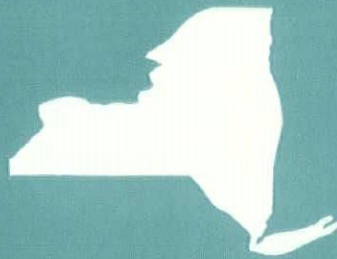


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# *Empire State*

# ARCHITECT



NOVEMBER-DECEMBER . . . . 1943

VOLUME III

NUMBER VI

LICENSING EXAMINATIONS

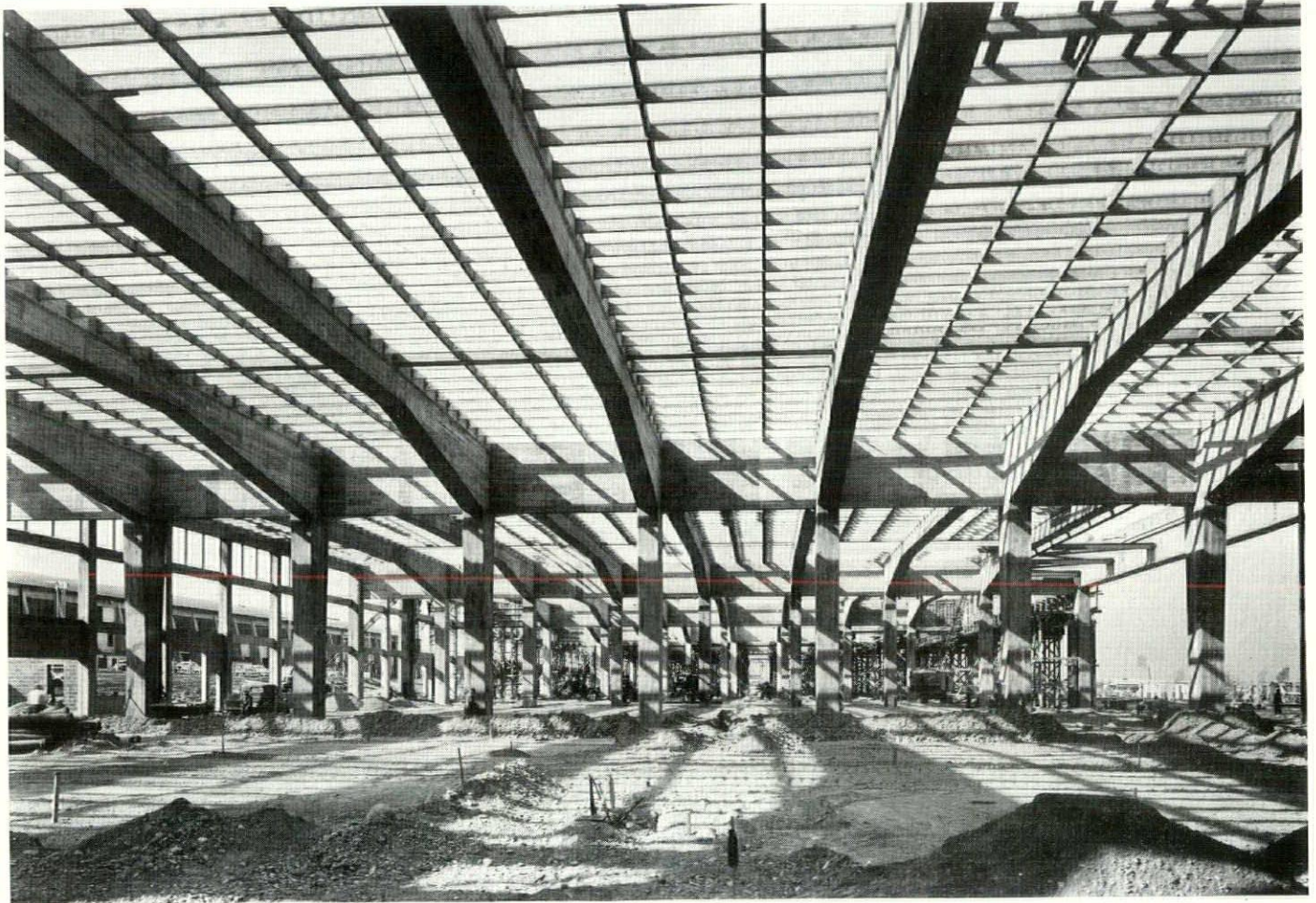
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THE OFFICIAL PUBLICATION  
THE NEW YORK STATE ASSOCIATION OF ARCHITECTS

November-December Issue—VOL. III, No. 6

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*Publisher* — Julian L. Kahle, 232 Anderson Place, Buffalo, New York.

## LICENSING EXAMINATIONS

by CHARLES BUTLER, F. A. I. A.

*President, New York State Board of Examiners of Architects*

An article published in the Journal of the Royal Institute of British Architects last winter, on the subject of the British licensure examinations in design, has led to the suggestion by Past-President Kideney that a similar article would be of help to the candidates taking the licensing examinations in New York State.

The first point made by the author, L. H. Bucknell, F.R.I.B.A., is that many candidates feel that the examination is a form of inquisition where the object of the Examiners is to trip the unwary candidate. He assures the candidates that no such feeling exists, and states that the examiner's attitude is in reality that of a client who submits his list of instructions (the program) to his architect and asks him to study it and present a drawing setting forth his proposed solution. This seems to the writer an extremely good description of the attitude of our New York board.

Our effort is to make the program as clear as possible, and before being printed it is looked over and criticized by the full board, and every effort is made to avoid language which will lead to misinterpretation, at the same time leaving all possible freedom to allow of the candidate's expressing his own personality, just as a client would wish his architect to do.

We impose no styles in our programs and traditional and modernistic designs, if they present good solutions of the problem presented by the program, are equally acceptable.

Very frequently it would appear that a candidate had not given any serious study to the requirements of the program, but had immediately set to work on making a show drawing. He should rather begin by analyzing logically the requirements.

A help in this study is the actual setting up of a schedule of requirements and even the drawing out in block form at small scale of the areas required for each of the more important units.

In his article, Mr. Bucknell suggests that from this may be prepared a series of solutions of the plan at small scale, ignoring minor details and concentrating on principal units. If the building is more than one story in height it will be necessary to sketch out similar small scale plans of one or more upper floors to see that these work out with the ground floor.

When the candidate has finally selected the solution in plan which seems to him the best, then, and only then, should he undertake to prepare an elevation.

The greatest architectural teacher of the last fifty years, the late Victor Laloux of Paris, once said to the writer: "On a good plan you can make forty good elevations, but on a bad plan you can't make any good elevation." Our board has tried, by sending design drawings for exhibition throughout the state, to make it clear to candidates that we are not asking for elaborate rendered drawings, but want well studied plans and elevations, simply presented. The candidate should realize that licensing laws are passed, not to help him secure jobs, but for the protection of the public.

He should fully realize that he is no longer a youth trying to pass just one more examination, but is a grown man, a candidate for admission to the practice of architecture, and that if successful in passing the examination he will be officially recognized by the State and given the right to use the distinguished title of architect.

Let him then, as suggested by Mr. Bucknell, so conduct himself in the examination as he would if he were actually dealing with a client and trying to the best of his ability to express his client's requirements in the form of a drawing.

# THE SECRETARY SPEAKS . . . . .

JOHN T. BRIGGS

The Annual Meeting of the Directors was held on Saturday, December 11th, 1943, at the Architectural League, 115 East 40th Street, New York City, from 10 A. M. to 6 P. M. After opening the meeting, President Ellis called upon Secretary Briggs to read the Minutes of August 21, 1942. They were approved as read. The Secretary then read the Treasurer's Report, Mr. Cantor being absent in California. Following this Chairman Goldberg of the Budget Committee read the proposed Budget for 1944 and distributed carbon copies to each director. The chair referred the Budget disposition to New Business.

Chairman Platt next reported for Legislative Committee, followed by Secretary Briggs, Messrs. Goldberg, Boehm, Lescaze, Kaelber, Winslow, Strauss and others spoke, saying: That this committee had done good work in the past but more funds were needed to do a better job in future and suggested various methods of obtaining them. It was the consensus of opinion that the Association should do this work thoroughly for the entire state and not have each locality do its individual and local action, as had been suggested. The chair ruled that discussion and conclusions be taken up under New Business.

Chairman Lescaze, Membership Committee, reported that he had a week previously received notice of his appointment; therefore, he could not report. Chairman Frost of Public Information was absent.

Public Works: Mr. Goldberg, Chairman, said that the work of his committee had largely been taken over by the Post War Public Works Committee, Mr. Walker, Chairman, whereupon Mr. Platt reported for this committee and it developed that the New York State Post War Commission is in favor of employing architects in private practice.

The Grievance Committee reported through Mr. Goldberg, has held two meetings, no report.

Mr. Kideney reported for Education Committee regarding a possible policy of selecting Architects for school buildings. Again discussion and determination was ruled by the chair as a subject proper for New Business.

Mr. Platt reported for committee on the Architect and Government Relations, stressing the necessity of our preparedness to meet legislation and other opposition and inroads on our legitimate fields of practice. How to keep government from becoming a rival of private business consumed some discussion time.

Mr. Boehm, Chairman, Committee on Constitution and By-Laws, reported. By resolution, he and his committee were thanked and the committee discharged; a new committee ordered appointed by the President. Their duties would be to study this entire subject in the light of resolutions and comments by member bodies and individuals received and to report to the directors by letter by May 1, 1944. It was also suggested to this new committee that a clause restricting to two years all elective officers, unless unusual circumstances warrant, otherwise be included.

The next item taken up was report of Nominating Committee, Mr. Kideney, Chairman. Their slate for 1944 was Charles R. Ellis, President; John T. Briggs, Secretary; William Koch, Treasurer; and for Vice-Presidents, Messrs. William G. Kaelber, William Lescaze, Ralph E. Winslow and Raymond Irrera. Mr. Koch refused to accept the nomination. Mr. Maxwell A. Cantor was nominated from the floor. There being no nominations from the floor, the chair, Mr. Goldberg presiding for this ceremony, asked Mr. Granger, as temporary Secretary, to cast one vote electing these officers. Having been informed that same had been done, the chair then declared them elected. We now recessed for lunch, it being 1:20 P. M.

At 2:20 P. M. we reconvened and discussed the subject of Executive Secretary. As near as the transcriber could tell, we need public relations action and council to bring to the attention of our buyers, the public, the manufacturer, the individual, what service the Architect performs, his use and importance to the project and the fields in which he is the only trained and experienced practitioner. The cost would be \$12.00 to \$15.00 a year additional for each dues paying architect member. Various suggested methods of financing this were discussed. No conclusions.

At this time, 2:50 P. M., it was announced that Mr. Bellew, a candidate for this position, who had also appeared and spoken to the Board on August 21st, was outside and wished to say a few words. He was granted permission and said that the Association needed the services of a full time man, as now too few men did too much at the penalty of their own welfare; he knows organization work; he will learn legislative work; now is the time to get under way, while the blossoms ripen and before they are dispelled in idle winds; he would like to discuss the whole problem with small committee having authority and would stay in New York over Sunday for this purpose; he was willing to stake his time that he could accomplish results in even one month's campaign. Mr. Bellew retired at 3:45 P. M. Certain directors, acting as individuals, impressed with his 30-day statement, raised, by voluntary subscription, a sum to put in operation this survey and demonstration, as a beacon to guide the Association's action for a year or longer. A committee of five to confer with Mr. Bellew was appointed by President Ellis in accordance with resolutions adopted by the Board.

Mr. Kideney proposed, and it was passed unanimously, that the dues of this Association for the year 1944 be at the rate of \$2.00 for each member and that further, in view of the current urgency and the absence of many members in the Armed Services, each constituent organization is requested to pay to the Association for the year 1944 only, \$2.00 for each year's dues received from its member during 1943.

It now being very near 6 P. M. and our quorum having since lunch time drifted one by each away, the meeting closed after informally mentioning the following: Mr. Winslow, new ESA cover not ready; Mr. Platt, adequate fees; Mr. Kideney, S-1531 does not mention architects; also, have 1942 Committee for Convention continued in office for 1944, as their work is partly done; Mr. Rumschik, the Western New York Society of Architects have joined as individuals the Buffalo Chapter, and dissolved.

The meeting started with the following directors and members present: Messrs. Holden, Langmann, Lux, Strauss, Weinstein, Briggs, Ellis, Lescaze, Granger, Kaelber, Kideney, Winslow, Boehm, Butler, Reynolds, Goldberg, Rumschik, Koch, McCarthy and Irrera. Teichman and Uslan excused—illness.

The meeting of Friday evening was a grand get-together with friendly spot talks by President O'Connor, New York Chapter; William Wilson, Commissioner of Housings and Buildings; Matt Del Gaudio, State Association Director, A.I.A.; Edgar Williams, Regional Director, A.I.A., this correspondent, and many others who had ideas to vocalize, all under the baton of Sidney Strauss, Acting Chairman for Committee on Arrangements.

Memorandum minutes of the regular meeting of the Directors, Saturday, August 21st, 1943—10 A. M. at the Architectural League, 115 East 40th Street, New York City.

Roll call by the Secretary showed the following men present: President Ellis presiding; John T. Briggs, Secretary; Messrs. Cantor, Boehm, Strauss, Goldberg, Kaelber, Rum-

schik, Kideney, Winslow, Cole, Jagow, Koch, Weinstein and Platt.

The first question before the Directors was that of continuing the publication of the Empire State Architect, which, after a lengthy discussion, was voted unanimously in the affirmative.

Secondly, due to the War Emergency, the contract with the Publisher of the E. S. A., Julian L. Kahle, was amended to conform to the existing conditions. Any member desiring to do so may review the minutes in this respect at the Secretary's office.

In connection with the Empire State Architect, resolution was passed favoring monthly publications and distribution and requesting Publisher Kahle to study this question with a view of resuming monthly publications.

The next question on our agenda was the employment of an Executive Secretary. Mr. Winslow outlined briefly the history of this idea in conversations held at Cincinnati and recently in Albany. This brought us up to 11:30 A. M., at which time Mr. Bellew, a candidate for this position, was introduced to us and spoke upon the good he hoped to accomplish if he was so employed by the Association. Mr. Ellis summarized subsequently in a letter dated November 3d the duties of this individual and the budget for him.

After Mr. Bellew retired, a general discussion as to ways and means ensued, during which it was brought out that in the opinion of some Directors, the \$7,180 budget was too small. Also discussed was the question of assessments upon each member and it was finally decided to solicit loans or gifts thereto from members of constituent organizations. This whole matter became rather vague, so the chair appointed a committee to formulate ways and means and to approach individuals and organizations for gifts or loans. This committee is composed of Messrs. Platt, Chairman Kideney, Kaelber, Winslow, Goldberg, Strauss. However, it did seem clear that it is the sense of the meeting that an Executive Secretary is required at an early date on the basis of one year's trial.

It now being 1:30 P. M., we retired for lunch.

At 2:30 we reconvened and listened to the Treasurer's report, which was accepted with thanks.

The next subject on our agenda was the proposed Constitution and By-Laws. Chairman Boehm read them and explained them in the fullest detail, after which they were referred to the constituent organizations for their comment or approval.

Mr. Kideney brought up the question of some form of standard fees and the necessity of such a document for all classes of work.

At this time the proposed new design of the Empire State Architect by Mr. Lescaze was exhibited and met with universal disapproval.

It now being 6 P. M., the meeting adjourned.

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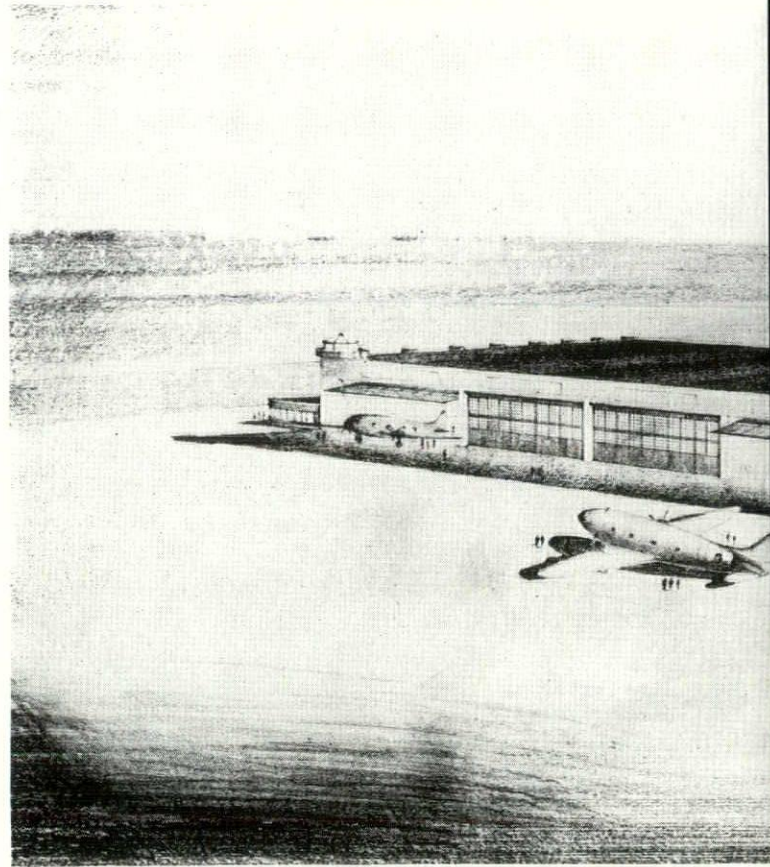
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# FLIGHT HANGAR

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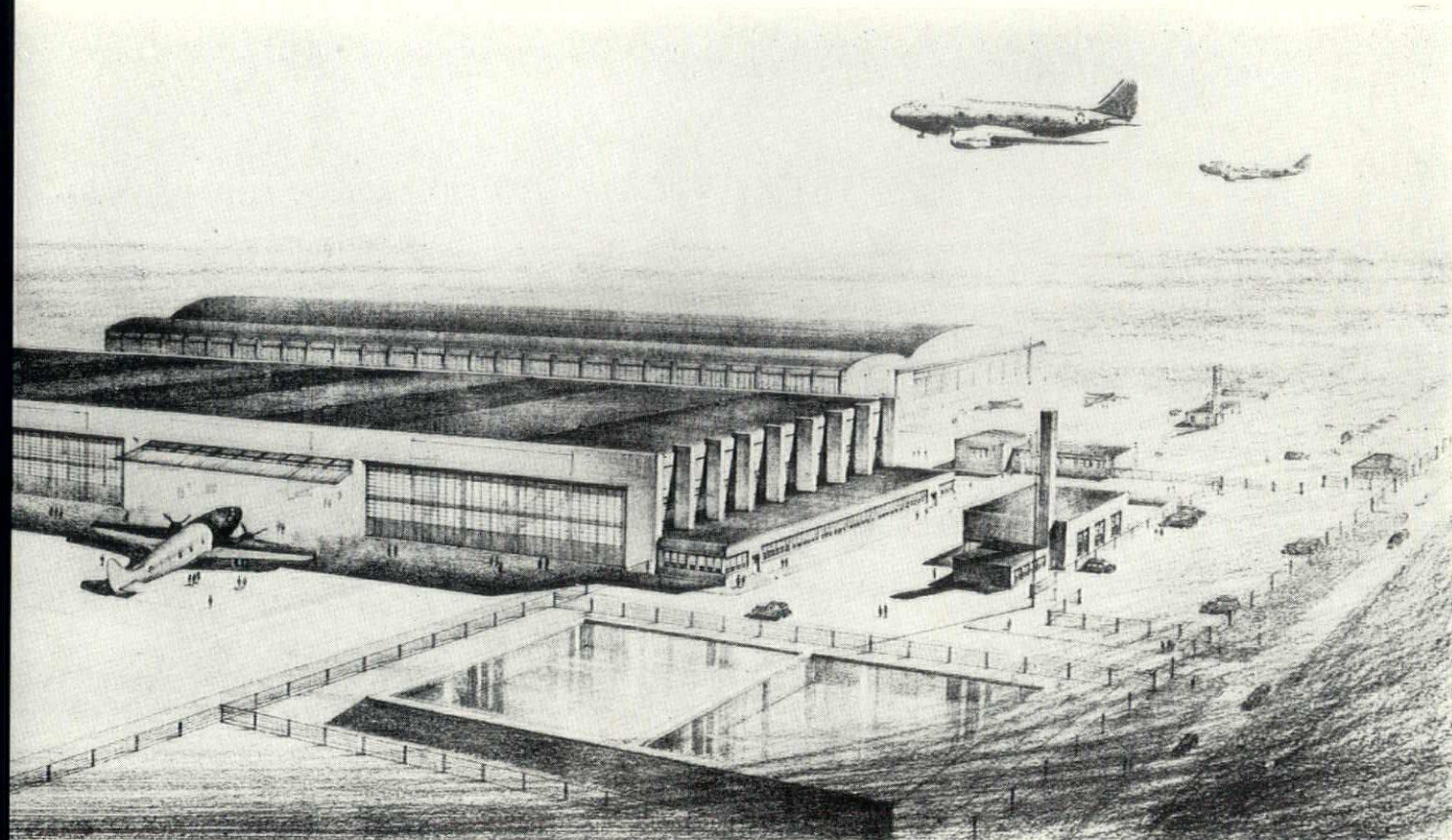
**I**N building a flight hangar at the Curtiss-Wright plant, Buffalo, New York, the chief function of the Architect-Engineer and the U. S. Engineers was to design a large flight hangar containing a number of bays each having a clear span of 125' using a minimum of critical materials. Steel is out, wood is out. What can be done in reinforced concrete? Plans and specifications must be concluded in thirty days, contract plus fifteen days thereafter. Construction completed 120 days later.

The practicing Architectural Engineer must today be prepared to use his ingenuity to the fullest. He must meet constantly changing conditions. A year ago he was governed by one set of conditions—this year by quite a different set. A year ago certain materials were available which are no longer to be obtained. This year a new solution must be found. After the most careful consideration, the use of reinforced concrete provided the completely satisfactory answer to the problem.

Reinforced concrete structure illustrated herewith was designed to meet all the requirements and restrictions of this

wartime period and to satisfactorily solve the problems with at least as reasonable a cost as similar buildings designed in wood or steel. The design was fully developed taking advantage of the use of materials readily available in the locality so that no delay of any kind was caused in the construction of the building due to waiting for materials difficult to obtain. The flight hangar recently constructed, as illustrated, in addition to the clear working floor space of approximately 180,000 sq. ft. has at either end a one-story section, in one case for the use of officers and in the other for auxiliary services. Along one side are groups of toilet and locker sections, first aid, and other usual plant facilities.

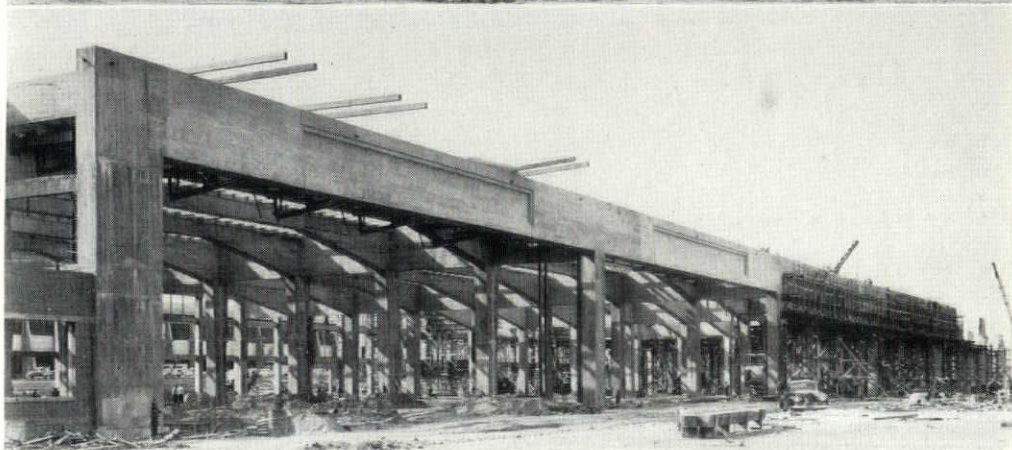
The flight hangar was designed, under the direction of the U. S. Engineers, by Duane Lyman and Associates, Architects; James Gill and Thomas McKaig, Structural Engineers with Professor C. E. O'Rourke of Cornell University as consultant; Beeman & Candee, Heating and Ventilating Engineers; and Nussbaumer and Clarke, Civil Engineers, all of Buffalo, New York. The structure was constructed under the direction of the office of the U. S. Engineers. The general contractors were Poirier & McLane of New York City.



Construction Photograph of West Side of Hangar Showing One Story Office Section



View of North Side of Hangar Showing Openings for Hangar Doors



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## IN MEMORIAM

It is with a keen sense of loss to the profession that we note the passing of Robert R. Graham, nationally-known school architect, who died at his home in Middletown, New York, on November 8th, 1943.

Mr. Graham was born in Tarrytown July 27th, 1891. He graduated from Syracuse University with a B.Ar. degree in 1914; and studied advanced design at Atelier Corbett in New York.

Among Mr. Graham's outstanding projects is the Franklin Delano Roosevelt High School in the Hyde Park Central School District, which drew warm praise for the architect from President Roosevelt.

Mr. Graham was a member of the New York Chapter of the American Institute of Architects.

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# BUY WAR BONDS

*"Let's All Back the Attack"*



The endeavor, here in the New York sector, of Civil Service groups to eliminate the private architect and engineer from the planning of public works goes on apace. We meet it each year in Albany in the shape of legislative bills in the State Legislature, and each year these bills are defeated.

Here in New York City, this hostile activity has recently quickened its pace and increased its volume due largely to the huge appropriation the City has made for architectural and engineering services in order to have plans for post-war construction prepared and ready to meet the employment emergency. This total appropriation for professional services aggregates more than twenty-two million dollars and the post-war construction program exceeds seven hundred million dollars. This has created a contest between the professions and the Civil Service as to what share each should receive of this work; and the Civil Service interests have attacked the award of any of this public work to the private practitioner in three different ways,—two by litigation and one by attempted legislation.

### I.

The first attack came early in the Spring in the shape of a suit instituted in the name of one Hardecker, a Civil Service employee, and others, including the Federation of Associations of Employees of the Board of Education vs. the Board of Education. This involved school buildings only; and the professions intervened in the capacity of "amicus curiae," or as a "friend of the court" as it is also called, in order to add their weight to the defense the City was setting up. The suit was instituted under the State Education Law, a State Law, which reads to the effect that the bureaus of the Board of Education shall design all school buildings in New York City excepting as the law reads, in "special cases," in which upon the approval of the Board of Estimate the work "may be otherwise performed." The case hung on the interpretation of "special cases" and Justice Klienfeld of the Supreme Court, in his opinion upon the question, stated:

"It would seem that a 'Post-War Works Program' is a special case in that it is something out of the ordinary, uncommon and extraordinary. It has for its aim an easy transition from a war to a peace economy immediately following the cessation of hostilities, and particularly the prompt employment of soldiers as they return from the far-flung and widespread battle-fronts. Under such circumstances the Court may not give to the words 'special case' a narrow construction which in effect might tend to defeat such laudable purposes."

This decision was appealed to the higher courts and the lower court was sustained unanimously.

Since the lower court in its decision accentuated the war emergency as a primary basis of its findings, no broad definition was laid down as to just what "special cases" would mean in the light of normal times. In that respect further litigation may develop should the Board of Education favor the profession with future assignments after the present emergency is over.

### II.

The second suit was instituted by the Civil Service Technical Guild vs. the Mayor and other City officials and was based on the broad grounds of the alleged rights of Civil Service employees under the Constitution of the State and under the Civil Practice Act to preferential employment on public work as long as the Civil Service lists have not been exhausted. Then and only then, it was contended, could the City employ the private practitioner.

This attack went further than the first case in that it embraced all Departments of the City, and sought furthermore to invalidate contracts already awarded to the private offices,

and to forbid any payments under those contracts.

This case was won by the City and the professions in the court of first resort and Justice Pecora, in his opinion, quoted from the State Constitution as follows,— "Appointments \* \* \* in the civil service of the State, and \* \* \* cities \* \* \* shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which so far as practical, shall be competitive, \* \* \*", and he then proceeded to state,— "The reasons for the action taken by the Board of Estimate, advanced in the answering affidavits, are pertinent only to the question of whether there has been any arbitrary or capricious exercise of a power. The contracts attacked were evidently entered into to meet technical problems for which private firms were especially equipped to master, to accelerate the completion of plans, and to assist in preserving intact many private engineering and architectural organizations that would otherwise be dispersed to the great detriment of the city. It is clear from the undisputed facts that the power of the Board of Estimate was wisely exercised, and were this court permitted to review such discretion it would confirm the actions taken. There is presented, however, the legal issue of constitutional infraction.

In approaching the problem certain unmistakable signs along the road point to the correct solution. Since the organization of the City of New York in 1897, it has been a practice, when deemed advisable, to award contracts for private architectural and engineering services. The difficult architectural and engineering problems involved in the construction of public improvements demand the highest degree of specialized professional skill for their solution. The city for years has searched among those with experience and talent to meet the requirements of design and construction called for by the nature of the particular improvements under consideration. This long standing practice constitutes a practical construction of the constitutional provision dealing with civil service. Whenever the power to award such contracts has been challenged, courts have approved the practice."

The court furthermore stated that, "the award of contracts for architectural and engineering work does not constitute a method for making 'appointments' in the 'civil service' of the City. The provisions of the contracts awarded do not create any employer-employee relationship but a contractual one between an independent contractor and the City. The contracts call for specific studies, plans and specifications. The City does not control the office organizations of such firms, has nothing to do with the persons they employ, does not prescribe hours of employment, and is not their sole client."

The court concludes its opinion with the statement that, "nothing contained in the Constitution of the State of New York or in the provisions of the Civil Service Law, prohibits the City of New York from awarding contracts for architectural and engineering services to private concerns in connection with the Post-War Planning Program. This court further holds that the action of the city attacked herein is in line with sound public policy and represents a wise exercise of discretion."

Running through this opinion, as in the school case opinion, there is also reference to the war emergency and the decision itself expressly sustains these awards "in connection with the post-war planning program." The text of the opinion is based upon more general grounds and would seem to sustain such employment in normal times to a greater extent than does the opinion in the school case. In any event, appeals are to be expected in both litigations and the professions will continue to be represented in defense of their interests.

The Chapter initiated the defense procedure by calling together a meeting of all architects and engineers with City

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contracts and obtaining their authorization to proceed and their pledges for the necessary financial support. All items of litigation including the selection of attorneys and the raising of funds, have been handled through the Legislative Committee of the Chapter. The firm of Eidlitz, French and Sullivan, Esqs., was selected due to their experience in such litigations and their success in conducting a suit of a similar nature for the Chapter a few years ago.

The expense of these litigations has been considerable and this has been borne partly by the Chapter which underwrote the fees up to a stipulated amount, the balance being subscribed by those in receipt of City contracts, with an appreciable contribution from two of the engineering societies.

### III.

On a third front, and as an aftermath of the two adverse decisions in the courts, the avenue of legislation has been again opened up and the old bill to bar the professions from the City work was polished up and brought out for public hearing before the Committee on Civil Service Employees of the City Council. The wording of the bill is the most drastic yet composed as it definitely aims to nullify the favorable provisions of the City Charter and the favorable construction the courts have put upon it which now permits the employment by the City of private architects and engineers in a "consulting capacity," and that was construed to include full services if so engaged. The new bill attempts to nullify both these advantages.

For this hearing the Civil Service turned out in force and the Chapter was represented by its president, Mr. Robert B. O'Connor, and the Joint Committee of The Architects Societies of the Metropolitan Area by the Chairman of its Legislative Committee, Mr. Sidney I. Strauss. They both spoke in opposition as did a representative of the engineers, as well as representatives of the City Administration, including Commissioner Moses.

The consensus of present opinion is that the bill will go back to the Committee for an indefinite stay, though the professions must be constantly alert for whatever may happen. It is certain that the Administration as well as public-minded citizens are opposed to any attempt to tie the hands of the City and deprive it of the same freedom of contract that is enjoyed by any successful organization, be it governmental or private in character, that carries the responsibility of serving its constituents to the best of its ability and with the best talent available.

Driven by these ceaseless attacks on the contract rights of the professions, the Chapter has under consideration, as a counter move to these oppressive measures, a legislative proposal of its own that aims to establish once and for all what is the true scope and limit of a governmental architectural bureau that would be fair to the Civil Service, to the professions, and to the public at large, as well as compatible with the exigencies and responsibilities of the City government.

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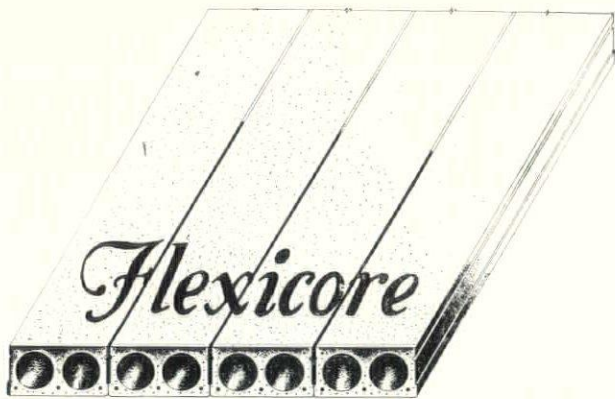
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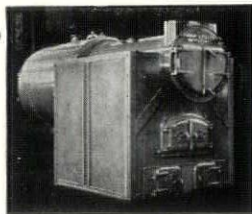
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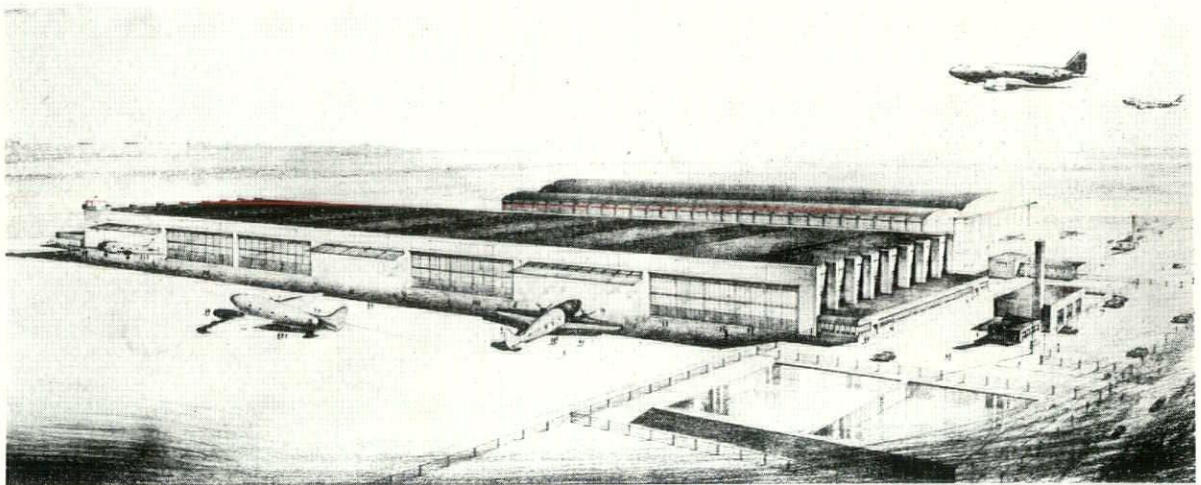
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