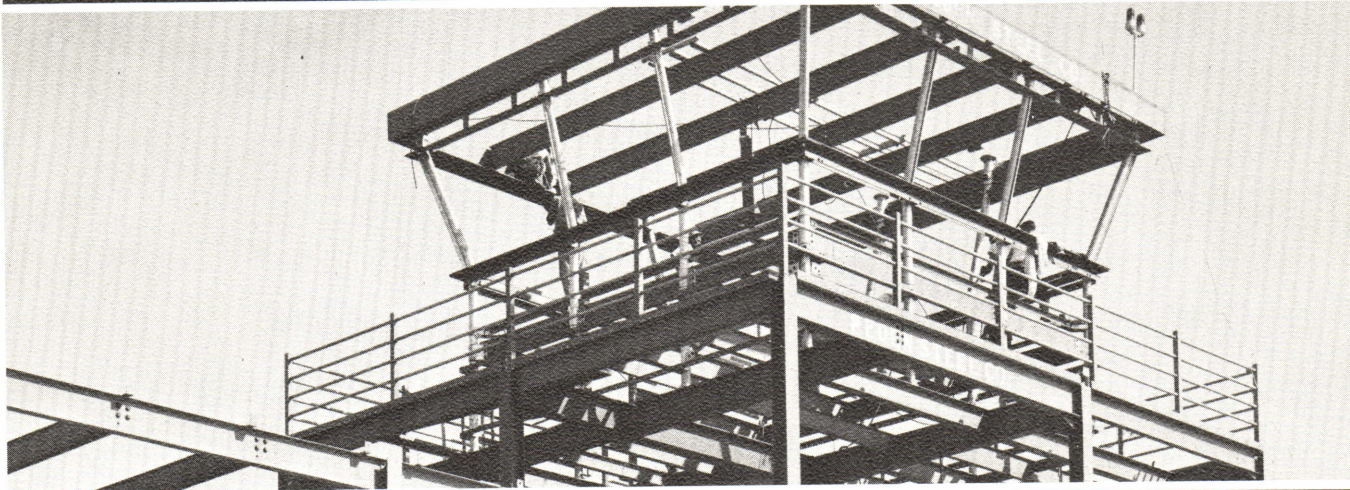
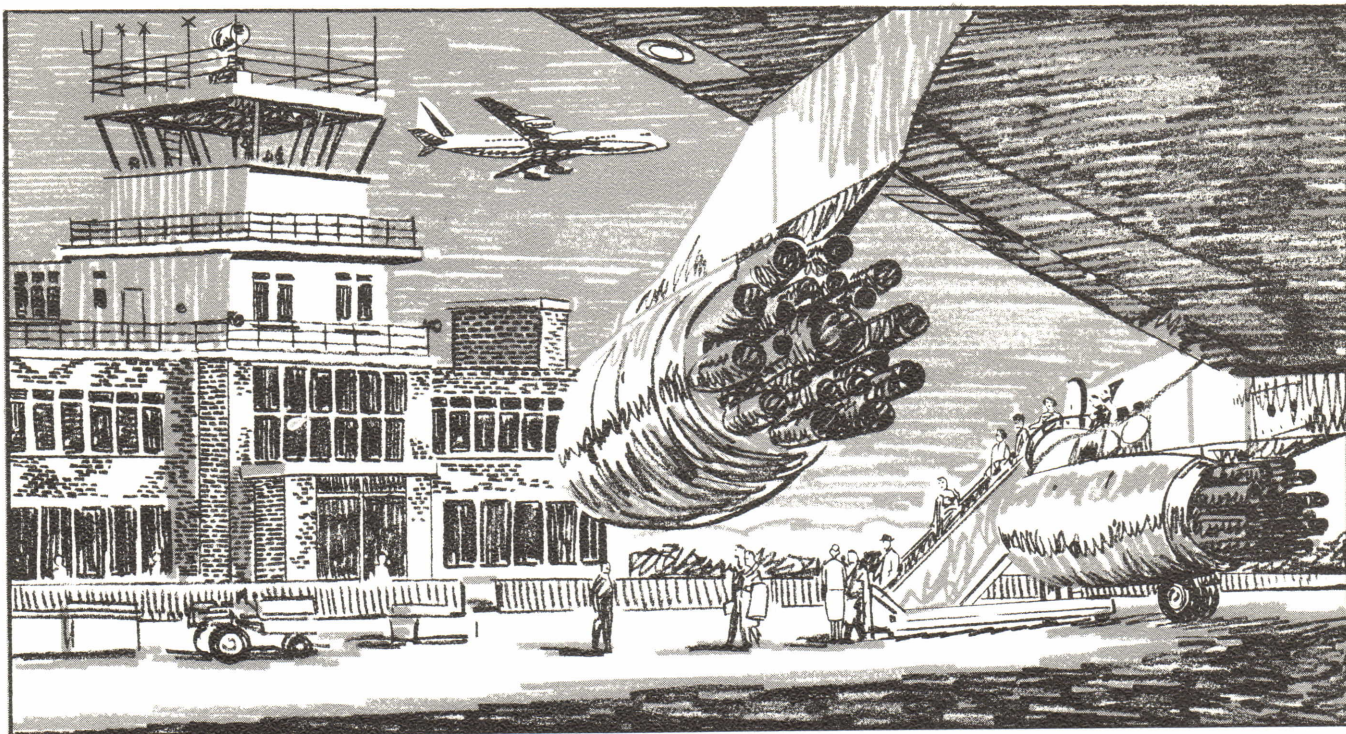


AUGUST, 1966

NORTH CAROLINA
ARCHITECT



PUBLISHED BY THE NORTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS



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NORTH CAROLINA ARCHITECT



AUGUST 1966, VOL. 13, NO. 8

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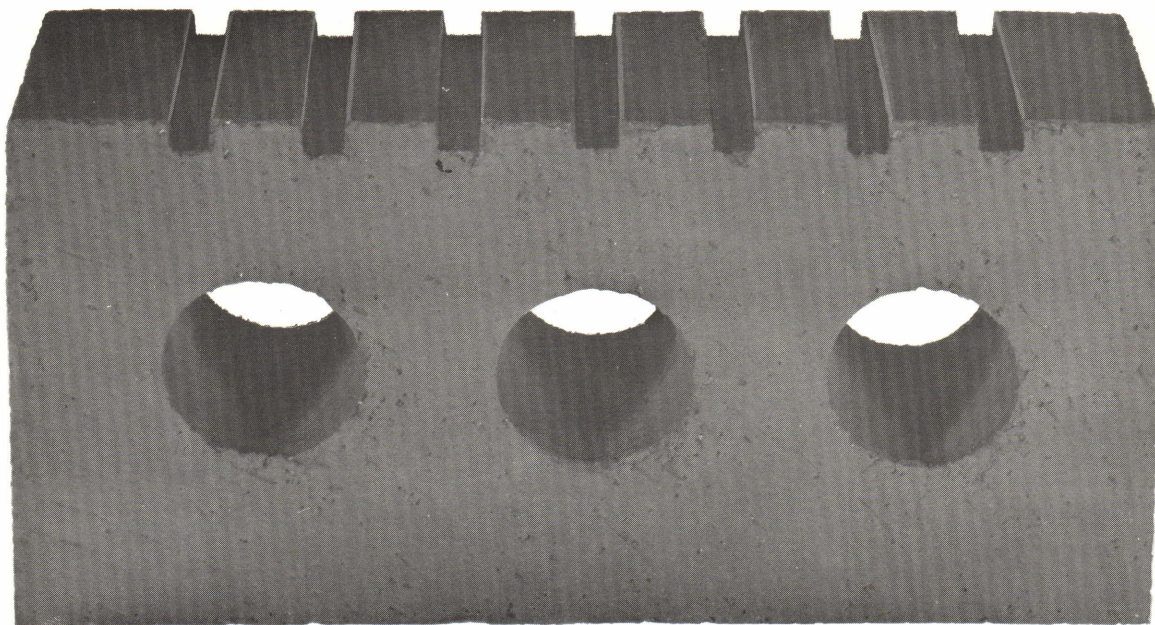
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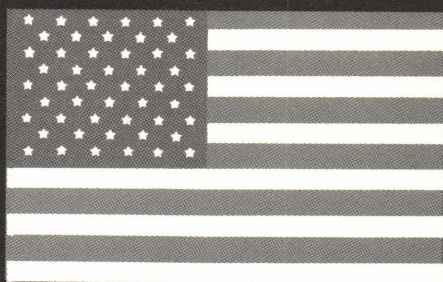
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ARCHITECTURE'S CHALLENGE



AMERICA'S FUTURE

CONFERENCE PROLOGUE

America has approached a critical point in history. Which course will she run? Will a truly aroused public demand that she take the road toward improving the visual face of America or will she continue down the path of disorder and ugliness?

Let it be a premise of this conference that the American people along with business and industry will no longer consider disorder and ugliness as acceptable.

Conversely, the American public realizing that ugliness is ruinously expensive, will demand the very best that this profession can produce.

It is indeed timely that during an age of great National concern with outerspace that the people of this Nation be invited to join with our profession to turn inward and evaluate what we have done,

are doing, and shall do, with the space already allocated to this planet.

During the next few decades, accumulation shall proceed at a staggering pace. Important decisions will have to be made concerning the very face of all America and more specifically the South Atlantic Region. Architects across the country will be called upon to perform creative tasks of greater import and magnitude than ever before imagined.

The members of this profession shall surely rise to the challenge, but not without ferreting out every possible means of making their influence and work more effective.

The pace of construction shall be furious. Let it be a purpose of this conference to explore the means by which creative effort and visual order can proceed at an equally furious pace.

**A.I.A CONFERENCE
CHARLOTTE, N. C.
OCTOBER 27, 28, 29, 1966**

REGIONAL DIRECTOR

BERNARD B. ROTHSCHILD

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JAMES C. HEMPHILL, JR.
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SHERMAN PARDUE, JR., Chairman

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FREDERICK F. SADRI

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PAUL BRASWELL

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W. CRUTCHER ROSS

BUILDING PRODUCTS EXHIBIT

BEVERLY L. FREEMAN

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MARY CARSON PEASE

STUDENT ACTIVITIES

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CHARLES L. PAYNE, W. Ga.
WILLIAM Y. McLEAN, S. W. Ga.
THOMAS H. BROOKBANK, Ga. Council
HAROLD RIDDLE, S. C.

SPEAKERS

Opening Speaker

Thursday morning

Lt. Gov. Robert W. Scott



Keynote Speaker

Thursday morning

Dr. John T. Caldwell, Chancellor
N. C. State University



Luncheon Speaker

Thursday

George E. Kassabaum, FAIA
St. Louis, Vice President, AIA



"Public Affairs and Government"

Speaker Thursday Afternoon

Llewellyn W. Pitts, FAIA
Beaumont, Texas



"Emerging Techniques"

Thursday afternoon speaker

C. Hubert Wheeler, Jr.
Penn State University



"New AIA Documents"

Thursday afternoon speaker

Robert J. Piper
National AIA Staff



"Automation"

Thursday afternoon speaker

Bruce Graham, AIA
Partner, Chicago office of
Skidmore, Owings & Merrill



"Technology and Design"

Friday morning speakers

Eduardo Catalano
Massachusetts Institute of
Technology

Duncan E. Stuart
N. C. State University

Bruce Graham

Albert H. Dietz
Professor of Building Engineering
M. I. T.



"Project Case Study—Reston"

Friday afternoon speaker

William J. Conklin, AIA
New York
Responsible for the Master Plan
for Reston, Va.



"Government & Architecture: GSA"

Friday evening banquet speaker

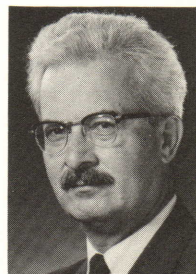
Lawson B. Knott, Jr.
Administrator of General Services
Washington, D. C.



"Schools of the Region"

Saturday morning panelists

Henry L. Kamphoefner, FAIA
Dean, School of Design
N. C. State University



Paul M. Hefferman, FAIA
School of Architecture
Georgia Institute of Technology



Harlan E. McClure
Dean, School of Architecture
Clemson College

DR. J. L. PIERCE MADE HONORARY ASSOCIATE OF NCAIA



In special ceremonies at the Grove Park Inn, Asheville, on July 22, Dr. Jester LeRoy Pierce was presented a Certificate of Associate Membership in the North Carolina Chapter of The American Institute of Architects. President Macon S. Smith of Raleigh made the presentation and S. Scott Ferebee, Jr., a Director of the Chapter, read the citation.

Dr. Pierce was born in High Point, North Carolina on November 13, 1911. He was reared and educated in his home community and attended High Point College where he graduated with the degree of Bachelor of Arts. He later attended the University of North Carolina, where he received his Masters Degree in 1940 and his Doctorate in 1954.

He served as a teacher, coach and principal in the public schools of North Carolina for a period of eight years, after which he served as a recreational supervisor with the United States Government for two years. During World War II he served with the U. S. Navy in the South Pacific reaching the rank of Lieutenant JG.

Following the war, Dr. Pierce joined the faculty at Elon College, where he served as Professor and Director of Physical Education and Athletics for nine years. In 1953 he came to the North Carolina Department of Public Instruction as a Consultant in Health and Physical Education, remaining in this position until 1959. During this time, he worked closely with the Division of School Planning, assisting in numerous school surveys and serving as a consultant on School Organization.

In 1959 Dr. Pierce was appointed as Director of the Division of School Planning of the North Carolina Department of Public Instruction, which position he still holds. In this capacity he has been an outspoken advocate of thorough and complete architectural services as well as improved school design and construction. He has been instrumental in establishing a system of gathering and recording information about public school facilities and has been active in working for improved educational organization and administration within the state.

Dr. Pierce is a member of the following professional organizations:

- North Carolina Education Association
- National Education Association
- National Council of School House Construction
- Interstate School Building Service
- Council of State Directors of Educational Plant Services

He served as President of the Council of State Directors of Educational Plant Services in 1963-1964 and as President of the Interstate School Building Service in 1964-1965.

Dr. Pierce is a member of the Church of the Good Shepherd in Raleigh. He is married to the former Alice Parrish Oldfield of Norfolk, Virginia. They have three children and reside at 906 Runnymede Street in Raleigh.



THE NORTH CAROLINA CHAPTER
OF
THE AMERICAN INSTITUTE OF ARCHITECTS
Certificate of Membership
DR. JESTER LEROY PIERCE

For the outstanding public service he has rendered to his State in an area of endeavor closely related to the Profession of Architecture.

For his interest in improving educational opportunities for all people of his State.

For his dynamic leadership in working for improved educational organization and administration within the State.

For his dedication to the cause of proper school planning and his contributions and assistance to the communities of his State in determining their needs and requirements for public schools.

For his efforts in improving the quality of school construction in North Carolina.

For his appreciation of the need of, and his insistence upon, the best in architectural services in the design of school buildings.

For his determination that the Division of School Planning be of service to the school units and architects which it serves.

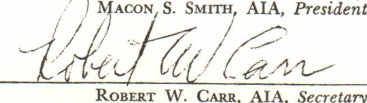
HE HAS BEEN DULY ELECTED BY THE BOARD OF DIRECTORS AND
IS DECLARED TO BE AN

Honorary Associate Member

THE TWENTY-THIRD DAY OF JULY, NINETEEN HUNDRED AND SIXTY-SIX



MACON S. SMITH, AIA, President



ROBERT W. CARR, AIA, Secretary

GOVERNMENTAL CENTER CITY OF DURHAM, NORTH CAROLINA

CARR, HARRISON, PRUDEN & DEPASQUALE, AIA

PROJECT ARCHITECTS

Durham, North Carolina



The City of Durham Governmental Center was envisioned as a facility to house the Administrative Offices of the City General Services, the Police Department, the Fire Department and the Emergency Operating Center for Civil Defense. The site for the Government Center is located in the heart of Downtown Durham.

City Officials determined that the Governmental Center should be conceived initially in its entirety but that it would be constructed in stages. The Fire Headquarters and Police Headquarters were to precede the City Hall by an indeterminate period of time. Therefore, planning should provide that these two earlier facilities should make a finished dignified appearance during the interim and that the City Hall could be added at a later date to complete the center.

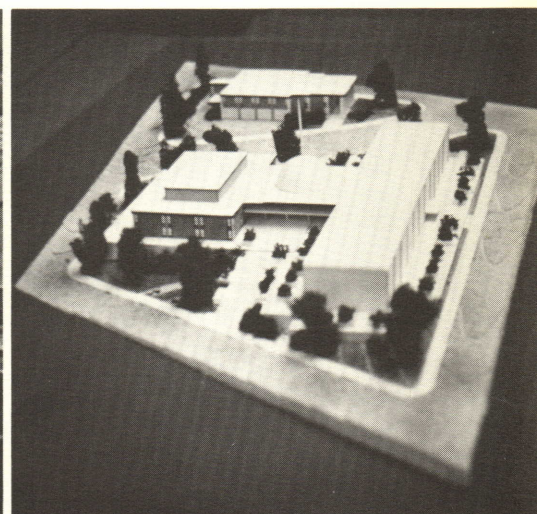
Long range city plans called for a downtown city loop street to pass through the site on which the Governmental Center was to be located. Through careful realignment of this loop street the land was divided into two par-

cels, one large enough for the Fire Station Headquarters building and the other for the City Hall and Police Headquarters Building. Each of the resulting parcels of land were irregularly shaped, one being triangular and the other trapezoidal.

The triangular parcel slopes approximately six feet in the length of the property and this slope together with the triangular shape were both highly influential factors in the Fire Station Building design.

The trapezoidal parcel slopes approximately fifteen feet diagonally across the property. The space requirements for the City Hall were obviously far greater than that for the Police Headquarters so the smaller building was placed at the smaller end of the trapezoid and the larger structure was planned for the large end of the trapezoid. The sloping site was utilized to provide police vehicle parking under the Police Building and also concealed facilities for receiving prisoners.

The program for the Fire Headquarters building required: administra-



tive offices, control and communications room, apparatus room, dormitories for various rank, firemen and officers, recreation and cooking facilities.

The program for the Police Headquarters building required: administrative offices, lobby with various service facilities for the public, general records offices, detective bureau, detention rooms, interrogation rooms, laboratory facilities, library and classroom training facilities, physical fitness facilities, pistol range, space for storage of stolen articles, space for the future addition of I. B. M. equipment, radio, communications and central control. During the planning stage it was determined that Civil Defense Offices and emergency operations center should be combined with the Police and Fire Communications and all placed in a fallout protected area within the Police Building. Parking space for 45 police patrol cars should be provided on the site.

The program for the City Hall required: City council chamber with committee meeting room, offices for the city manager, the major and other key

administrative personnel. Offices for all city general services, the planning department, building inspection offices, auditing offices, water and sewer, public works, etc. Provide parking space for 100 to 150 vehicles for city owned vehicles and public parking.

The first two stages have been completed. The Fire Station has been in operation for about one year. The police Headquarters has been occupied about five months. Each building has its own heating and cooling plant, but electric service and telephone exchange are located in the Police Building.

The third stage, that of constructing the City Hall is several years away, with a bond issue now in the talking stage.

Architects for the project are Carr, Harrison, Pruden and DePasquale, A.I.A.

The cost of the project is applicable as a part of the city's share of matching funds for the downtown urban renewal. Also, Federal matching funds were obtained in the central communications center in which the Civil Defense local office is located.



Photos by Gordon Schenck

SPACE PLANNING ASSOCIATES OPENS IN CHARLOTTE

Architects from North and South Carolina gathered recently at the opening of a new commercial furnishings firm in Charlotte at its place of business in a fabulous Italian villa on Providence Road—one of a few built in the South during the 20's. The house, complete with courtyard and central fountain, surrounded by arched cloisters and high walls, lacks only a Stutz Bearcat, Scott Fitzgerald and Zelda to take anyone back into the roaring 20's. From the pink exterior to the wood beam ceiling in the living room, the house is a perfect background for the classics of modern furnishings that are now shown there as a part of the interior planning service. Two Barcelona chairs and a table on a hand-made Greek rug occupy the dominant position in front of the ornate, carved stone fireplace, and the classic Breuer chairs, bent wood chairs, tuxedo chairs and other examples of lasting modern furniture design form the remainder of the showroom area.

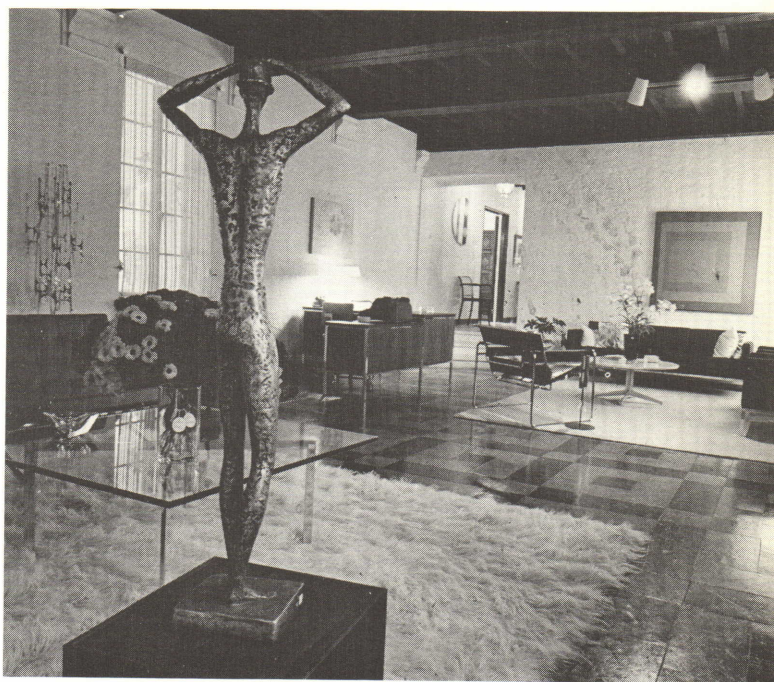


An accessory shop, offering good design items, unusual gifts, drawings and paintings, occupies the library and dining room. A glass wall in this room overlooks a swimming pool and a formal cedar-lined garden extending some 300 feet to a small pool beyond.

This unique business has been formed by a group of architects in Charlotte to offer to architects and their clients a professional service in architectural interiors, and offering this service at the beginning of schematics to facilitate coordination of the exterior and interior building design.

In addition, the firm will be an architecturally oriented source for furnishings and information on fabrics and accessories—a badly needed service in North and South Carolina. The planning division, headed by Jim McCarty, A.I.D., is Space Planning Associates, Inc., and the accessory division and shop is known as “The SPA”.

It is certainly well worth getting the old Bearcat out, and cruising over to Providence Road in Charlotte to see this unusual and much needed design venture.



New Members Assigned To NC Chapter AIA

CORPORATE MEMBERS

FRED COLEMAN ABERNETHY, 1043 - 12th Avenue, N.W., Hickory, North Carolina 28601

Born: March 4, 1934, Hickory, N. C.
Registration: North Carolina #1437, 1965
Education: N. C. State University, Raleigh
Graduated: 1961, B. Arch.
Professional Training and Practice: Designer-Draftsman: Harrell & Clark, Hickory, N. C.
Jan. 1963-Aug. 1964
Designer-Draftsman: Olson Associates, Lenoir, N. C.
Sept. 1964-October 1965
Designer-Draftsman: James E. Biggs, Hickory, N. C.
Oct. 1965-Present

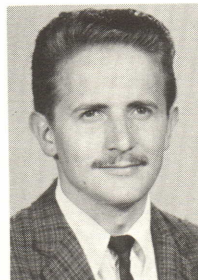


JOHN HOWARD BENNETT, 303 W. Fourth Street, Charlotte, North Carolina 28201
Born: April 27, 1934, Clio, South Carolina
Registration: North Carolina #1536, 1966
Education: Clemson University, Clemson, S. C.
Graduated: 1960, B. Arch.
Travel: Italy, France, Belgium, Luxembourg, Germany, Switzerland
Professional Training and Practice: Designer-Draftsman: Thomas C. Rickenbaker, Charlotte, N. C.
1960-1964
Designer-Draftsman: Walter Hook Associates, Charlotte, N. C.
1964 to Present

ROBERT PASCHAL BURNS, JR., 2607 Vanderbilt Ave., Raleigh, North Carolina 27607
Born: December 7, 1933, Roseboro, N. C.
Registration: North Carolina #1433, 1965
Education: Wake Forest College, Wake Forest N. C. State University, Raleigh
Graduated: 1957, B. Arch.
Mass. Institute of Technology
Graduated: 1962, M. Arch.
Awards: AIA School Medal, N. C. State, 1957
Paris Prize in Architecture, 1957
Whitley Fellowship, M.I.T. 1961
Travel: England, Scotland, France, Belgium, Switzerland, Spain, Italy, Greece, Turkey, Austria, Germany, Denmark, Mexico, Netherlands
Professional Training and Practice: Designer: Eduardo Catalano, Cambridge, Mass.
1962-1965
Asst. Prof. N. C. State University, Raleigh
1965 to Present



JON ANDRE CONDORET, 2609 Sevier, Durham, North Carolina 27705
Born: September 5, 1934, Algiers, Algeria
Registration: North Carolina #1487, 1965
France
Education: Notre Dame D'Afrique High School, Algiers
Special School of Architecture, Paris
Graduated: B. Arch.
Professional Training and Practice: General Practice: Archie R. Davis, Durham
Feb. 1962 to Present



GEORGE DONALD DUDLEY, 1701 Efland Drive, Greensboro, North Carolina 27408
Born: November 2, 1931, Danville, Va.
Registration: North Carolina #1439, 1965
Education: Virginia Polytechnic Institute, Blacksburg, Va.
Graduated: B.S.
Professional Training and Practice: Draftsman: McMinn, Norfleet & Wicker, Architects, Greensboro
1958 to 1963
Draftsman, Architect & Associate: Robert E. L. Peterson, AIA, Greensboro
1963 to Present



JAMES REGINALD McVICKER, JR., 3204 Childers, Raleigh, North Carolina 27609
Born: January 1, 1933, Florence, S. C.
Registration: North Carolina #1340, 1963
Education: Maxton High School, Maxton, N. C.
Presbyterian Jr. College, Maxton, N. C.
N. C. State University
Graduated: 1962, B. Arch.
Professional Training and Practice: Arch. Draftsman: W. E. Matthews Co., Laurinburg
June 1956-Sept. 1957
June 1958-Feb. 1959
June 1959-Sept. 1960
June 1961-Sept. 1961
Arch. Draftsman: Walter Burgess, AIA
June 1962-Dec. 1963
Arch. Draftsman: G. Milton Small & Associates
Jan. 1963-June 1963
July 1963 to Present

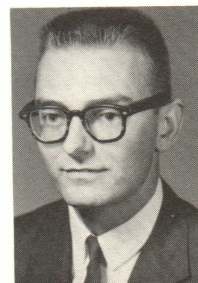
WILLIAM COLVIN NICHOLS, 810 Chamberlain Street, Raleigh, North Carolina 27607
Born: August 1, 1930, Brantley, Alabama
Registration: North Carolina #1406, 1964
Education: Univ. of Alabama, Birmingham, Ala.
N. C. State University, Raleigh
Graduated: 1961, B. Arch.
Scholarships: First Prize-In Residential Design
Edison Electric National Competition
Professional Training and Practice: Designer: G. Milton Small & Associates, Raleigh
June-August 1963
Des.-Draftsman: J. N. Boaz
Aug. 1963 to June 1964
Des.-Draftsman: John Wiley & Sons, Inc.
Sept. 1965 to Present
Instructor: N. C. State University, Raleigh
July 1962 to Present
Memberships: Raleigh Council of Architects



BRUCE ROBERTSON, 131 Altondale Avenue, Charlotte, North Carolina 28207
Born: April 6, 1932, Pittsburgh, Pennsylvania
Registration: North Carolina #1537, 1966
Education: Princeton University, New Jersey
Graduated: 1954, B.A.
Carnegie Institute of Technology, Pittsburgh, Pa.
Graduated: 1959, B. Arch.
Awards: Cum Laude (St. James Preparatory School-1950)
Travel: Canada, Puerto Rico, Trinidad, England, Ireland, Scotland, Sweden, Denmark, Holland, Germany, France, Switzerland, Italy, Spain, Bahamas, Bermuda
Professional Training and Practice: Designer-Associate: Walter Hook Associates, Charlotte, N. C.
1961 to Present
Lecturer in Design: Leeds College of Art, Leeds, Yorks., England
1 Year Leave of Absence 1964-65



STACY EARL SIMMONS, 303 W. Fourth Street, Charlotte, North Carolina 28201
Born: July 26, 1938, Jackson, Mississippi
Registration: North Carolina #1538, 1966
Education: Auburn University, Auburn, Alabama. Graduated: 1961, B. Arch.
Professional Training and Practice: Draftsman: Painter, Weeks & McCarty, Knoxville, Tennessee
Oct. 1961-May 1963
Draftsman: Ferebee, Walters & Associates, Charlotte, N. C.
June 1963-March 1964
Designer-Job Capt.: Walter Hook Associates, Charlotte, N. C.
March 1964 to Present
Memberships: Associate member NCAIA



KARL DANE STUART, 560 E. Mass. Avenue, Southern Pines, North Carolina
Born: December 8, 1928, Chapel Hill, N. C.
Registration: North Carolina #1540, 1966
Education: N. C. State University, Raleigh, N. C.
Graduated: 1959, B. Arch.
Professional Training and Practice: Architect in Training: Hayes & Howell, Southern Pines, N. C.
June 1959-June 1963
Architect in Training: Austin & Faulk, Southern Pines, N. C.
June 1963 to Present



CONRAD McDONALD TAYLOR, N. C. Medical Care Commission, P. O. Box 9594, Raleigh, North Carolina
 Born: January 15, 1927, Tarboro, N. C.
 Registration: North Carolina #1038, 1957
 Education: Tarboro Public Schools
 N. C. State University, Raleigh
 Graduated: 1953, B. Arch.
 Travel: China, Korea & Philippines
 Professional Training and Practice: Draftsman: A. G. Odell & Associates, Charlotte
 June 1953-March 1954
 Draftsman & Assoc. Job Capt.: Louis H. Asbury & Associates, Charlotte
 March 1954-June 1961
 Principal: Self-employed
 June 1961-March 1965
 Consult. Arch.: N. C. Medical Care Commission, Raleigh
 March 1965 to Present
 Memberships: Student Chapter of AIA, N. C. State University 1952-53

LAWRENCE JAMES TRABER, P. O. Box 8028, Asheville, North Carolina 28804
 Born: January 20, 1935, Gainesville, Ga.
 Registration: North Carolina #1449, 1965
 Education: Duke University, Durham
 N. C. State University, Raleigh
 Graduated: 1962, B.S.
 Professional Training and Practice: Draftsman: T. Edmund Whitmire, Asheville
 June 1960 to Sept. 1960
 Draftsman: John T. Latimer, Durham
 June 1961 to Oct. 1961
 Store Planning: Charles Luckman Assoc., Los Angeles, Calif.
 June 1962-April 1963
 School Designer: Daniel, Mann, Johnson & Mendenhall, Los Angeles, California
 April 1963-October 1963
 Draftsman: C. M. Sappenfield, Asheville
 October 1963-May 1965
 Principal: Self-employed
 May 1965 to Present

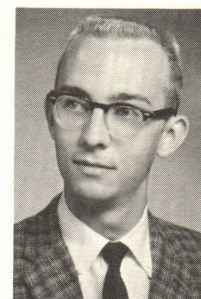
ASSOCIATE MEMBERS

EUGENE WILSON BROWN, 38 Hamilton Road, Chapel Hill, North Carolina
 Born: January 9, 1938, Oxford, N. C.
 Education: Durham High School, Durham
 N. C. State University, Raleigh
 Graduated: 1964, B. Arch.
 Professional Practice: Draftsman: Pruden & Scott, Durham
 June 1956-Sept. 1956
 G. Milton Small & Associates, Raleigh
 Summers & part-time, 1958-1961
 Joseph N. Boaz, Raleigh
 Summer & part-time, 1961-1962
 Designer-Draftsman: Building Design, London, England
 Partnership (under A.C.S.A. Foreign Student Exchange Program)
 June 1963-Aug. 1963
 Community Planner I (Programming, Planning & Design): A. N. Tuttle, Jr., Chapel Hill, N. C., Director of Planning, UNC
 June 1964 to Present
 Travel: England, France, Belgium, Germany, Holland, Denmark, Norway, Sweden
 Memberships: Student Chapter AIA, N. C. State University
 Sept. 1956-June 1957
 Honorary-Temporary member, Architectural Association, London, England
 June 1963-Sept. 1963



ALAN HAROLD GEIGER, 301 Bynum Hall, UNC, Chapel Hill, North Carolina 27514
 Born: July 1, 1938, Lancaster, Ohio
 Education: Lancaster High School, Lancaster, Ohio
 Ohio University, Athens, Ohio
 Ohio State University, Columbus, Ohio
 Graduated: 1964, B. Arch.
 University of North Carolina, Chapel Hill
 Graduated: 1966, Master of City and Regional Planning
 Professional Experience: Designer-Planner: James M. Webb, Chapel Hill
 April 1965-May 1966
 Sr. Planner in chg. of Project Planning Section: A. N. Tuttle, Jr., Chapel Hill
 May 1966 to Present
 Memberships: Student Chapter - The American Institute of Architects, 1960-1964 - President, 1963-1964, Ohio State University

WILLIAM NEWELL HARTSELL, JR., 3101 Girard Court, Apt. #1, Charlotte, North Carolina 28212
 Born: April 3, 1940, Albemarle, N. C.
 Education: Albemarle High School
 N. C. State University, Raleigh, N. C.
 Graduated: 1963, B. Arch.
 Professional Experience: Draftsman: Charles Morrison Grier, Charlotte, N. C.
 June 1959-Sept. 1959
 Draftsman: Walter Hook Assoc., Charlotte, N. C.
 June 1960-Sept. 1960
 June 1962-Sept. 1962
 Draftsman: The Freeman-White Assoc., Charlotte, N. C.
 Feb. 1966 to Present



GERALD EDWARD KISTLER, 5928 Rose Valley Drive, Charlotte, North Carolina
 Born: June 26, 1940, Charlotte, N. C.
 Education: Harry P. Harding High School, Charlotte
 Clemson University, Clemson, S. C.
 Professional Practice: Draftsman: J. N. Pease, Charlotte
 Summer, 1963
 Draftsman: Jean G. Surratt, Charlotte
 June 1964 to Present

MARIANA PROCTOR, 823 Wriston Place, Charlotte, North Carolina 28209
 Born: August 20, 1939, Charlotte, N. C.
 Education: Myers Park High School, Charlotte
 Graduated: 1957
 Meredith College, Raleigh, N. C.
 Graduated: 1960
 Richmond Professional Institute
 Graduated: B.F.A.
 Professional Experience: Interior Designer of Dept. Store: Jean Surratt & Associates, Charlotte, N. C.
 June 1965-March 1966
 Interior Designer: J. N. Pease Associates, Charlotte, N. C.
 March 1966 to Present



RICHARD ROBERT REKAU, 611 Tucker Street, Raleigh, North Carolina
 Born: June 6, 1936, Chicago Heights, Illinois
 Education: Bloom Township High School, Chicago Heights, Ill.
 Graduated: 1954
 Western Illinois State, Macomb, Ill.
 Georgia Institute of Technology, Atlanta, Ga.
 Graduated: 1964, B.S. & B.A.
 Professional Training: Draftsman: Heery & Heery, Atlanta, Ga.
 Jan. 1962-Sept. 1962
 Draftsman: D. A. Polychrone, Atlanta, Ga.
 Sept. 1962-April 1964
 Draftsman & Job Capt.: Edwards & Portman, Atlanta, Ga.
 Sept. 1964-Feb. 1966
 Draftsman & Job Capt.: Dodge & Beckwith, Raleigh
 Feb. 1966 to Present

FRANK McCRADY WILLIAMS, P. O. Box 187, Matthews, North Carolina
 Born: November 16, 1940, Lumberton, N. C.
 Education: Marion High School, Marion, Va.
 Graduated: 1958
 Lees-McRae Jr. College, Banner Elk, N. C.
 N. C. State University, Raleigh
 Graduated: 1964, B. Arch.
 Professional Training: Construction & land surveying: Associated Contractors, Marion, Va.
 Summers of 1953-1958.
 Draftsman: 1959-1961
 (2 to 3 months each summer)
 Designer & Draftsman: J. L. Williams, Architect, Matthews, N. C.
 1962-1964 Summers and periodically during the year

WHO OWNS THE PLANS?

By R. Mayne Albright, Attorney, N. C. Chapter, AIA

Does the Architect have an inherent and inalienable right to his plans, forever assuring his ownership and prohibiting their use by others?

That the answer to this question is "NO" comes as a surprise to most architects. The fact, and the law, is that the architect's continuing right to his plans is not an inherent right arising from authorship alone. On the contrary, it is a right which must be asserted and protected by positive action on the part of the architect.

There are three ways by which the architect's ownership of plans may be protected:

1. By common law copyright.
2. By registration under the Copyright Act.
3. By contract between the architect and his client.

Unless the architect places himself in one or more of these three categories, his plans, once accepted and paid for by the client, become the property of the client, and the fact that it is a custom among architects that the plans are "instruments of service" owned by the architect is not conclusive upon a client who retains an architect in ignorance of such custom.

It is emphasized that the architect-owner contract is the best, and often the only method available to the architect to secure the protection he desires. However, there are circumstances in which the other means of protection may be helpful, and therefore the legal bases and procedural steps concerning them are briefly set forth herein.

1. The Common Law Copyright. This right derives from common law and is distinct from a copyright secured under the Copyright Act. The common law provides a measure of protection against unauthorized use of the work product of the architect and recognizes his property right in any architectural plan he has designed. Thus, his plans are his personal property, and no person may, without authorization, take them or use them without becoming liable for their use. However, it is important to note that the protection of the Common Law Copyright is lost the moment the architect delivers the plans to the owner or "publishes" the plans by filing them with a building department, making an unrestricted exhibition of the plans or of the building constructed from the plans or such other action as to allow his work to become common property.

In the absence of a specific agreement between the architect and his client, "the architect is ordinarily no longer the owner of the plans and specifications which he designs and which are furnished to and accepted and paid for by the owner. In such case, on acceptance of and payment for the plans, the owner is entitled to them. They become his property, and the architect cannot subsequently prevent the owner from using them in constructing another building. Nor does he have a right to receive additional compensation when they are used again, since he has already been paid for them under his original contract." Bernard Tomson, **Architectural and Engineering Law**, page 348.

2. The Copyright Act. By registration under the Copyright Act, an architect may be able to protect himself in the ownership of his plans even after they have been "published." Superseding the common law, the Copyright Act permits the sale, publication, or reprinting of plans, models or designs by the architect without loss of his rights of ownership therein. To qualify for such Copyright, the plans, models or designs must be "original" in design features or combination of features, and must be properly marked and registered.

The fact that this method of protection is rarely used is probably due to the fact that while particular plans or designs may be copyrighted, the Copyright Law does not protect "ideas" and apparently does not extend protection to finished work except through the copyright of the model. Also to prove actual infringement is a question of fact for a court or a jury to determine, and honest opinions may differ as to when similarity becomes plagiarism. Therefore, while registration under the Copyright Act may be necessary and proper for particular kinds of protection for particular designs, it is not readily applicable to the usual architect-client relationship.

3. The Architect-Owner Contract. The obvious, easiest, and generally the most effective method by which the architect can retain and protect his ownership of plans is by specific statement in a written contract. The customary statement is that which appears in the Standard Form of Contract adopted by the American Institute of Architects:

"OWNERSHIP OF DOCUMENTS: Drawings and Specifications as instruments of

service are the property of the architect, whether the work for which they are made be executed or not, and are not to be used on other work except by agreement with the Architect."

The question of ownership of plans may arise in different ways. In the recent North Carolina case of **Echols-Sparger vs. Williams**, Bladen County, without a written contract, commissioned and paid for preliminary plans and a rendering for a proposed Court House to be built subject to a successful Bond Election. The Bond Election failed and some years later, after another and successful Bond Election, the County, assuming that it owned the preliminary plans and rendering, turned them over to another architect for his use in designing its Court House. The first architect then sued both the County and the second architect for wrongful use of plans which he claimed belonged to him and not to the County.


Although this case was settled without a court decree as to ownership, the law seems to be on the side of the County and the second architect. The North Carolina Supreme Court has not passed on this question, but under the leading cases of other states the general rule is that where the architect fails to preserve his ownership by contract he loses ownership when the client receives and pays for plans, and thereafter the client may use them again or as he pleases without liability to the author of the plans for any further commission or compensation. See **Berlinghof vs. Lincoln County**, 128 Neb. 28,257 N.W. 373.

A contract clause as to ownership of plans is only one of the reasons, but a compelling reason, why architects should insist upon written agreements duly executed by both parties before entering upon the preparation of plans. While the mere stamping of the plans as "Instruments of Service" may constitute notice to the client and others that the architect is not selling the plans, such notice is not the equivalent of the agreement by contract. Even less effective, because of the difficulty of proof, are oral agreements as to ownership.

The whole moral of this story is "Put It In Writing." The tried and tested statements on ownership and on other important matters of architect-client relationship are those set forth in the AIA Standard Contract Documents. Use them, even where some parts of a standard form must be altered or supplemented to meet particular circumstances or requirements.

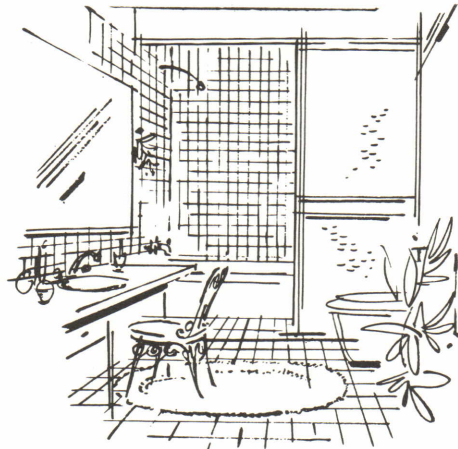
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CHAPTER TO MAKE CRAFTSMANSHIP AWARD

At a recent meeting of the Executive Committee of the North Carolina Chapter AIA, the following criteria was adopted for an Annual Craftsmanship Award.

This year the Award will be made at the Chapter's Winter Meeting to be held at the Robert E. Lee Hotel, Winston-Salem, January 26, 27 and 28, 1967.

ELIGIBILITY:

Anyone whose main employment is connected with building construction in North Carolina and who shows an unusual proficiency in some craft connected with building construction is eligible. This will include, but not be limited to, brick masons, stone masons, tile setters, concrete finishers, linoleum workers, cabinetmakers, framing carpenters, metal workers, glass setters, plasterers, painters, paper hangers, plumbers, steam fitters, nurserymen and the like.

TIME:

The competition will be held once a year with the awards being given at the Winter Convention of the North Carolina Chapter. Nominations for this award must be in the hands of the Committee before the fall meeting of the State Chapter so that the Committee can review all nominations at a meeting held during the fall meeting. It is currently proposed that these awards be given once a year.

NOMINATIONS:

Nominations must be made on the prepared form giving all required information and may be submitted by any Corporate Member of the North Carolina Chapter. Nomination forms may be obtained from the Executive Secretary at the AIA Tower, 115 W. Morgan St., Raleigh, N. C.

COMMITTEE:

The Committee for conducting this Award Program will consist of three Corporate Members of the Chapter. The President of the Chapter shall appoint one member to this Committee each year to serve a three-year term. The Committee shall consist of three members, the President shall make special appointments to fill out any unexpired terms that may occur through resignation or death.

FILES:

A permanent file of the activities of this Committee shall be kept in the AIA Tower by the Executive Secretary. Copies of all correspondence connected with this Award Program shall be placed currently in this file.

FORMAT:

Nominations for this Award shall be accompanied by a brochure which shall be in a standard folder.

CHARLOTTE CSI PRESENTS AWARDS

The following awards were made at the Annual Awards Dinner of the Construction Specifications Institute.

ORGANIZATIONAL CERTIFICATE OF APPRECIATION to J. N. Pease & Associates, Architects and Engineers in Charlotte, N. C. for the furtherance of the aims and objectives of the Institute by its encouragement of its associates in and by its participation in the development of the Uniform System for Construction Specification and Data Filing. This award was received by Col. J. N. Pease, President and Founder of the Firm.

ORGANIZATIONAL CERTIFICATE OF APPRECIATION to A. G. Odell, Jr. & Associates, Architects in Charlotte, N. C. for the furtherance of the aims and objectives of the Institute by its encouragement of its associates in and by its participation in the development of the Uniform System for Construction Specification and Data Filing. This was received by Mr. Thomas P. Turner, Jr., CSI, representing Mr. A. G. Odell, FAIA.

TECHNICAL EXCELLENCE AWARD was presented to Mr. Joel E. Stegall, Jr. FCSI, Associate and Chief Specification writer of J. N. Pease & Associates. This award was presented to Mr. Stegall for his dedicated efforts to keep before the Chapter the objectives of the National Technical Program and for his own personal contributions of time and energy to produce Three Technical Studies.

PRESIDENT'S AWARD was presented to J. J. Wingard, Jr. AHC, Vice President of Delph Hardware & Specialty Co., Charlotte, N. C. for his exceptional work performed in behalf of the Chapter as 2nd Vice President 1961-62, Director 1962-64 and Committee Chairman in 1965-66. For Chapter Technical Programs and the Student Education Seminar of May 1966 at North Carolina State University at Raleigh, North Carolina.

PRESIDENT'S AWARD presented to E. H. Smith, President of General Specialties, Inc., Charlotte, N. C. for his exceptional work performed on behalf of the Chapter as 2nd Vice President, 1959-60, Director 1960-63 and for his energetic and imaginative contributions to Chapter Technical Programs and the Student Education Seminars at Clemson University, Clemson, S. C. for the year 1965-66. Mr. Smith received the award personally.

CERTIFICATE OF APPRECIATION was presented to Howard K. Olive, CSI, Chief Specification Writer, Ferebee-Walters & Associates, Architects of Charlotte, N. C., for Distinguished Service to the Chapter in the advancement of its Objectives and its Administration by his dedicated participation in numerous C. S. I. activities at Chapter, Regional and National levels and by his able leadership as Chapter Vice President 1962-63, and for President for two consecutive terms, 1963-65. This award was received by Mr. Olive personally.

NCAIA GAINS NEW MEMBERS

Two Corporate Members of The American Institute of Architects have transferred into the North Carolina Chapter this year. Mr. Davidson came to North Carolina from Pennsylvania and Mr. vonDorn has moved to Charlotte from Nebraska.

RICHARD FREDERICK vonDORN, 7219 Rockledge Drive, Charlotte, North Carolina 28210
 Born: March 7, 1932, Omaha, Nebraska
 Registration: North Carolina, South Carolina, and Nebraska
 Education: Georgia Institute of Technology
 Professional Training and Practice: Staff Architect: Henningson, Durham & Richardson, Omaha, Nebraska 1958-1964
 Chief Architect: Henningson, Durham & Richardson of North Carolina, Charlotte, North Carolina 1965 to Present
 Memberships: Nebraska Architects Association Chapter A.I.A. 1960-1964



FRANCIS GEORGE DAVIDSON, 2629 University Drive, Durham, North Carolina 27707
 Born: Charleston, West Virginia
 Registration: North Carolina and Pennsylvania
 Education: Charleston, West Virginia Public Schools
 Chauncy Hall Prep School, Boston, Mass.
 Graduate - Massachusetts Institute of Technology
 B.S. in Architectural Engineering
 Professional Experience: Formerly in private practice in Pittsburgh, Pennsylvania; Charleston, West Virginia and Northwestern Pennsylvania
 Thirty-five years experience in private practice in above geographical areas.
 Work performed in various categories such as commercial - residential - religious - education - institutional - industrial.



GREENSBORO ARCHITECTS ELECT OFFICERS

At a recent meeting of the Greensboro Registered Architects, the following were elected to serve as officers for the coming year:

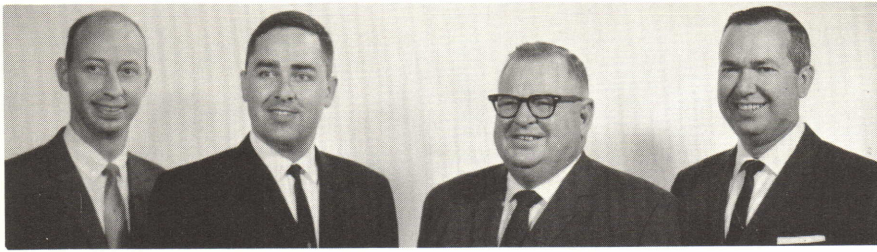
A. C. Woodroof, Jr., AIA, President; Robert E. L. Peterson, AIA, Vice President; U. Frank Asbury, Secretary-Treasurer; Jesse B. Owens, Jr., Sergeant-at-Arms.

Mr. Adrian P. Stout, Architect, has changed his firm name to: Stout & Coltrane, AIA, Architects, 1901 Lendew Street, Greensboro, N. C.

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Carter, Gill, Aiken, Wingard

The following men have been elected to direct the Carolinas' Chapter of the Producers' Council for the new fiscal year 1966-67.

Relford W. Aiken, President, is a representative of the Kawn-
eer Company. Mr. Aiken joined
the Kawn-
eer Company in 1950
after working in the Construction
business upon graduation from
Wofford Prep school in Spartan-
burg, S. C. He is a member of
the Construction Specifications
Institute.

Jack Gill, First Vice President,
is a Sales Engineer with ALCOA,
joining ALCOA after graduation

from the University of Illinois with
a B. S. degree in Civil Engineer-
ing in 1961. He served two years
as Engineer Officer with the 24th
Infantry Division of the U. S.
Army, and is now a Captain in
the N. C. Army National Guard.

Justis J. Wingard, Jr. Second
Vice President is a native of
Greenville, S. C. A representative
of New Castle Products, he is
Vice President of Contract Sales,
a member of the Board of Di-
rectors of Delph Hardware &
Specialty Co.

James R. Carter, Secretary-
Treasurer is a representative of
Amarlite Division of Anaconda
Copper Co. Attended Virginia

PRODUCERS' COUNCIL ELECTS OFFICERS

Polytechnical Institute majoring
in building Construction. A resi-
dential contractor from 1950-52,
he served with the U. S. Army
Corps of Engineers in the combat
engineers in Korea thru 1954. He
is past Secretary-Treasurer of
the Construction Specifications
Institute, he was chairman of the
Welcoming Committee of the
Producers' Council in 1964-65.

The purpose of the organiza-
tion is to encourage designers
to use building material properly
and economically. The council
meets monthly in various cities
in the Carolinas' and has a guest
list consisting of Architects, engi-
neers and school officials.

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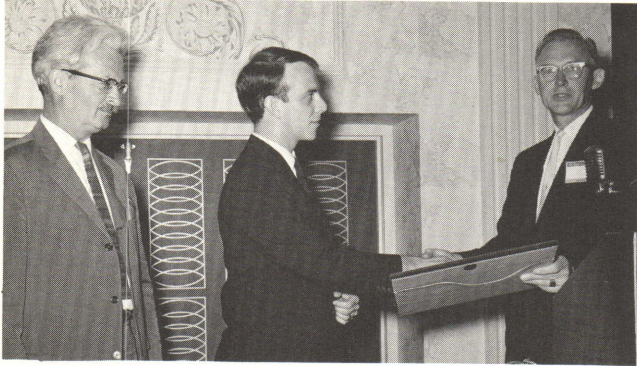
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DEAN KAMPHOEFNER, STUDENT MITCHELL RECEIVE REYNOLDS CERTIFICATES



Robert L. Durham (right) of Seattle, Wash., president-elect of The American Institute of Architects, is shown presenting certificates as winners of the 1966 Reynolds Aluminum Prize for Architectural Students to Dean Henry L. Kamphoefner (left) of the School of Design, North Carolina State University, and William R. Mitchell, a fourth year architectural student. Mr. Mitchell's design of "An Educational Facility for the Peace Corps" won the Prize from among entries from 29 architectural schools. Mr. Mitchell and the School of Design each also received a \$2,500 check from Reynolds Metals Company, sponsor of the program. The presentation was made at the recent convention of The American Institute of Architects in Denver, Colo.

CHARLOTTE FIRM CHANGES NAME

The firm name of Tebee P. Hawkins, AIA, Architect, has been changed to Tebee P. Hawkins & Associates, Architects. The Associates are Mr. Charles W. Kibler, AIA and Mr. Edgar B. Gale. The office will continue at its present address, Suite 106, 221 S. Church Street, Charlotte.

N. C. ARCHITECT PUBLICATION HONORED

Dan C. Cowling, Jr., AIA, Chairman of the Commission on the Professional Society of The American Institute of Architects, has recently informed the North Carolina Chapter AIA that the May Issue of **North Carolina Architect**, a special issue devoted to the Governor's Conference on Beautification, has been selected as a "Document of the Month" by his Commission. Copies of the publication will be distributed to all Chapter and State AIA presidents and offices as a guide line for future planning of like conferences.

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During the spring and early summer the small enclosed garden at the rear of the AIA Tower in Raleigh has been completely landscaped. A delightful vista in the midst of downtown Raleigh, its inviting entrance beckons one to a small secluded spot aloof from the hustle and bustle of surrounding business activity. Enclosed by ivy-covered brick walls, an interesting pattern of brickwork is enhanced by new-green ground cover and shade trees.

Several benches have been installed and spots of color are provided by large containers of bright red geraniums. Visitors are welcome.

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CALENDAR OF EVENTS

- September 1: Raleigh Council of Architects, YMCA, Hillsborough St., 12:15 P.M., C. Frank Branan, AIA, President
- September 6: Durham Council of Architects, Jack Tar Hotel, 12:00 N, Frank Depasquale, AIA, President
- September 7: Charlotte Section, N. C. Chapter AIA, Stork Restaurant, Independence Blvd., 12:30 PM, Thomas P. Turner, Jr., AIA, President
- September 7,14,21,28: Architects Guild of High Point, Sheraton Hotel, 12:15 PM, Norman Zimmerman, AIA, President
- September 15: Greensboro Registered Architects, Dino's Restaurant, 6:30 PM, A. C. Woodroof, Jr., AIA, President
- September 19: Carolinas' Chapter, Producers' Council, Inc., Heart of Charlotte Convention Hall, 6:00 PM
- September 20: Winston-Salem Council of Architects, Twin City Club, 12:00 N, Don Hines, AIA, President
- Sept. 30-Oct. 2: CSI Tri-Regional Conference, Holiday Inn Downtown, Baltimore

Oct. 27-29: South Atlantic Regional AIA Conference, Queen Charlotte Hotel, Charlotte, B. B. Rothschild, FAIA, Regional Director; Charlotte Section, NCAIA, Hosts

Nov. 6-9: Carolinas Branch, AGC, 46th Annual Convention, Boca Raton Hotel & Club, Boca Raton, Florida

Jan. 26-28: Winter Meeting, N. C. Chapter AIA, Robert E. Lee Hotel, Winston-Salem

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CAROLINA'S CHAPTER

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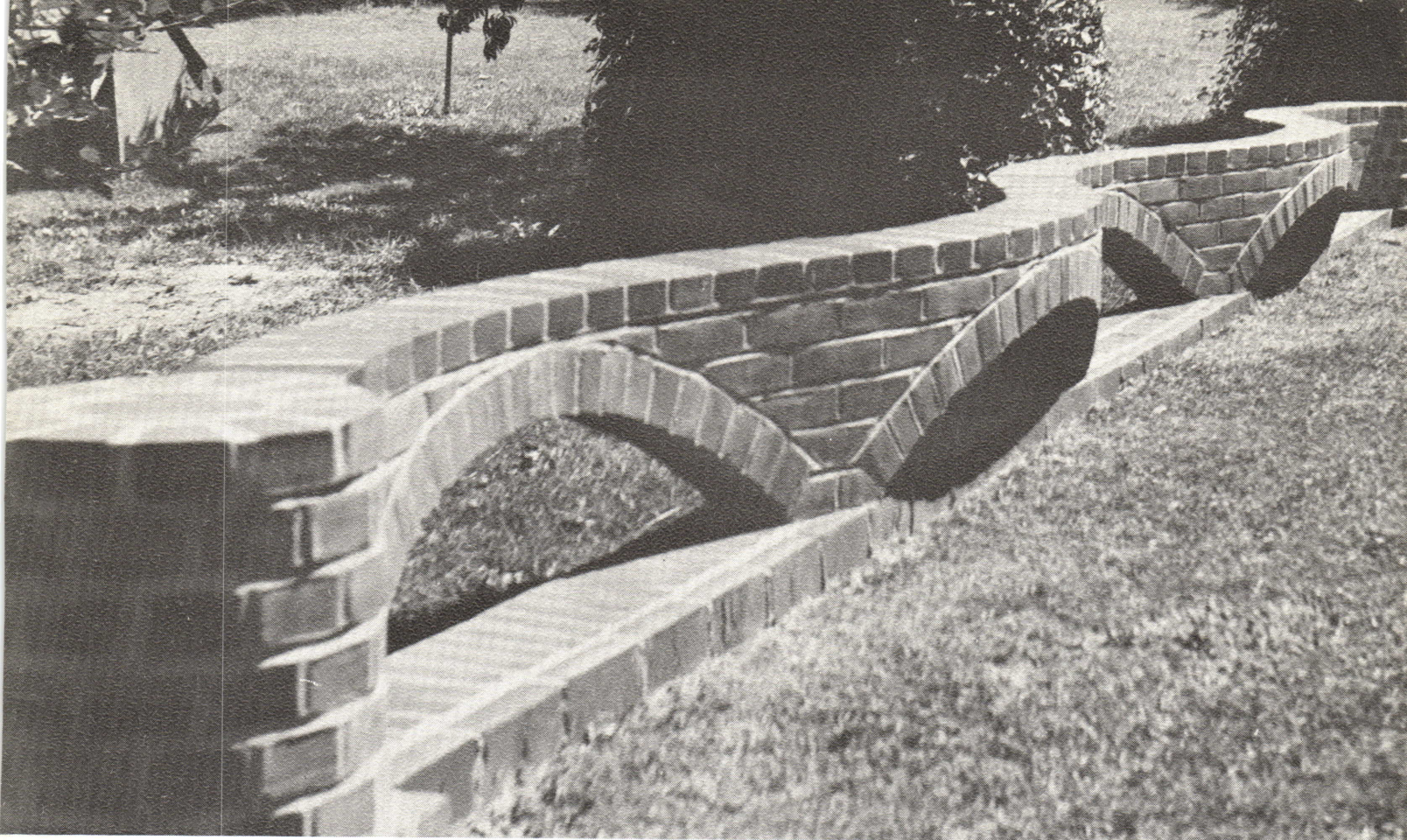
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