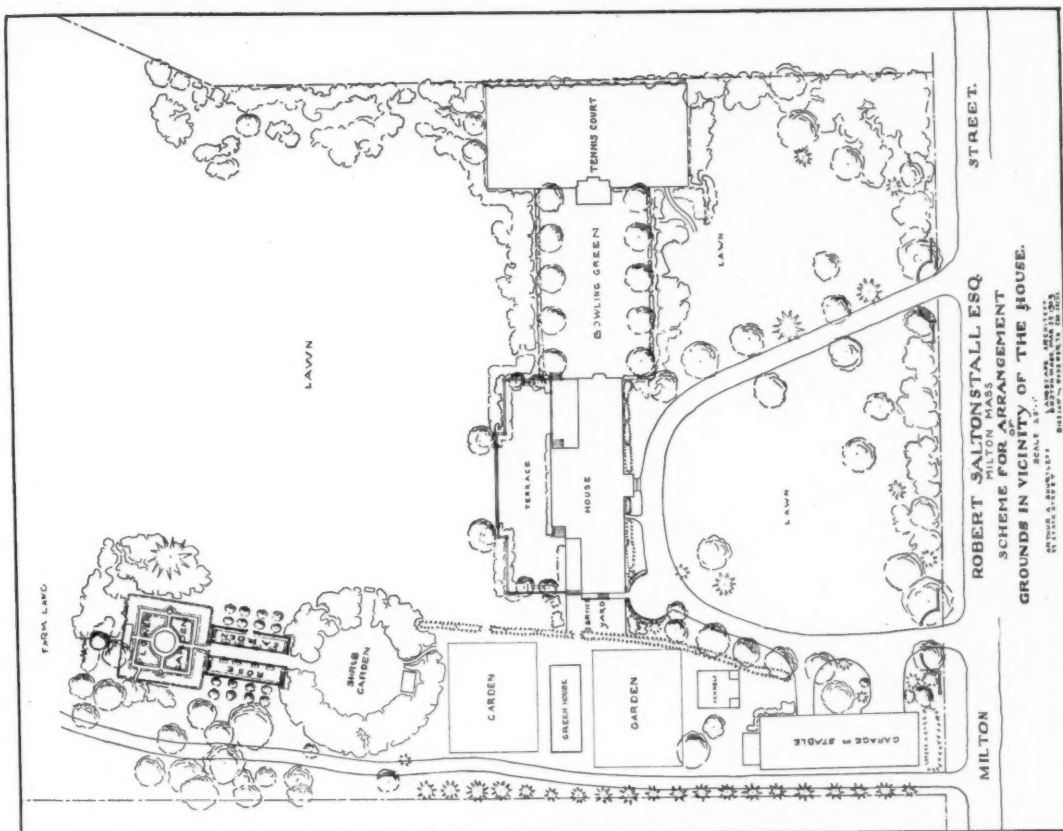
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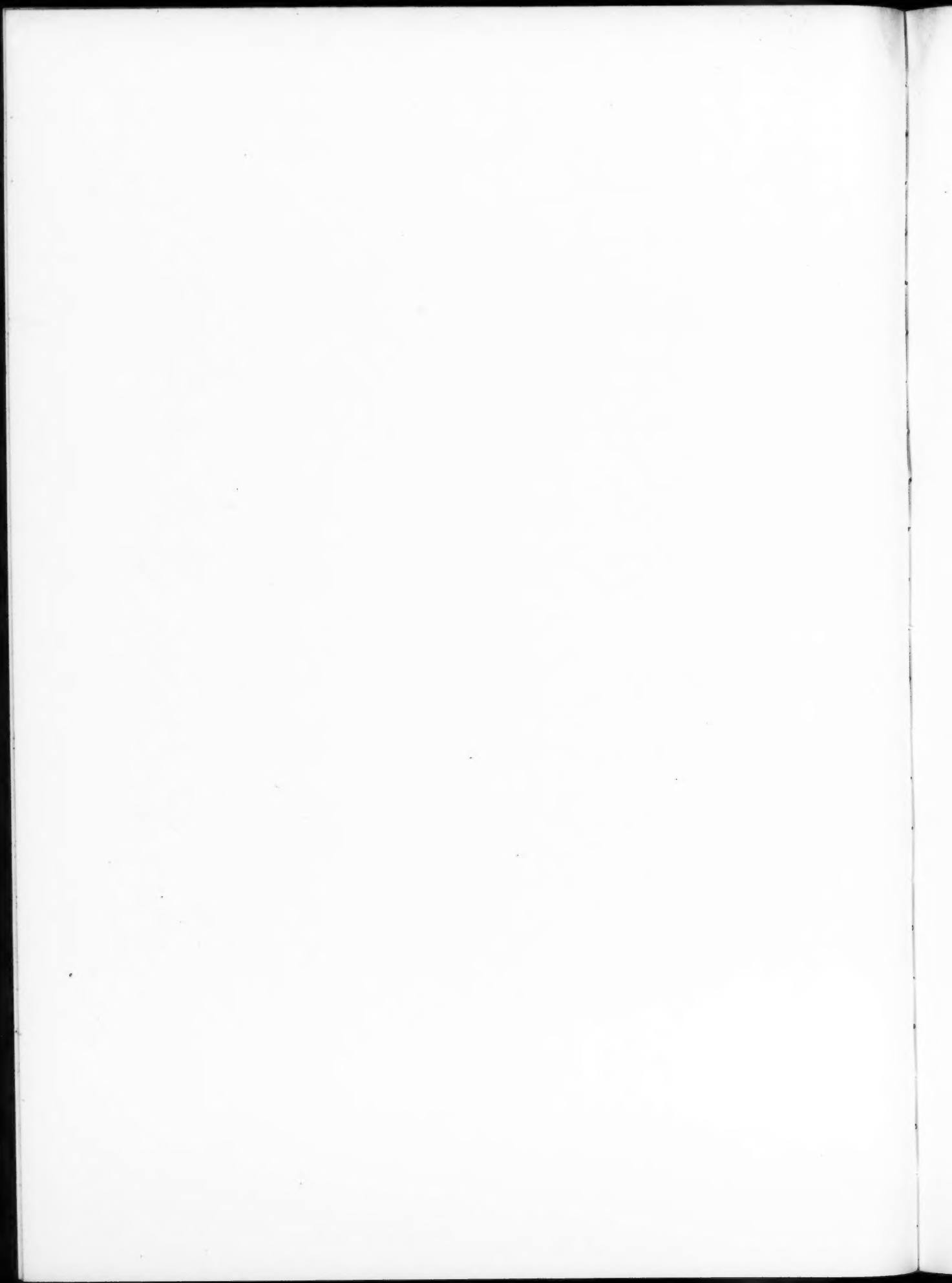




ESTATE OF ROBERT SALTONSTALL, ESQ.,
MILTON, MASS.

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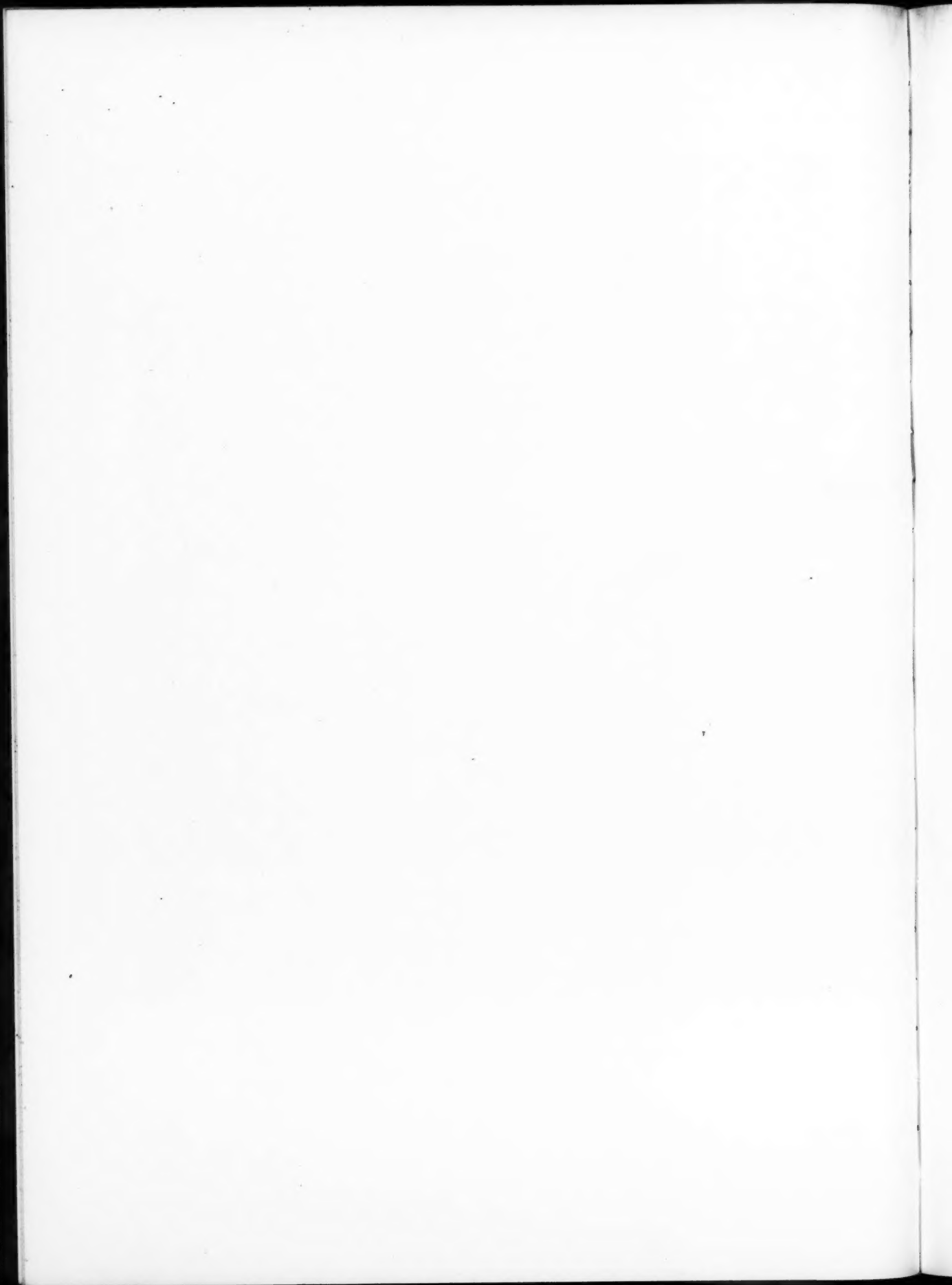


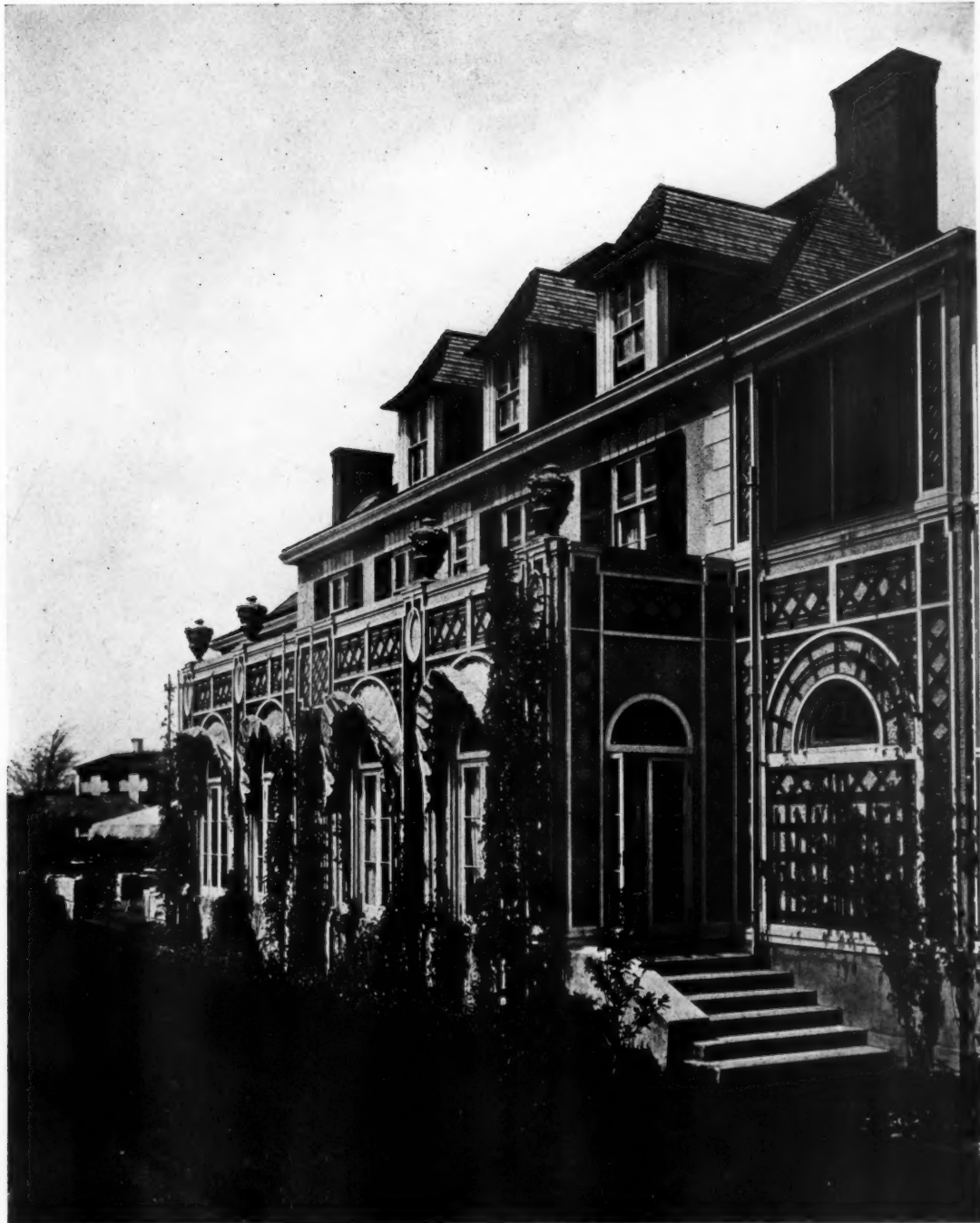




DETAIL OF ENTRANCE

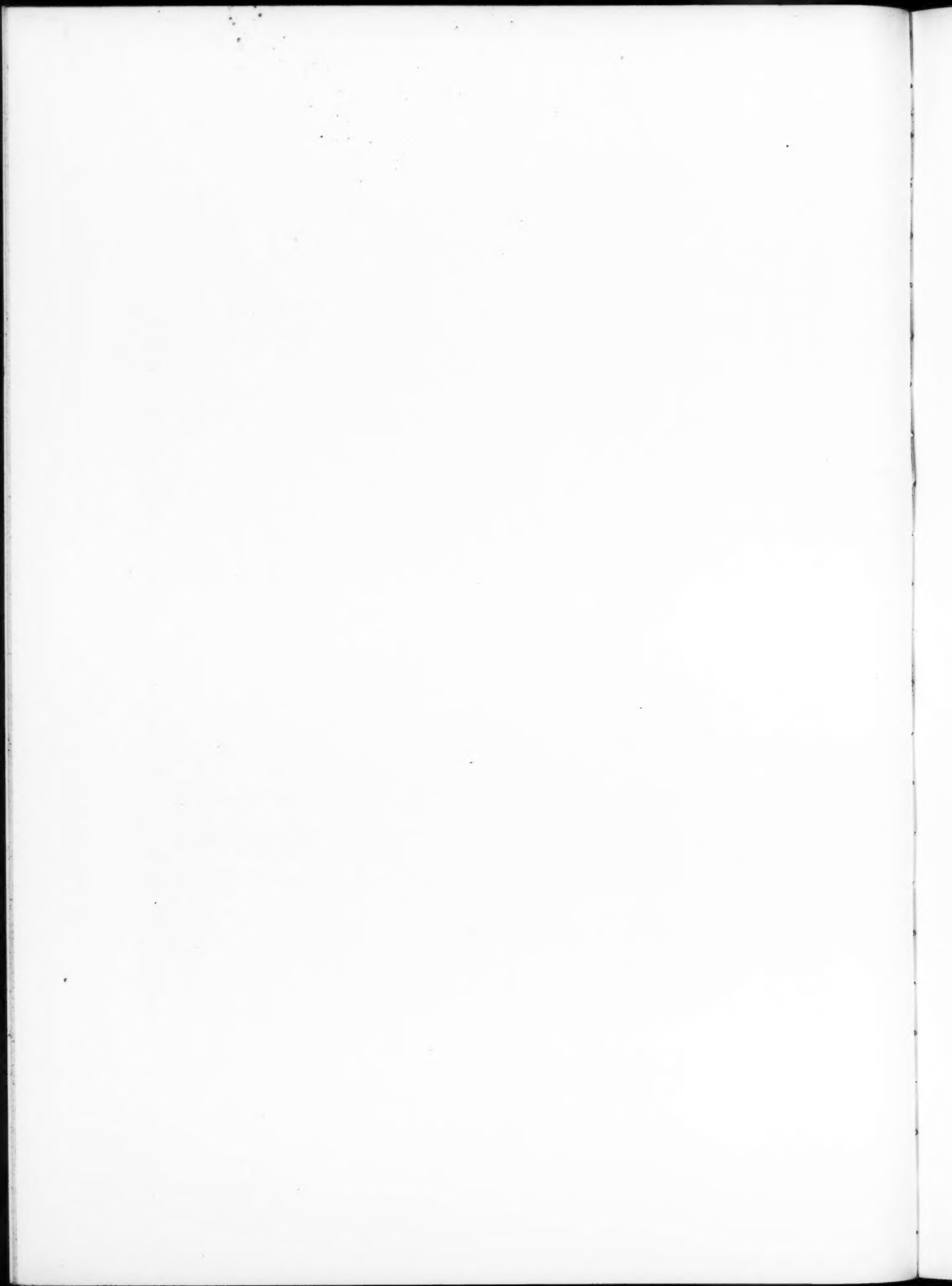
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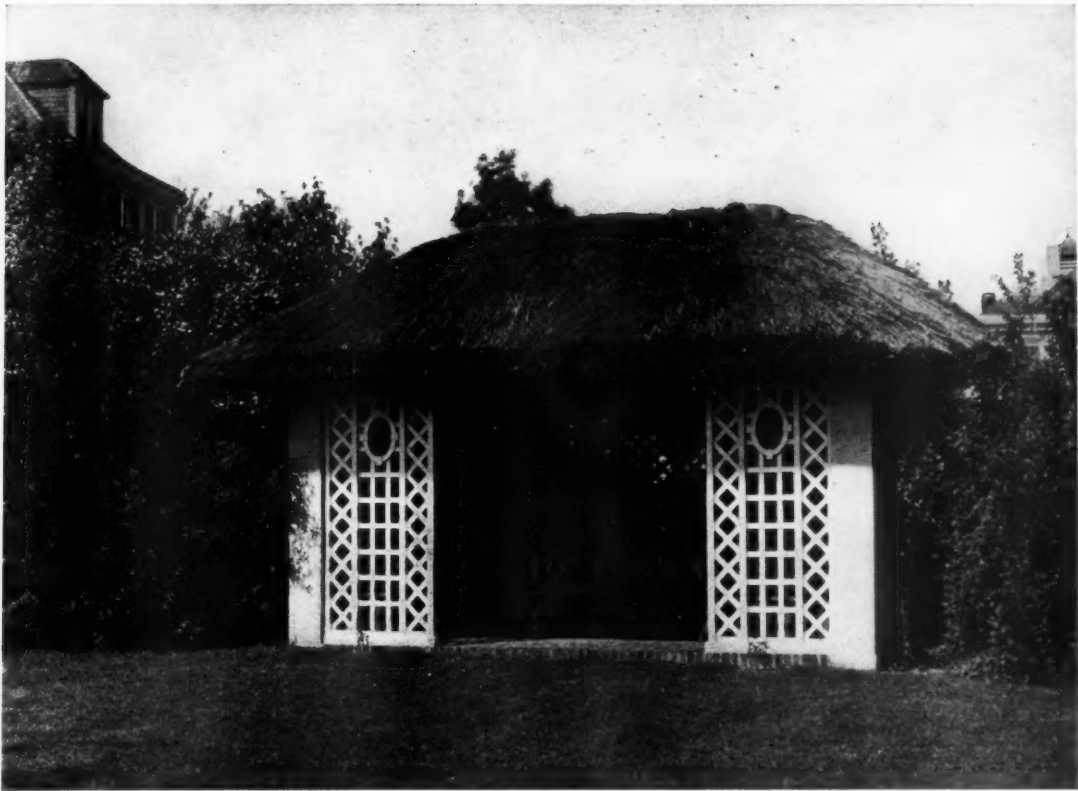




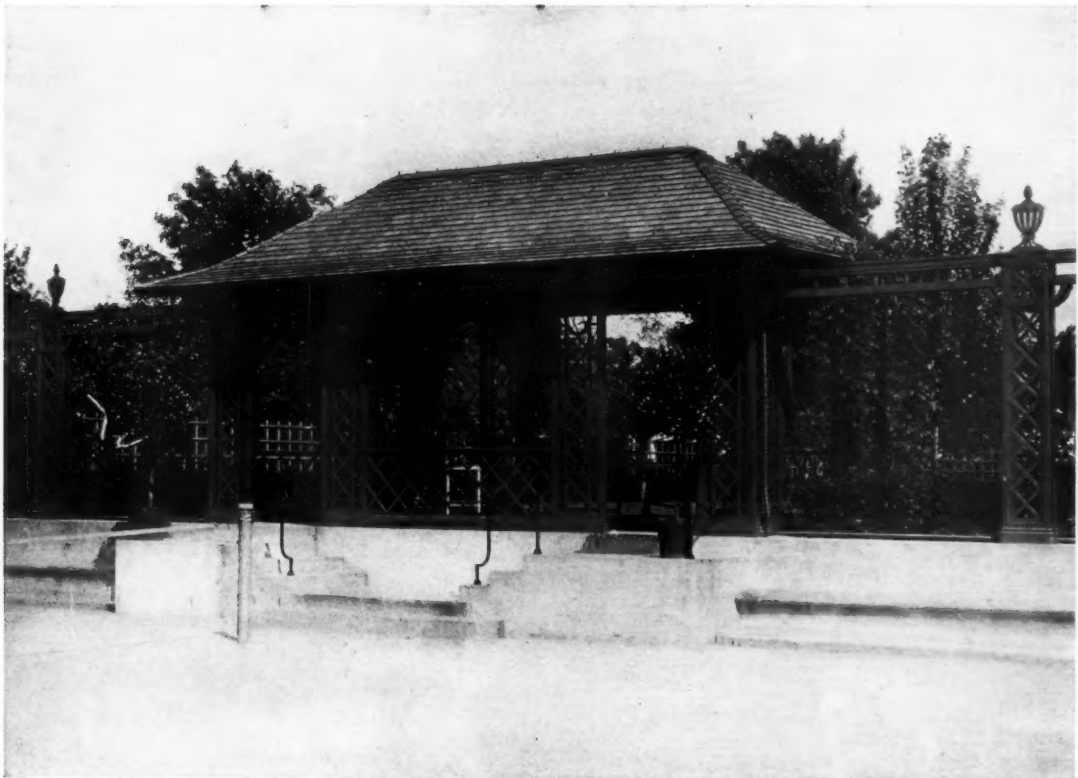
DETAIL OF TERRACE FRONT

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A CORNER OF THE GARDEN



THE TENNIS HOUSE

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THE CONSERVATORY

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THE DINING ROOM

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THE AMERICAN ARCHITECT



THE PALAZZO MAFFEI (1668) VERONA, ITALY