DETROIT CHAPTER TO HEAR SLEEPERS

Harold R. Sleeper, President of the New York Chapter of The American Institute of Architects, will be the speaker on the first fall program of the Detroit Chapter, A.I.A., at the Rackham Memorial Building, on September 15. Dinner will be served at 6:30 and the lecture will be at 8:00 p.m. in the Small Auditorium. Mrs. Sleeper will accompany him and take part in the program.

Mr. Sleeper's subject will be THE HOUSE FOR YOU to Build, Buy, Rent, which is the title of a book by Harold and Catherine Sleeper, just published by John Wiley & Sons, of N.Y.

There is no subject of greater interest at this time than that of the small house. Accordingly, the Detroit Chapter is inviting the public to attend free.

Catherine and Harold R. Sleeper are peculiarly well-suited for the authorship of such a book as THE HOUSE FOR YOU. It contains much commonsense advice on every phase of building or acquiring a house. Because the Sleepers believe that their readers should actually see what is being discussed, almost one-third of the book contains pictures.

Harold R. Sleeper is a well-known architect who has designed everything from garages to banks, from college buildings to bungalows. He lectures at Columbia University, and at the New York School of Interior Decorating. He is co-author with Charles G. Ramsey of Architectural Graphic Standards—the architects' bible—and is author of Architectural Specifications. In 1942 and 1943, he was awarded the Joint Brunner Scholarship offered by The Architectural League of New York and the New York Chapter, A.I.A.

Catherine Sleeper is a graduate of Packer Collegiate Institute and did graduate work in the History of Architecture at Columbia University. An active committee woman, she has been Chairman of the Board of Governors of the English-Speaking Union of New York, and President of the New York Council of Church Women. She is author in her own right, and has contributed to her husband's latest book her knowledge of writing, and experience in living and working in a house.

BELOW: Scribner's (N.Y.) window display of "THE HOUSE FOR YOU". In addition to original drawings, it includes a model of a modern house flanked by mirrors, prepared by Thomas Greer Coles, A.I.A. (Courtesy of Publishers' Weekly)
THE LEGAL BACKGROUND OF ZONING
(Continued from our August 31st issue)

When the decision of zoning authorities comes before the courts, it will be sustained if, and only if, it meets certain requirements. The decision must be legal, that is, it must accord with those principles of law which I have discussed and must be within the power which has been delegated to the officers. It must not be arbitrary, that is to say, the decision must not be one reached without regard to the facts and considerations which are relevant to the issue before the board; still less may it have its foundation in caprice, favor or prejudice. The decision must not be unreasonable, that is to say, it must be one which has its foundation in sound reason applied to the circumstances of the particular case. These tests which the court applies not only mark out the function which it performs, but they no less condition the exercise of power by zoning authorities. The basis of the decision must always be the relevant facts and conditions which are before the board. There is no moral or legal trust which is reposed in him.

THE SLEEPERS PROGRAM

The Detroit Chapter is fortunate in having Catherine and Harold Sleeper to open its first meeting of the 1948-49 season. Such a team that combines practical knowledge with aspects of housekeeping is hard to beat.

Recently they were heard on the radio program, “On the Century”. They never miss an opportunity to further the interests of architects and the profession in general, urging the employment of architects, even before the selection of a site.

It is expected that they will be on a radio broadcast while here, and at the book stores to autograph copies of their book.

A press luncheon has been arranged for them at noon on Wednesday, Sept. 15, at the Detroit Athletic Club. Ladies are invited to attend the Chapter dinner Wednesday evening, Sept. 15, at which the Sleepers will be guests.

The lecture in the Small Auditorium at E. S. D. will be open to the public without charge. In addition to covering the various phases of architect-client relationship, there will be a short skit of a client entering an architect’s office, so the program will be entertaining as well as instructive.

There are two matters upon which zoning boards are called to act which present some of the most difficult situations confronting them and which are the source of much of the criticism addressed to them. One arises out of the provision found in most zoning ordinances which gives to zoning boards the power in appropriate cases to vary the application of the regulations in harmony with their general purpose and intent and then goes on to specify various grounds upon which they may act, particularly in cases where there are “practical difficulties or unnecessary hardships.” The words “practical difficulties or unnecessary hardships” are an inheritance.
Jarbrooke — New Residence of Mr. & Mrs. R. H. Starr
28525 STREAMWOOD LANE, BERKSHIRE GARDENS, SOUTHFIELD TOWNSHIP, MICHIGAN

LEFT: East Elevation

RIGHT: South Elevation

ABOVE: West Elevation and Valley View: RIGHT

WRIGHT & WRIGHT Architects
Detroit, Michigan
When Frank and Lloyd Wright, father and son, of the firm, Wright & Wright, Detroit architects, were commissioned to design a new home for a client the requirements were as follows: It must have the elegant appointments of a town house; the casual informality of a country home; the "last word" in practical devices for modern, efficient housekeeping; and above all, for the owners to be able to entertain their grandchildren in a setting of idyllic serenity for more gracious living.

This large order was harmoniously achieved in "Starbrooke", the new residence of Mr. & Mrs. Roland Hale Starr, 28525 Streamwood Lane, Berkshire Gardens, Southfield Township, Oakland County, Michigan. The site consists of 1 1/2 acres.

Built on a hillside overlooking the Franklin river, the entrance and east elevation, approached by a broad lawn, is one-story high, consisting of entrance hall, living-dining room, porch, kitchen, two bedrooms and two baths. This becomes the second story on the west elevation below which is built an immense recreation room, study, bath, hobby room, kitchen, service and utility room, fruit locker including deep freeze, and a two-car garage.

The house is of light buff Darlington face brick with a huge Briar Hill sandstone chimney and terrace walls. The trim is chocolate brown.

On the west elevation terraced embankments sweep down from the house to the Franklin river, which winds through the picturesque and woody valley below. A rustic bridge crosses the stream.

One of the outstanding features of the house is the wall grillage of bleached birch that separates the slate-floored entrance hall from the living room. This gives the feeling of spaciousness and also a cross-window view.

The living-dining room is 15' x 37' with a large Thermopane picture-window, with Pella windows on either side, overlooking the valley. The walls are painted dark olive green with the exception of the north wall which is of Briar Hill sandstone, including the fireplace. The plain desert-sand carpeting has a sponge rubber foundation. Draperies are of hand-blocked, Irish linen with brown and olive green leaf design to carry out the valley-forest atmosphere, as seen through the picture window. The tones of the room are kept toward the neutral shades so that arresting and colorful furniture may be placed in the room and changed from time to time without disturbing the original background.

The large enclosed porch with Venetian blinds is off the dining end of the room. The floor is of sand-colored tile.

Coral walls and blue counter tops on the service fixtures make the kitchen gay and inviting. It is a complete electric kitchen.

A grilled staircase of bleached birch leads down from the entrance hall to the 23' x 37' recreation room below. This room has walls of bleached birch plywood. At the north end is a Finnish-type fireplace of Briar Hill sandstone with a companion fireplace in the same wall, outdoors, for barbecue purposes. This recreation room also has large Thermopane picture windows facing the Franklin river valley.

The walls of the study are in mahogany with large Pella windows and a Briar Hill sandstone fireplace.

The house has radiant heat with an electric oil furnace. Schlage hardware was used throughout, Pella windows
complete with double glazing and Rol-
screens.

Much of the furniture to be placed
in the rooms throughout the house has
been specially ordered, and, because
many of the materials used are coming
from foreign lands, it will be some time
before the house is completely furnish-
ed as planned.

According to the owners, the whole
site will require about five years for
development and at the end of that
time they expect to reap the full glory
and fruition of their effort to make
"Starbrooke" their dream house on a
hillside.
ZONING (from page 2)

from one or two of the very early zoning ordinances. They were not well chosen then and their continued use has, I think, been very unfortunate. They almost deny critical analysis. Our court has attempted to give them a sensible and practical meaning. We have said: 'While the words 'practical difficulties or unnecessary hardships' are found in many zoning regulations, no court, so far as we have been able to find, has ever regarded the words 'practical difficulties' as having any significance in themselves; indeed, they are too lacking in precision of meaning to afford a standard sufficient to sustain the delegation of power to the board; and the phrase is construed as a whole. In applying such a provision, the requirement that any change shall be in harmony with the general purpose and intent of the ordinance is highly important. This consideration is emphasized by the use of the adjective 'unnecessary' in modification of 'hardships', because it can only be related to those hardships which do not follow as the ordinary results of the adoption of the zoning plan as a whole.' (Devaney v. Board of Zoning Appeals, 132 Conn. 537, 541.) Even that statement lacks somewhat in effectiveness as a guide in solving the problems which present themselves under these provisions and in a later decision we sought to formulate a more concrete basis upon which the action must rest by saying this: 'To justify a variation under such a provision in a zoning ordinance it must appear that the change will not substantially affect the comprehensive plan of zoning in the municipality and that adherence to the strict letter of the ordinance will cause difficulties and hardships the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan.' (Stavola v. Bulkeley, 134 Conn.)

You see that under this test the fact that through the application of the strict provisions of the zoning ordinance an individual will suffer hardship or loss or will even be deprived of the opportunity to make a use of his property most advantageous to his own interests is not in itself a sufficient ground to grant the variance. As our court has said: 'Disadvantages in property value or income or both, to a single owner of property, resulting from application of zoning restrictions, does not, ordinarily, warrant relaxation in his favor on the ground of practical difficulty or unnecessary hardship. Financial considerations alone, cannot govern the action of the board. They are bound to take a broader view than the apparent monetary distress of the owner. Otherwise, there would be no occasion for any zoning law.' In fact to alter the application of the ordinance upon such grounds would destroy the very purposes for which zoning is established. The only test which...
the law admits is, can the hardships which the individual will suffer under the general provisions of the regulations be alleviated without substantially affecting the general purpose and intent of the ordinance as a plan to serve the best interests of the community as a whole.

One particular aspect of the power to vary perhaps merits a further word. It is becoming rather usual to insert in zoning regulations a provision that permits for the use of premises for the sale of liquor shall not be granted within a distance of 1000 or 1500 feet or the like of other premises where such sales are permitted. Such a provision is the statement of a public policy of the community adopted by its proper legislative authorities. While existing places of this character at closer intervals may continue as nonconforming uses, the policy of the community is that as such uses cease the restriction will be more closely approximated. To grant a new permit for the use of premises for the sale of liquor within restricted areas is to fly directly in the face of the declared policy embodied in the ordinance. The right to vary its provisions is an exceptional power to be used only in unusual cases and it would be a rare case where a board would be justified in varying this particular regulation. (Stavola v. Bulkeley, 134 Conn.)

The other particular matter of which I want to say a word concerns the granting of an application after one or more previous applications for permits for the same use have been refused. When a board takes such action, it is peculiarly open to the charge that it has acted through influence exerted upon it rather than upon the ground of the facts and circumstances surrounding the particular location. The law governing the action of a board has been stated in this way: "... while the board is invested with a liberal discretion to decide whether to reverse a former decision. It is a discretion which is subject to review in the courts and it must be reasonably and legally exercised and based upon evidence which fairly sustains the decision. It 'should not ordinarily be permitted to review its own decisions and revoke action once duly taken. Other-power there would be no finality to the proceeding (and the result) would be subject to change at the whim of members or due to the effect of influence exerted upon them, or other undesirable elements tending to uncertainty and impermanence." ... the test to be applied would be whether new or additional facts appear showing a change of conditions or other considerations materially affecting the merits, intervening since the former decision." (Rommell v. Walsh, 127 Conn. 272, 277.) It is of the highest importance for the well ordering of the affairs of a community that a board should gain the reputation of acting not only in accordance with the law, but also fairly and upon sound ground, and I think there is perhaps no way in which a board suffers more in the opinion of the citizens than in its failure to adhere to the rules which should govern its action in reversing a decision which it has previously reached.

Let me now try to sum up the cardinal principles which it seems to me should govern zoning officials in the performance of their duties. Their function is a very important one, in that the control of property values lies largely in their hands. They are entrusted with the exercise of one aspect of the far reaching police power of the state. They must always bear in mind that the issue before them is never primarily the profit or loss to a particular individual, but the maintenance of such a system of zoning as will best serve the interests of the community as a whole. They have great powers, but those powers are circumscribed and confined within the limits of the law governing zoning. They do not have an unlimited discretion to decide the issues before them, for such a discretion would be contrary to the very basis of American democracy. Finally, any zoning official who permits himself to be swayed by favor or prejudice, who yields to influence, political or otherwise, who arrives at a decision otherwise than in conformity to the governing rules of law and as a reasonable conclusion from the facts before him is false to the great trust imposed in him. Most zoning officials are not open to criticism upon these grounds, but it has seemed to me that even for them it might be a good thing to give such a summary as this I have tried to state, and as far as others are concerned, it may possibly stir them to a better performance of their duties.
ED BRUNNER doesn't know it, but we're using here a picture taken by his son Winn at the recent MSA outing at Mackinac Island. Happened to be a double exposure but rather intriguing.

Young Brunner is really doing some fine work in photography.

No plan for building or remodeling is complete without provision for built-in telephone facilities.

Conduit to carry concealed wiring is easily and economically installed during construction. Home-buyers appreciate the neatness and convenience of well- planned telephone outlets.

In industrial and commercial buildings, built-in conduit provides clear paths for cables through all kinds of materials. Well-planned outlets mean efficient operation.

We shall be glad to co-operate in planning telephone wiring facilities. In Detroit call CHerry 9900, Extension 2624 and ask to have a telephone engineer visit your office. Elsewhere, call the local telephone business office.
SOCIETY BOARD MET IN DETROIT SEPT. 1

At the meeting of the Michigan Society of Architects' Board at the Detroit Athletic Club, Wednesday, September 1, President Langius was unable to attend. This is the first meeting he has missed during his two terms of office. It is understood that he was suffering from a slight illness because of a cold.

Vice-President Cowin conducted the meeting until the arrival of Vice-President Earl Pellerin, who then took over.

Present were Messrs. Cowin, Zimmermann, Morison, Haughey, Cole, Hughes, Dow, Stone, Pellerin and Hyde. Mr. Walter Howell also attended as a guest to discuss the possibilities of an architects' show.

With the adoption of new by-laws, the Treasurer was instructed to inform Michigan non-resident architects that they could become non-resident members of the Society by payment of three dollars annual dues. They will have to be corporate members of The A.I.A.

The time and place for the next Annual Convention of the Society was discussed but no decision arrived at, pending the consideration of a show.

Andrew Morison reported on progress with respect to a special committee of which he is chairman, to cooperate with the building trades council on apprenticeship program. Earl Pellerin presented a sketch plan of a house he had designed for use in connection with this program.

It was brought out that at the last Institute Convention a proposal was approved by the Institute looking toward fixing dues based on the dollar-volume of various offices. The Executive Secretary was instructed to inform the Institute that the Society Board does not favor this proposal.

Mention was made of the recent "Chapter Edition of Minutes of The A.I.A. Executive Committee Meeting", in which it was noted that the Pennsylvania Society of Architects, a Chapter of The A.I.A., had signified its desire to give up its charter as a state-wide chapter and for the various chapters in that state to reinstate their charters as chapters.

Also in the document is the following: "Mr. Gamber reported that the Michigan Society of Architects had been granted a charter as a state organization under Chapter VI of the By-Laws of The Institute, by action of the Board in December, subject to the approval of the by-laws of the Society. The document had been reviewed by the Secretary of The Institute. "Mr. Ditchy read a letter from Arthur J. Zimmermann, Secretary of the Michigan Society of Architects, under date of June 9, 1948, and reported that the proposed by-laws of the Society as a state organization now met with his approval. Action was as follows: "Resolved, that the proposed by-laws of the Michigan Society of Architects as a state organization of The A.I.A. be approved, and that a charter be issued to the Michigan Society of Architects as a state organization of The A.I.A., effective July 1, 1948."

OUR OLD PAL AND roomie, Clair Ditchy, Secretary of the Institute, met us at Hotel Utah. But it was 8 p.m. before we managed to drag him from the admiring throng, away from an important Board meeting, and into the traditional smoke-filled room. Then six delightful hours of living over those dear old college days, student days, golden days, when Yost ruled the football world and A. Kahn the architectural, and F. L. Wright was but an upstart. Days when dollars were dollars, and men were men. And—by a coincidence more dependable—women were glad of it. —Bulletin, Washington State Chapter, A.I.A.

LEO HEENAN MOVES

Leo J. Heenan, A.I.A. announces the removal of his offices to 15 Carlton Court, in Pontiac, Mich.

The new offices will enable him to render a more efficient service, and the location is more convenient as ample parking space is available.

LEAVES $600,000

CHICAGO—William K. Fellows, F.A.I.A., 78, who died August 8, left an estate estimated at $600,000. His will filed in probate court left the bulk of the estate to the widow, Elizabeth Steele Fellows of Chicago. Two sisters, Mrs. Cornelia Smith of New York, and Mrs. Antionette Smythe of Philadelphia, each was left $25,000.

NEWS REALTY SECTION TO BE PUBLISHED ON FRIDAYS

It is announced by E. A. Baumgarth

Good news comes that the Detroit News' Real Estate and Building Pages will henceforth be published on Fridays instead of on Sundays as heretofore; this from Ernest A. Baumgarth, Realty Editor of The News.

Deadline for copy will be 6:00 p.m. Wednesdays.

Ernie states that this will give him more space than before. This sounds as though The News will have one of the most important real estate and building sections of any paper in the country, as for some time his pages have exceeded in number and quality.
PRELIMINARY PROGRAM
1948
Great Lakes District Seminars
A. I. A.
Dayton, Ohio, September 23 & 24

Thursday Morning, September 23, 1948
Subject—RADIANT HEATING.
Presiding Officer, R. S. Potter.
9:30 A.M.—Basic Principles.
10:15 A.M.—Materials and Equipment
William P. Chapman.
11:00 A.M.—Practical Considerations
Edward Scott.
11:45 A.M.—Discussion.
12:30 P.M.—Luncheon for Chapter Officers,
Great Lakes District, A. I. A.

Thursday Afternoon, September 23, 1948
Subject—NEW ARCHITECTURAL USES FOR
ORNAMENTAL GLASS, PLASTICS & METALS.
Presiding Officer, Fred R. Louis.
2:00 P.M.—Glass—Frank Sohn.
2:45 P.M.—Plastics—Edward M. Linforth.
3:30 P.M.—Metals—Trace Christensen, Jr.
4:15 P.M.—Discussion.
6:30 P.M.—Cocktail Party—Compliments of
the Dayton Chapter, A. I. A.
7:30 P.M.—SEMINAR BANQUET (Ticket included
in registration) (Informal)
Presiding Officer—Adrian N. Langius.
Toastmaster—J. Frazer Smith.
Welcome—Harry I. Schenck.
Remarks—Kenneth C. Black.
Address—Walter A. Taylor, Subject, "The
Educational Program of the Institute."

Friday Morning, September 24, 1948
Subject—THE ARCHITECT'S LEGAL
RESPONSIBILITIES.
Presiding Officer, Raymond S. Kastendieck
9:30 A.M.—The Architect and Law
Ralph W. Hammatt.
10:00 A.M.—Preparation of Contracts
Melvin D. Eames.
10:30 A.M.—The Institute Documents
William Stanley Parker.
11:00 A.M.—Legal Counsel—Leo A. Parker.
11:30 A.M.—Discussion.
12:00 Noon—Seminars Adjourn.

[NOTE: All sessions at the Miami Hotel,
Dayton, Ohio.]
The Birmingham National Bank, Birmingham, Michigan


SWANSON ASSOCIATES
Architects
Bloomfield Hills
Michigan

ARNOLD STUDIO, Birmingham, Photo
A BANK DESIGNED TODAY FOR TOMORROW'S REQUIREMENTS — BIG
OLD VAULT TYPE CHANGED TO MODERN OPEN STYLE WITH SIMPLICITY OF BANKING

By J. Robert F. Swanson, A.I.A.

Discussions for the expansion of the Birmingham National Bank started approximately four years ago. Due to the State Law limiting banking institutions to over-all investment in the banking house, this Bank had a fixed limit for its building investment. The rising costs made it necessary to give up the thought of a new building and to plan for expansion of their present facilities. This involved the complicated operation of maintaining the bank as a going concern during the addition and alteration period.

Various types of buildings were then reviewed and the bank directors were thoroughly in favor of changing from the old conception of vault type of bank to an inviting, open atmosphere. This changed considerably some of the operating functions. As the concept of the operation advanced, new ideas were developed and at the completion of our preliminary plans we felt it best to check with bank planning experts to see whether our operation scheme was fundamentally sound. This was done in Chicago and we then proceeded with the detail studies and drawings. Again, new ideas for the operation of the various parts developed. Our primary thought was to simplify each operation to the maximum. The traffic scheme within the bank was thoroughly analyzed to arrange the heavier traffic nearest the front entrance. This also allowed for que forming in the simplest manner. It was arranged to have extra cages put into operation when the traffic is heaviest.

While the security feature was kept well in mind, it was also important to avoid having the tellers separated from the public behind caged enclosures. Again, the operation in each cage was simplified as much as possible.
The change over operation proved the most difficult period, with half of the old cages left and the new cages not complete. This was done with the greatest cooperation of the Bank and Contractor's employees and we hope, now that they are in their new quarters, that the bank employees consider the effort worthwhile. They have operated in these new quarters for approximately a month during the finishing operations and the simplicity of their operations has proved very successful.

Because of cost limitations we were unable to complete the entire remodeling but it is hoped that this can be done in approximately two years. For this reason we are showing drawing of projected exterior changes and how the building will look when all the architectural work is completed.

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Inferior View of President's Office

Interior View of Directors' Room
DETOlT VA HOSPITAL

An advance notice to bidders has been issued by the Detroit District Office, Corps of Engineers, concerning the construction contracts for the 500-bed Detroit VA Hospital to be built on the northeast corner of Lahser and Seven Mile Road, according to Colonel A. Bi- ani, Detroit District Engineer. According to the notice issued today, bids on the contracts will be asked on or about October 11, 1948.

The Detroit VA Hospital will be a complete hospital facility and will consist of a 10-story main building of reinforced concrete with an exterior of brick and limestone, separate personnel quarters, and a service building which will include a boiler house, laundry, shops and garages. Estimated to cost approximately $10,000,000, the hospital will be located on a 40-acre landscaped site.

Designed as an up-to-date hospital for the care of tuberculosis patients, the hospital will be built by the Corps of Engineers for the Veterans Administration, and will include all the latest developments modern science has provided for the treatment and care of such patients.

Bids will be invited on a lump-sum basis, and the work set up so that awards may be made for either a single over-all general contract, exclusive of elevators and dumbwaiters, or for separate contracts for the several trades.

Harley, Ellington & Day, of Detroit, are the Architect-Engineers who prepared the design and specifications under contract with the Detroit District Office, Corps of Engineers.

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THE STATE ORGANIZATION

Excerpts from a talk by Paul Gerhardt, Jr., Director, North Central States District, A.I.A., at the Annual Convention of the Minnesota Society of Architects, as published in the Northwest Architect.

I desire to commend Minnesota on its progressive nature and to congratulate the architects of the State in supporting their professional organizations so zealously.

This is the first opportunity I have had to meet with the architects of Minnesota since the Minnesota Society of Architects obtained a new charter as a state organization of The American Institute of Architects. This, as you know only too well, does not refer to a newborn child, but rather, as I see it, the adoption of a full grown youth by an elder counselor, since the Minnesota Society is many years old, as attested by the fact that this meeting is identified as the "Fourteenth Annual Convention." The Minnesota Society has been recognized as a leader for a long time and should not lose its identity. I hope the activities and interests thereof of a large number of you will be maintained, for, as we all know, it is only through the active interest and constant support of individuals that professional organizations have value and accomplish results.

The Minnesota Chapters and the Society are particularly fortunate because of the number of distinguished architects in these parts who obviously are interested in their Chapters and this Society to the extent of contributing an appreciable portion of their time and thought for the welfare of the profession. In my opinion, your record is outstanding, at least in the North Central States District, of which I am especially cognizant. May I urge those of you who are not now active to become so, for in that manner will you be assured of nestimable reward. The personal experience is invaluable and the indirect benefits through increased recognition of the profession are considerable.

All Architects Should Be Members

All architects within the state should be members of such a state organization, for in union there is strength, and since the prime purpose of the state society concerns matters within the state, it is well to represent all within said boundaries when making representations. Furthermore, if a member of our profession is not worthy of such membership he should not be practicing a profession whose foundation is based on "integrity." Certainly he must be violating some phase of your registration or licensing laws if he is not worthy of being a fellow member of your state society. I may be treading on toes of others, but I am convinced that for the good of the profession, membership in organizations at the state level should be as inclusive as utterly possible.

As I see it, one of the important reasons for a state organization apart from chapters of The Institute, is for political recognition at the state level, and on this score, numbers are impressive. A secondary purpose as I have already suggested is to gather within a group, all practicing architects of the state, whether or not they are eligible to or worthy of membership in The Institute and again on that subject there are diverse opinions. Some feel that chapters should accept all reputable architects practicing within the state, preferably as corporate members, but otherwise, as associate members, while other chapters feel that those eligible to membership in the chapter should be finely screened, regardless of the classification of membership, since a state society might be more inclusive. There certainly is no objection to this latter procedure, providing, of course, the eligibility requirements are not unduly restrictive and there is an opportunity for all practicing architects to enjoy membership in the national organization in some form or other.

I hesitate broaching the subject of eligibility for membership, since it is so controversial. Some of you are certain to disagree with my viewpoints. I can only hope that the majority will concur.

In olden times, membership in The Institute was highly restrictive. It was realized, however, that in order to increase stature it was necessary to broaden the base of membership as well as the service to the profession. Since that change in policy, The Institute has grown to a membership of over 7,500, more than half the architects of these United States, and its recognition and accomplishments have been magnified out of proportion to its relatively small number.

A few years ago there was discussion of the "Wisconsin question" and the "New York resolution" as to who was or should be eligible to membership as a corporate member of The Institute. The question is tied into the subject of "Ethics," "Principles of Practice," "Rules of Behavior," or however you wish to identify it. In virtually all states, registration provides a minimum legal requirement for the practice of architecture. The American Institute of Architects accepts this as a minimum requirement for corporate membership. Beyond this, we seek to inculcate the duty of serving clients on a high standard of competency and integrity. The interpretation of this attitude is left to the chapters in determining whether or not an individual architect may become a corporate member of said chapter. There, however, those who for their own reasons do not elect to become members of The Institute but still wish to be a part of the local professional organization. Most certainly provisions for a type of membership for such men should be made, even though it is unfortunate that it cannot be clearly pre-

(See Gerhardt, Page 6)
FUTURE PROGRESS

Washington, D.C.—The President of the American Institute of Architects has called upon the nation's contractors and architects to join forces in clearing away "the roadblocks on the path to construction progress" in America.

Douglas W. Orr of New Haven, Conn., issued his appeal for cooperation in an article appearing in "The Constructor," annual directory number of the Associated General Contractors of America.

"The architect and the contractor build the structures in which America lives, works, and plays," the AIA head wrote.

Both the architect and the contractor, he continued, "are indispensable to future progress if America is to make a sizeable dent in the backlog of residential, school and industrial construction."

"Not only is cooperation needed—indeed it is a prime essential—but there must be coordination of effort by the architect, the engineer, the general contractor, manufacturers and distributors of materials, sub-contractors, and a myriad others.

"Any building," he pointed out, "is a complex process at best, and more information, better research, and a willingness to exchange experience can reduce this complexity to simpler terms."

In an effort to clear away the "roadblocks on the way to construction progress," the AIA, its president wrote, "is working assiduously on many improvements; simplification of specifications, more simplified practices, development of newer techniques, etc.

"But such investigations are not, in and of themselves, sufficient. If we are to achieve success it will be necessary to cut down the cost of distribution of building materials—a major factor in the economics of building.

"We must work unceasingly at the elimination and modification of antiquated building codes which serve to hamper rather than enhance progress. Educational efforts will have to be directed at the removal of prejudices against certain types of buildings which are now coming into their own because of technological and architectural advances."

Both architects and contractors, he wrote, need to make more definite studies of ways and means of constructing so that costs can be pared on some types of structures.

"There is no room in the science of building for blind reliance on past experience," he declared.

Pre-Publication Announcement

DETOUR MASTER PLAN

The official reference edition of the Detroit Master Plan is now being prepared by the City Plan Commission.

Designed primarily as a source of information for architects, realtors, builders, and their organizations, this substantially bound, 88-page book will contain 37 full-page maps, each 14" x 20". These will show, in color, the locations of present and future departmental facilities, recreation areas, expressways, schools, etc., as designated in the Master Plan, as well as development plans for the Civic Center, the Cultural Center, and the Riverfront.

In addition, the book will include a 28" x 40" street map of Detroit in 12 colors showing the Generalized Land Use Pattern for all the land inside the city limits. All maps will be keyed to a text and all eleven major elements of the Master Plan fully explained.

A limited number of copies of this Official Edition of the Master Plan will be offered to the public early in the fall at cost—$5.00 per copy.

To make sure that you will receive a copy of this extremely useful publication, address a letter of request to the Detroit City Plan Commission, 9th Floor, Griswold Building, Detroit 26, Mich., giving name, title, firm name, address and telephone number.

Send no money with the order blank. You may pay for your copy when you receive it.
Russell Woods Apartments Project, Detroit

ABOVE: View of Exterior

BELOW: Plat of Property

WIEDMAIER & GAY, ARCHITECTS
Strange as it may seem, the Russell Woods Apartments project is not in Russell Woods, yet the original construction was started there. The project stands today on land that was supposed to have been for a Catholic cathedral. Among the five units built, the first begun was the last one finished. And this unit had none of the materials in it on completion that had been put in when begun. All does not run smoothly in the affairs of mice and men—and sometimes architects, and this was one of them!

The project was originally begun in Russell Woods' subdivision with a construction shanty built, plans made, and construction started, when a priest re-
quested the property for a playground, since it was near his school. During the depression the plans for a cathedral on the Webb Avenue location had been abandoned. The priest suggested the switch of sites. This was agreeable, so the priest bought the Russell Woods property and the owner of the Russell Woods site bought the cathedral site.

When nearly completed the first unit was burned to the ground, necessitating the rebuilding of the whole structure. This was done within sixty days after the fire loss had been adjusted.

The architects main objective was to design a project which would have the atmosphere of suburban life in a crowded city; to make a city apartment like a home in the country.

This was successfully accomplished on a rectangular block 288 ft. by 570 ft. bounded by Webb Ave., LaSalle Blvd., Fourteenth St., and Burlingame Ave., in the city of Detroit.

Built in a 'U' shaped formation around a New England common, the 2-story buildings of 100 apartments are constructed on foundations of reinforced concrete. The exterior walls are of red face brick veneer, varigated ledge stone, and stained shingle. This gives charm of character and added interest to the colonial architecture.

The buildings occupy one-third of the ground area, the remainder being utilized for landscaping, parking, playground, and drying areas for each apartment.

Each unit consists of 16, 20 or 24 apartments of 4 and 5 rooms each. There is an L-Shaped living-dining room. The living room is 12ft. by 20ft., and the dining room 10ft. by 12ft. The modern kitchen has dining space. One or two bedrooms with bath completes the layout.

There is individual heating for each apartment, full basement with oil-fired, hot air furnace, and incinerator, and laundry area.

All the apartments were rented long before they were ready for occupancy. Tenants were allowed to choose their own color schemes.

The project was subdivided so that each building is on a separate lot and treated as a separate project for construction and mortgage purposes.

Suburban Community In The Midst Of A Large City
GERHARDT, from Page 1

tended to them that they owe it to themselves, as well as to their chosen field of endeavor, to become a part of the natural body which is devoted to the improvement of the position of the architect. In fact, associate membership in a chapter, although limited in time, is the least which should, in my opinion, be considered.

Upon several occasions in the past, in speaking to groups of architects, I have taken the opportunity to relate my observations of our profession, as a result of my serving as Commissioner of Buildings of the City of Chicago, in which capacity there came constantly before me the drawings and representations of architects. It was depressing to observe the accuracy of a statement made some years ago by one of your own members, to the effect that, individually, we do not know enough about architecture. Owners are served most inadequately in too many instances, for that reason that such meetings as this Fourteenth Annual State Convention of the Minnesota Society of Architects is gratifying; particularly the round table discussion which are scheduled for tomorrow. Likewise, the so-called “seminars,” which have become part of the national conventions, and which are so popularly received. They give us opportunity to keep abreast of the times, to learn from others, and to give a helping hand to our fellow practitioners. We should jointly assist one another in better serving our clients, and I know of no better way than through active participation in such meetings as these, which should be repeated at stated intervals.

So again may I stress one of our precepts, “competence.”

The Young “Architects”

Another thought, there are young architects coming from school all the time and it is not only desirable from our professional viewpoint to have them become active members of our organizations, but we, individually, have an obligation to take them in hand, to guide them and see to it that they do not follow improper paths. We must be mentors and actively aid these young men to sit around the table with their fellow members of the profession, after having good educational training.

It should be made easy for these young men to sit around the table with their fellow members of the profession and to hear what is considered proper, as against improper practice, gaining a full understanding of the functions, duties, and responsibilities of architects. I have a firm belief that anyone who has graduated in architecture and has determined on it as his career, loves the profession and wishes to do the correct thing by it, and it is only when he is not given proper enlightenment that he may fall by the wayside. You, up here, have an excellent opportunity to be of such service with the students of the University.
FERNBACH CITY PLANNER FOR HIGHLAND PARK

Richard B. Fernbach, A.I.A., Senior City Planner for the Detroit City Plan Commission, has been appointed Director of Planning for the City of Highland Park, Mich., it is announced by Mayor Norman Patterson.

Born in New York City, he studied in Philadelphia and was graduated from the University of Pennsylvania. He also studied at the City and County Planning School in Welwyn, England. He traveled in Western European countries under direction of International Housing and Town Planning Institute, of London, England. His professional training was received in offices of leading architectural firms in Philadelphia and Washington, D.C. He has served with City Planning Commissions in New York, Philadelphia and Greendale, Wis.

He was registered as an architect in Pennsylvania in 1940 and later in Michigan. He had been with the Detroit City Plan Commission since 1942.

architectonics the bulletin of the Western Michigan Chapter of the American Institute of Architects August, 1948...

FALL IS RIGHT AROUND THE CORONER, or possibly corner, depending on what kind of life you characters have been leading this summer. You should be rested and refreshed from your vacations; full of fire and ambition, with just a touch of vinegar and perhaps a clove of garlic; you should be in a fine fettle. I often wonder what a "fettle" is; anyway, you should be in one.

I CANNOT SAY THAT I can answer the description in the paragraph above. Odd things keep happening to me. Steve Nisbet over at the Gerber Products Company at Fremont sent me a package of baby food for my young grandson; he sent it care of The Press and some kind friend wrote on the package, "For God's sake, Roger, not at your age!" What does he mean, my age? What's wrong with 29?

THEN BILL STONE—and I discovered up at Mackinac Island that Bill has a son just as big and good-looking as Bill is—however, Mrs. S. is better looking than the two of 'em put together, so the male Stones lose, in the aggregate (technical joke—Stone, aggregate) well, Bill Stone writes me a letter and announces with simple dignity, "The Chapter meeting will be at 6:30 p.m." Just that. No date; I guess you just go down to Kalamazoo with two week's rations and wait for the meeting to develop. However, I found out the date.

THE FIRST MEETING OF THE FALL SEASON will be held on the evening of Monday, September 13th, at the Columbia Hotel in Kalamazoo. Dinner will be served at 6:30 p.m. The program will be given by Randall Wagner, Louis Kingscott and Bill Stone, each of whom will present a topic of interest and discourse on it for 15 or 20 minutes. This I believe, especially if L. Kingscott gives his speech entitled, "Let Us Be Tolerant—Allen Is Just As Good As People."

MANY WAS THE FUN we had up at Mackinac Island and those of you who failed to attend undoubtedly shortened your lives, as every time a man laughs he adds weeks to his life, and we laughed plenty. My cinematic colleague, Alden Dow of the Hollywood and Midland Dows, hauled approximately 879 pounds of camera equipment up there. His baggage practically sank the speed boat. The picture will be finished any year now, if Alden and I can pull ourselves together.

ACT AS IF YOU HAD HUMAN INTELLIGENCE and return the enclosed postcard. Damn if I ain't getting sick of telling people that. The post cards go back to Bill Stone so he'll know how many dinners to have Kingscott cook, God forbid.

ROGER ALLEN, Editor

GORDON A. SHEILL, A.I.A. announces the resumption of his practice, for the present at his residence, 902 Orchard Grove, Royal Oak, Mich. The telephone number is Lincoln 3-0233.
In order economically.

The Associated General Contractors of America, today announced that both organizations had approved the establishment of a National Joint Cooperative Committee.

The purpose is to study matters of mutual concern to civil engineers, contractors, and the public, to correspond as occasion may demand between the two organizations. The following statement was issued jointly:

"It was mutually proposed that there be appointed from each organization a committee of three, the six to meet and to correspond as occasion may demand to consider problems of mutual concern to engineers, contractors, and the public."

"The authority of the committee as a whole, or of either component, to be confined to study, review and recommendation to their organizations. It is the intent that the proposed joint cooperative committee shall not in any way supercede or interfere with the objectives of activities of existing committees of either society."

The first meeting of the committee is expected to be held early in the fall. Members of the committee will be announced at a later date.

Although no formal program will be formulated until the committee meets, the following have been discussed tentatively as subjects on which cooperative study by engineers and contractors can bring beneficial results:

Construction courses in engineering colleges to train men for construction.

Making work in construction and designing public works attractive to young engineers.

Standard contract clauses for engineering construction clearly understood by engineers and contractors.

Clear and definite specifications clearly understood by all parties.

Design which can obtain maximum benefits from mechanized construction operations.

Equitable and clearly understood bidding and awarding procedures for engineering construction.

At various times in the past the two organizations have worked together on problems of mutual interest. The national joint cooperative committee formalizes the successful working relationship between the two groups.
SLEEPERS SPEAK TO FULL AUDITORIUM

Harold R. Sleeper, President of the New York Chapter, A.I.A., and his wife, Catherine Sleeper, addressed a capacity audience at the ESD auditorium in the Rackham Building here on September 15. This was the first fall meeting of the Detroit Chapter of the American Institute of Architects, and it started the season in an excellent manner.

As Malcolm Bingay would say, “The ballyhoo began weeks ahead” and we might add, with good results. The reason is that they were both so cooperative and understand so well what it takes to get a good press. They were on three radio broadcasts while here, attended a press luncheon, autographed their new book, “The House for You to Build, Buy, Rent” at several book stores.

At the dinner preceding the lecture, in addition to the guests of honor, were E. A. Baumgarth, Realty Editor of The Detroit News; Miss Edith Crumb, Interior Decoration Editor for the same paper; and Mr. and Mrs. Alvin C. Hamilton, of Hamer’s Book Store in the Buhl Building, Detroit.

President Bennett dispensed with the usual report of the Board, which meeting occurs on the afternoon of the dinner date, except to say that the next meeting, October 26, will be the Annual Meeting and election of officers. The President had appointed as his Nominating Committee Arthur K. Hyde, (chairman), Owen A. Luckenbach and Paul Brown. The Board had elected a second Nominating Committee consisting of Henry F. Stanton (chairman), William E. Kaop and John C. Thornton.

Kenneth C. Black Regional Director of The Institute announced the Seminars scheduled for Dayton, Ohio, Sept. 23 and 24, to be followed on Sept. 25 by the Annual Convention of Architects Society of Ohio. He urged our members to attend this most interesting program.

In presenting the guest speakers at dinner President Bennett merely asked them to take bows. Then he said that we in Detroit are proud of our Chapter in numbers and otherwise. However, he said that the New York Chapter, has 700 members to our 400 and meets once a week instead of once a month.

In presenting the speakers to the audience in the Auditorium, President Bennett referred to the small house problem as a challenge to the profession, and one in which the layman is intensely interested. He said that The Institute has been carrying on active studies in an endeavor to cope with the problem. He stated further that the Sleepers’ new book, “The House for You,” had met with well-deserved success and that the profession was indeed fortunate in having two who are so articulate.

Mr. Sleeper’s talk was, as he announced, written on two levels, for the layman and for the architect. There would, he said, have to be some overlapping of listener interest, since at times he would be talking in terms understandable to the layman and therefore rather elementary to the architect, while at other times he would address the architect in terms somewhat technical for the layman. He did an excellent job of meeting this situation and gave some good information as to what an architect does, how he operates and what the client has a right to expect of his architect. Also, of course, he had some good advice as to the client’s obligation to his architect, if he is to expect the best results. His pronouncements were most sincere, even to the point of being profound.

Not to be outdone, Catherine took us all rather by surprise by displaying in her talk a prodigious amount of good sound reasoning and understanding regarding the problems of house-building, buying or renting. The audience was responsive and many interesting questions and answers followed.

ARCHITECTS SOFTBALL CHAMPIONSHIP WON BY ALBERT KAHN OFFICE

Championship of the 1948 Detroit Architects Softball League was won by the Albert Kahn team when it defeated the Austin Engineers by a score of six to one on Sept. 7 at Belle Isle. Bob Liles of the Kahn office turned in a two-hitter for manager Paul Stephan.

Other teams in the league are those of Smith, Hinchman & Grylls; Giffels & Vallet; Harley, Ellington & Day, and Atomics.

RETURNS FROM SO. AMERICA

Harold S. Ellington, of the Detroit firm of Harley, Ellington & Day, Inc., Architects and Engineers, has recently returned from a business trip to South America, as his firm’s consultant on the erection of beverage plants in Colombia and Venezuela.

It is Harold’s belief that our professional and business people could profit by cultivating the South American markets, as they represent a large and important segment of world trade.

LEO P. RICHARDSON’S “A Contractor’s View of Specifications”, was published in The Constructor, publication of The A.G.C. of America, for August, 1948. This material is from a talk he gave at the Michigan Society of Architects’ 24th Annual Convention.
TO LECTURE AT U. OF M.

Cornelius L. T. Gabler, Treasurer of the Detroit Chapter, The American Institute of Architects, will be one of a panel of speakers on the course of fundamentals of real estate to be given at the University of Michigan.

Gabler, who graduated from the University, College of Architecture in 1934, has been active as an officer of the Michigan Society of Architecture and the Detroit Chapter, A.I.A. for many years.

HELEN FASSETT CHAIRMAN
ARCHITECTS' FUND DRIVE

Wells I. Bennett, President of the Detroit Chapter of The American Institute of Architects has announced the appointment of Miss Helen Fassett, of the office of Smith, Hinchman & Grylls, Inc., Architects and Engineers, as chairman of the Architects Division of the Red Feather Campaign, the agency to solicit contributions for the Community Fund of Metropolitan Detroit.

Mr. Hiram L. Walton, president of S. H. & G. has expressed the firm's wholehearted cooperation in having Miss Fassett serve. Miss Fassett succeeds Clarence E. Day, of Harley, Ellington & Day, Inc., Architects and Engineers. He had done an outstanding job for several years, as had George Scrymgeour of Albert Kahn Associated Architects and Engineers, Inc.

The Architects Division of the Community Fund received its greatest boost in 1943 when Charles N. Agree became chairman. At that time our quota was $7,405. He raised $21,677. The following year the quota was increased to $18,900. He raised over $22,000. The quota has steadily increased since and has been put over each year.

The campaign begins Oct. 26 and ends Nov. 17, 1948.

Mr. J. H. Kirkland, of Price Waterhouse & Co., 1946 Penobscot Building is chairman of the professional group, of which ours is a division.

IN ARIZONA

C. Kenneth Bell writes: “Some how or other, the mailing address on my Weekly Bulletin has been changed from my Tucson address to the H. Cross Ranch at Bonita, Arizona.

‘We went there for a while but had the local post office forward mail instead of notifying publishers, so, I don’t know how you happened to make the change. Anyway, please see that it is changed back to our Tucson address as soon as possible. Don’t like to miss any copies. Best Wishes, as ever.—C. Kenneth Bell, 2340 E. 8th St., Tucson, Ariz.’”

AGC MIDYEAR MEET

Effects on construction work of the recent abandonment of basing point price systems by many materials producers will be discussed with the newly organized Governors and Advisory Boards of The Associated General Contractors of America.

The midyear meeting of the directors of the one national association of general contractors will be held at the Edgewater Beach Hotel, Chicago, Ill., September 13, 14 and 15.

More than 4,800 of the leading construction firms in the United States, engaged in all types of construction work, are members of the association. Close to 300 of the A.G.C.’s directors, national officers, chapter presidents, chapter secretaries and managers indicated they would attend the three-day session.

Mr. William Simon, general counsel for the Senate Committee on Trade Policies—the committee set up to investigate the effect upon business of sellers absorbing freight costs in meeting competitors’ lower prices—is scheduled to address the contractors at the opening session, Monday morning, September 13.

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ABOVE: Front Exterior

BELOW: Rear, Showing Three-Yards-In-One Treatment

HENRY J. ABRAMS
A.I.A.
Architect

Detroit, Michigan
Looking from Living Room into Dining Room, Look to Left to Porch. Hall Mirror at Right Reflects Stairway Leading to Street Level.

HENRY J. ABRAMS, A.I.A.
Architect
Detroit, Michigan

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PUT YOUR BASEMENT ON THE FIRST FLOOR

By HENRY J. ABRAMS, A.I.A.

Designing and building a home in a neighborhood restricted to two stories, when only one story was desired, presented a problem which was solved by eliminating the basement. In other words all utility rooms, which are normally in the basement, are on the first floor. The rooms consist of: recreation, hobby, heating, laundry, powder rooms and garage. The second floor has the living quarters: living and dining room, kitchen, two bedrooms and bath, with lavatory in second bedroom.

The center entrance opens into a vestibule which has a birch paneled stairway leading to the second floor. At the head of the stairs is a mirrored wall in which you see the reflection of the living room, the glass flower box and planting which separates stairway and living room.

The living room has maximum of light and sun which is achieved by the use of large low windows and glass block. A door leads off the dining room onto a screened porch conveniently located for outdoor dining.

The recreation room, directly underneath the living room, is paneled in mahogany on one wall, has bookcases on another, and a corner fireplace on the remaining walls. A protected exit leads directly to the backyard which has a grille built into the brick wall thereby making it accessible and most desirable for indoor and outdoor picnics.

An important feature is the laundry room which opens directly to the yard within a short distance of the clothes reel.

A rear stairway from the upper hall leads into the laundry room and rear entrance diverting excess traffic from the front.

The garage is a definite part of the house with a door inside leading into the house proper. Another important feature is added storage space.

To solve the problem of too many unnecessary trips between floors and door answering there is a G. E. intercommunicating system installed with two-way speakers between the upstairs and downstairs and the front and rear entrances. Both entrances are controlled with electric door openers.

There are no fences between the backyards of this home and the two neighboring homes making it one continuous and spacious lawn. A brick wall encloses the yards cutting off the alley and adding to its privacy and beauty.
PRODUCERS OPEN SEASON

The Producers Council, Michigan Chapter, opened its current season of informational meetings at the Wardell Sheraton in Detroit, on the evening of September 13.

The dinner was preceded by a cocktail party at which members and guests renewed relationships where they left off last spring. In addition, one always makes new friends at such gatherings as each one seems to bring out some who have not attended before—then they are regular attendants.

Maurice Maley, President of the Producers’ Michigan Chapter, presided at the meeting. He is Pittsburgh Plate Glass Company’s representative in Detroit. He called upon those at the speakers’ table to take bows. They included officers of the PC Chapter, as well as some architects from the AIA Chapter. About 150 were present. Bill Cory, the only life member of the local Chapter, said a few well-chosen words.

He was recently retired by the Detroit office of the Otis Elevator Company and is now connected with the Yale Rubber Manufacturing Company of Yale, Michigan. More about this later, we hope.

President Maley credited Dayton Prouty of Zonolite Company as being the host for the evening, as his company was providing the informational part of the program. He also introduced new members as follows: Ray Macauley of Roddis Lumber & Veneer Co., Leon A. Watson of Rolscreen Co., and Charles L. Doan of David E. Kennedy Co.

Charles E. Kleinbrook of the Zonolite Company gave an interesting talk, illustrated with charts, about the many uses of the product and then presented the film, “Zonolite, the Wonder Mineral.” We learned that Zonolite is light in weight, is proof against the many ravages, is strong and saves considerable in structural members. It is suitable as aggregate in floor slabs, roof fill and roof slabs, as well as for ground-level floors, with or without radiant heating. Zonolite plaster is setting a new standard, with many advantages. It weighs only eight pounds per cubic foot as against 100 pounds for sand. It can be nailed into without cracking. It is fireproof and makes firesafe surfaces where it is applied. Zonolite on metal lath, only one inch thick, stands as much as two inches of concrete. One of its first uses was insulation, so it is excellent from that standpoint.

Architects hereabout are fortunate in having presented to them such instructive programs, offered in such delightful and entertaining ways.
Shown above is architects' rendering of the VA Hospital, for Detroit, to be at the N.E. corner of Lahser Road and Seven Mile Road. Harley, Ellington & Day, Architects.

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680 ANTOINETTE DETROIT 2, MICHIGAN
"OVERTIME ON OVERTIME"

September 15th, the Builders' and Traders' issued a bulletin to its members telling them that the Wage and Hour Division will not enforce its new interpretation of "overtime on overtime" until the United States Supreme Court reviews its decision. Following is the full text of a release issued September 14th by the Wage and Hour Administrator:

"Administrator Wm. R. McComb of the Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, today postponed enforcement scheduled to begin September 15 of his revised interpretations of the overtime pay requirements of the Fair Labor Standards Act, which he has set forth in statements issued June 11 and July 11, 1948, in the Divisions' news releases, PR-153 and PR-161.

"Postponement will continue until the Supreme Court acts on the pending petition for a rehearing of the longshoremen's back-wage suits involved in Bay Ridge Operating Co. vs. Aaron and Huron Stevedoring Corp. vs. Blue. The Supreme Court decision in these cases, handed down June 7, 1948, necessitated the Divisions' revised interpretations.

"McComb emphasized that postponement of enforcement action by the Divisions is 'simply an assurance that the Government will not institute court actions on this one phase of the Fair Labor Standards Act until the Supreme Court disposes of the petition for rehearing.'

"He added that 'in my opinion, the postponement does not create a good faith defense against employee suits which might be filed to recover overtime compensation for the period since the Supreme Court's decision from employers who have not conformed their overtime pay practices to that decision.'"

Of course, no one knows when the Supreme Court will act on this matter, or what the outcome of its action will be. Legally, up to the time the court changes its decision (if it does change it), its present decision in the Bay Ridge Case governs.

For those who have not been following this closely, the gist of the Supreme Court's decision was that premium pay for less desirable hours as for instance, night shift work or for Saturday or Sunday work is not per se "overtime." And to satisfy the Fair Labor Standards Act's provisions for one and one-half time for overtime over 40 hours a week, this premium pay could not be used, but a regular wage for computing overtime would be computed by dividing the total pay for the work week by the total hours and the statutory overtime would be figured on this regular rate.

When the employment practices in the construction industry are considered, an almost impossible condition is imposed by the interpretation of the court's decision. Of course, the practices of the construction industry were not before the court when it gave its decision on June 7th. It was a case related to stevedoring and other dock work.

THE TEMPLES RESTAURANT, 16126 Livernois, shown in the photograph above, is equipped with gas-fired counter broiler, griddle, steam table, and coffee maker. Homemade pies served in the restaurant are baked in a gas range oven in the kitchen. An automatic gas water heater furnishes hot water for dishwashing, rest rooms, and cooking needs.

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