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

LETTERS and COMMENTS

Sirs:
I was so glad to see the Empire State Architect finally burst into print. There have been many favorable comments and it all looks good for the future.
Several points have occurred to me while reading over the text, I like particularly the subject matter on the first page, especially the write-up on the activities of the Legislative Committee. This matter of the private architect and the work of the State of New York is certainly one which comes directly in the field of the State Association, and I think you should seize every opportunity to tell the audience what is being done to influence Albany and who is doing it.
The cover is very good and I am sure accomplished its purpose in drawing attention to our new magazine, I would like, however, to see a little experimenting with a setup of the title. Somehow the words "Empire State" and "Architect", setup as they are now, do not get across immediately.
With every good wish for continued success of the venture, and hopes for the necessary advertisements.
Continued on Page 7
ALBERT G. CLAY.
COMMITTEE ACTIVITIES

COMMITTEE ON PRESS RECOGNITION

There was a meeting of this Committee on May 3, 1941, at the Architectural League, N. Y., from 11 a. m. to 1:30 p. m., to which Messrs. Harmon, Briggs, Koch, Boyd, McCarthy, Hayner, Strauss and Mertin responded to the call of Chairman Mertin.

After a thorough discussion in which every one took part our thoughts crystallized into two main divisions, the Downstate or Metropolitan and the Upstate Division.

The Downstate Division presents similar and in addition unique problems, so that it was decided to consider them at our reconvened meeting on May 19, 1941.

This adjourned meeting was attended by Briggs, Strauss, Koch, Hayner, McCarthy, Boyd, Farrell, Ericson, Dodge, Uslan, and Mertin. Mr. Harmon was excused.

For the Upstate solution we suggest: — That the meetings of our Member Bodies be made interesting and that they be definitely pointed to the correction or improvement of some local need; that constructive suggestions be made to the local officials, and that their reactions be secured, and their endorsement, and that their thoughts be embodied in the corrective scheme, giving due credit to all. The local news-hawk should be kept informed (as well as entertained) by the Architects, so that these items of local NEWS will be published.

After such items have appeared once or twice, then your Member Body should hold an open meeting to which the Public would be invited to express their sentiments, suggestions, and particularly their criticisms. It would be the duty of some member Architect to have one or two leading Citizens attend and talk. Also another should see that the newshawk is there to report NEWS of what happens. The Public must be made Architect Minded.

Your Architect should do active service as Architect, on Committees of Chamber of Commerce, Churches, Lodges, and all other business or civic organizations which foster the trade or welfare of the community. He should serve particularly where his training and skill bents him to be an expert. NEWS of these activities should be given to our good Hawk friend, and they should contain constructive ideas, interesting and of value to the Public.

To help you here are some suggested TOPICS, but do not lose you will think of better ones yourselves.

Building Code Modernization

Zoning Modernization

Rehabilitation of business or residential areas so that they may be made more modern.

Main Street Beautification

Park making or improvement of public parks.

Chairman Mertin asks that you write him your progress. Please do so for your results will have bearing and point for us all.

It is suggested that Architects copyright all drawings issued for possible publication, and properly name same thereon so that when they are used in print, permission can be granted by the copyright owner for such use, which will assure recognition of Architect’s name in print.

The members agreed unanimously that the Secretary should direct a letter to all newspapers and periodicals, couched in firm but diplomatic language, requesting that the Architect’s name be printed wherever the picture of any building is used, and also that the name be mentioned in text in connection with any new or altered buildings.

Some of the New York papers, such as the N. Y. Times and others, have already agreed to cooperate with the aims of this Committee.

JOHN T. BRIGGS, Secretary.

"YOU MUST BE KNOWN TO SECURE A COMMISSION"

RADIO PUBLICITY

BUFFALO CHAPTER AND WESTERN NEW YORK SOCIETY

Since William Lescaze has been putting forth so much good effort to initiate a worthwhile radio program in the interest of the architectural profession, the Buffalo Chapter felt that Western New York ought to get into the spirit of the times and go along with him.

Accordingly the writer, who appears amiable when off his guard, found himself with a mandate to call upon all Western New York architects to interest themselves in a radio publicity program. Without more ado, the writer and his committee of himself, drafted an appeal calling together on May 6th all those interested to (1) meet in Buffalo’s University Club to listen to transcripts of California’s successful program and (2) to be moved to the subscription point by the Committee’s appeals.

Our turn out was disappointingly small, only twelve out of a possible seventy-five appearing. What the meeting lacked in numbers it made up in enthusiasm. ‘Ere the evening was over two hundred sixty-five dollars had been subscribed, with a goal of five hundred set. This sum is sufficient to pay for transcripts of “Bill” Lescaze’s original program, purchase local radio time and cover a reasonable clerical charge.

Since that meeting intensive work has been done to bring the subscription total up to scratch. The score to date (May 29, 1941) is as follows:

Total Amount Subscripted $425.00

Total Number of Subscribers out of a possible 75. . . 20

If twenty architects, some of them juniors, can raise $425.00 for a program designed to benefit the profession as a whole, the fifty-five or more around these diggings who have not yet responded should be able to raise that $75.00 necessary to underwrite the proposed program for Western New York.

May all fifty-five read this informal report and become inspired to help us make a go of it.

In times like these, with a national emergency declared, it becomes more than ever necessary to uphold and advance the public’s attitude towards the profession.

PAUL H. HARBACH.

WESTCHESTER COUNTY SOCIETY VS. N.Y.C. AND LONG AND STATEN ISLANDS

The Westchester County Society of Architects — an energetic twelve-year-old organization of ninety souls — can always be relied upon to go its share in any movement to further the interests of architects.

Its latest step in that direction is in the form of a pledge — to pay the Radio Publicity Committee of the State Association the sum of $250 as the Society’s contribution towards financing the thirteen week Architects’ Publicity Program.

This represents a challenge to other constituent member organizations of the State Association, in the Metropolitan area of New York City; and particularly, to those which are larger and wealthier. The Society’s pledge represents 35% of all its worldly goods and this is, in reality — “giving ‘til it hurts!”

Will other groups match this generous offer, by pledging 35% of their assets for the worthy cause? If each will contribute its share in such proportion, Bill Lescaze will have funds more than ample to cover the first series of broadcasts.

LOUIS LEVINE.
LEGAL PITFALLS

QUESTION — If a builder does not possess a license to practice architecture or engineering, but offers plans and specifications as a part of his service, does he violate the Education Law? May an architect legally prepare plans and specifications for such a builder who offers them to owners as a part of the Contractor's services?

ANSWER — Any builder not licensed either as an architect or as a professional engineer would violate the provisions of the Education Law if he offered to render professional services. If a builder was incorporated, his corporation would have to conform to the statutory requirements indicated in the following opinion of the Attorney General.

"EDUCATION LAW, SECTIONS 1449, 1461, 1475-1476
PREPARATION OF PLANS AND SPECIFICATIONS
FOR BUILDINGS BY CORPORATIONS

A corporation may not engage in the practice of architecture or engineering in the State of New York except that certain corporations may do so upon complying with the provisions of section 1461 or section 1476 of the Education Law.

I have your request of September 10, 1938, for an opinion whether a corporation may lawfully prepare and file with the tenement house department of the city of New York plans for the construction of a building.

Section 1475 of the Education Law defines the practice of architecture '(ED. See Law)'. The limitation upon the practice of architecture by a corporation is set forth in section 1476 of the Education Law.

It provides ' *** 2. *** No corporation shall practice architecture in this state or be granted a license under this article but it shall be lawful for a corporation organized and existing under the laws of the state of New York, and which on or before the twelfth day of April, nineteen hundred twenty-nine was legally incorporated to practice architecture and which has been continuously engaged in said practice since such time to prepare drawings, plans and specifications for buildings and structures which are constructed or their construction supervised by such corporation, provided that the chief executive officer of such corporation, if a corporation, and each member if a firm, co-partnership or joint-stock association, organized and existing under the laws of the state of New York which on the fifteenth day of April, nineteen hundred thirty-five, and continuously thereafter, was lawfully practicing professional engineering or land surveying in New York state, and then only provided that the chief executive officer, if a corporation, and each member if a firm, co-partnership or joint-stock association, shall be a licensed professional engineer, if practicing professional engineering or a licensed land surveyor if practicing land surveying, and further provided that the person or persons carrying on the actual practice of engineering or surveying on behalf of, or designated as engineer or surveyor with or without qualifying or characterizing word, by such corporations, partnerships or joint-stock associations shall be authorized to practice professional engineering or land surveying as provided in this article.

No such corporation shall change its name or sell its franchise or transfer its corporate rights, directly or indirectly to any person, firm or corporation without the consent of the department.'

A corporation organized and existing under the laws of the State of New York, which on April 15, 1935, and continuously thereafter was lawfully practicing professional engineering in New York State may, by complying with the conditions given, continue the practice of professional engineering, including the planning and design of buildings.

Corporations may lawfully engage in the design of buildings only within these limitations.

Sections 1450 and 1476 of the Education Law provides: ' *** No official of this state, or of any city, town or village, therein, now or hereafter charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of buildings or structures, shall accept or approve any plans or specifications that are not stamped with the seal of a licensed architect or a licensed professional engineer.

It would seem from the foregoing that, although the corporations conforming to the statutory restrictions may continue to practice architecture or engineering, nevertheless, the filed plans must have the seal of a licensed architect or engineer. Since the corporations are required to have such a license as officer (Education Law, sections 1461, 1476) this will involve no added hardship.'

In the much publicized case of the American Store Equipment and Construction Corporation, Appellant, vs. Jack Dempsey's Punch Bowl, Inc., Respondent, Justice Rosenman sustained the provisions of the Education Law as set forth hereinbefore. This judgment was confirmed by the Appellate Division in the First Judicial Department unanimously and by permission, was appealed to the Court of Appeals which in turn sustained the lower courts. The case has already been reported in full in the Architectural Record. The Octagon of the A.I.A. and similar publications and for those who are (Continued on Page 6)
NEW LEGISLATION

HOUSING PARTNERS

Some of our western states point with pride to their daring legislative advancement, but I do not believe any of them can top the experiment New York State is now committed to in the URBAN REDEVELOPMENT CORPORATION LAW.*

For the first time the State and City are seeking a privately owned corporation as a partner. Their joint enterprise seeks to entice capital into self-supporting dividend paying Housing. To implement this, wide latitude has been granted to these Corporations, and powers heretofore reserved to the State and City have been delegated under restrictive supervision.

The LAW merits your study. This brief is an introduction.

THE CORPORATION: Three or more persons; can form one within ten years, perpetual life; one project. May purchase, lease, construct, own, manage. Plot, 100,000 sq. ft. or more.

TAX EXEMPTION: for 10 years on improvement.

DIVIDENDS: Maximum 5% on cost after fixed charges.

FIXED CHARGES: Mortgage service, taxes, maintenance, reserve. Mortgage, first, second.

COSTS: Planning, neighborhood, architectural, engineering, buildings, legal, incorporation, alleviating of families in area, financing, carrying charges, working capital, demolition, utilities, roads, landscaping, construction equipment, management.

DIVIDENDS: 5% on costs, less service charges.

CONDEMNATION: after 51% by area and by assessed valuation has been acquired.

REDEVELOPMENT: clearance, replanning, reconstruction, rehabilitation, and industrial, commercial, public, recreational as required with residential.

ZONING: changes to protect project required.

CITY LEASES: May be for 50 years, 30 years renewal; improvements at end of time, property of City Corporation may mortgage fee.

We all know that the heart of the Nation is in the Home, and if that home is rotten the decay infects the entire. We all know that free housing while a lesser one is an evil and eventually must be eliminated thru self-supporting, self-respecting HOUSING. This law provides the formula for this first, but OH! My, My, how important a step.

JOHN T. BRIGGS.

THE NEW BUILDING QUOTA FOR CENTRAL RURAL DISTRICTS EXPLAINED

(Ed: — This new law of prime importance to all architects designing central rural schools is here explained by the Director of the staff of the Joint Legislative Committee — Robert M. Scott.)

DETERMINATION OF ENROLLMENT — For the purpose of calculating the building cost, the commissioner shall ascertain the number of pupils enrolled in grades one to twelve, inclusive, in the school districts comprising a central district at the close of the school year next preceding the date at which the voters approve a bond issue for a school building and shall add thereto, as a probable kindergarten enrollment, a number equal to the average number of pupils enrolled in grades one to six, inclusive, in such school districts. The pupil enrollment thus enumerated may be increased or decreased five per cent by the Commissioner to compensate for school population trend in each central district just prior to the approval of a bond issue for a central school building.

EXAMPLE OF A CALCULATION OF PUPIL ENROLLMENT TO PLAN FOR:

<table>
<thead>
<tr>
<th>Grades 1-12 inclusive</th>
<th>340 Pupils</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades 1-6 divided by 6</td>
<td>40 &quot; Kinder'n Allowance</td>
</tr>
</tbody>
</table>

Sub-Total 380

Total Enrollment to Plan for in the Building 399 Pupils (A)

DETERMINATION OF BUILDING COST CEILING

Upon the basis of the pupil enrollment thus ascertained, there shall be computed for each pupil shown thereby the sum of four hundred fifty dollars as a cost unit. The pupil enrollment multiplied by the cost unit shall constitute the cost of the building in a central district. The cost unit herein specified is based upon the cost of material and labor on October first, nineteen hundred forty and may be increased or decreased by the Commissioner in proportion to the fluctuations in the cost of material and labor after October first, nineteen hundred forty. Schedules indicating such fluctuations, expressed in percentage terms of increase or decrease in the basic cost unit of four hundred fifty dollars, shall be prepared by the state industrial commissioner quarterly and delivered to the Commissioner.

THEN — $450.00 multiplied by 399 equals $179,550 (Building Ceiling so far as State Aid is Concerned) (B)

DETERMINATION OF STATE CONTRIBUTION AND DISTRICTS SHARE OF COST

The central district shall contribute to the cost of the building thus calculated, an amount equal to six per cent of the actual value of taxable property in the central district and the state shall contribute the remainder of the cost of the building, thereby making the building quota to be apportioned and paid by the state the amount obtained by multiplying pupil enrollment by cost unit minus six per cent of the actual value of taxable property.

The actual valuation of taxable property shall be ascertained by taking the assessed valuation of such real property as it appears upon the last assessment roll of the town or city in which such property is located, after revision as provided by law, and by applying the ratio, as determined by the state department of taxation and finance, which such assessed valuation bears to the actual valuation of such property and adding the assessed valuation of the personal property in such district.

EXAMPLE OF CALCULATION OF DISTRICT'S SHARE OF COST AND STATE'S CONTRIBUTION

Building Ceiling as determined in "B" $179,550

Less 6% of $2,244,367, which is the true value of Real Property in the District 134,662

Difference equals State's Contribution $ 44,888 (C)

Note that in this case the State's Share is 25% of the Building cost, which is the same as under the former Law. One feature of the present Law is its equalizing of the benefits of State Aid. A poorer district, that is one with a lesser true value of real property, would receive more than set forth above, and a wealthier district, proportionately less. The building cost as herein computed shall not prohibit a central district from exceeding the computed building cost, but any increase shall be borne by the local district. If additional

(Continued on Page 6)
ACTIVITIES OF OUR CONSTITUENT MEMBERS
QUEENS SOCIETY OF ARCHITECTS PUBLISHES YEAR BOOK

The Queens Society of Architects has just distributed copies of its 1941 Year Book which is a most commendable effort. In addition to a complete list of all of the Architects in New York City and Long Island who are members of any of the Architectural Bodies therein, it contains the Queens Society of Architects Schedule of minimum fees, the zoning law of the City of New York, together with the complete use maps of the Borough of Queens.

Each of our constituent members should study this volume and consider the feasibility of furnishing all of the State with similar Year Books covering each locality with the inclusion of the appropriate codes and ordinances.

SYRACUSE SOCIETY OF ARCHITECTS DESCRIBE TWO PROJECTS

The architects thought their efforts hadn't received full recognition by the newspapers, so, three years ago when the Syracuse Society was approached for cooperation with the Post Standard on a book, cost 25 cents, of 24 house designs, it cooperated and killed two stones with one bird. It was agreed that the newspaper would give recognition to architects on any project appearing in its columns. The book contained, for public enlightenment, a number of articles on what an architect is and does and why. The book was a big success from the point of view of the publisher as well as the architects. It sold the first year 5000 copies and this, the third year, 7000. Requests for the book and inquiries on specific houses have come from Toronto, Canada, Oklahoma, Florida, Virginia, etc., and every part of New York State. One office has built two and had a dozen or more inquiries. All told, eight or ten houses have been built from the book by the various offices. But, the important point is that it fell into the hands of thousands who read the articles and consequently it is impossible to trace the full extent of contagion. The books, coming at this time, when the financial institutions are urging loans on the public have been bought by them, one taking several hundred. One of the banks runs a good F.H.A. advertisement each month displaying one of the book designs. We will gladly send a sample to any society interested in pursuing a similar course.

Another project which has brought architects into the public eye as well as affording an opportunity for cooperation with another group is the Annual Architectural Exhibition at the Syracuse Museum. The show started six or seven years ago and last year the Camera Club was approached on a cooperative basis. Members of the Camera Club, at cost to cover materials alone, ran around and photographed various jobs. Prizes were awarded by the Society for the best photographs. About 100 were displayed. A half dozen were blown up to 3' x 6'. All this increased the interest in the show. Coming in the spring of each year, same time, same place has made quite an institution of the event.

The Society is inaugurating a small house service bureau with the cooperation of the Syracuse Housing Authority. They will keep the plans on file and are contributing an office and secretary to handle the clerical end. The banks are being approached in an effort to work out a campaign of F.H.A. cooperation for financing and advertising.

HELEN C. GILLESPIE

LATE NEWS BULLETIN

Two New York Architects were honored by the 73rd Convention of the A.I.A. Richmond H. Shreve was elected president and Matthew W. Del Gaudio the member of the Board of Directors for the State Associations.

NEW LEGISLATION—Continued

outlay is planned, however, the district voters shall be so advised of the amount involved before voting to bond the district for such sum.

NOTE: — If the local district spent $20,000 for the building, the cost would have exceeded the building ceiling of $179,550 by $20,450. The State will not pay any part of the $20,450. This must be paid by the local district.

WHERE ONLY AN ADDITION OR ALTERATION ARE INVOLVED, OR WHERE THE NEW BUILDING IS FOR A PART OF THE PUPIL LOAD ONLY

If a central district decides to plan for only a part of the enrollment, either in new building or in an addition to existing building, the building formula shall be applied except that the local district and state shall contribute in terms of the ratio established if the entire enrollment had been planned. If the entire enrollment is not planned in the initial outlay, that shall not prohibit the district on some future date from receiving state assistance for various buildings or additions for the enrollment beyond the enrollment already cared for. If in a central rural school it is found possible to utilize existing facilities, the state and district shall bear the cost of any necessary repairs, modernization, and/or alterations in the same ratio as they would for new building facilities, except that the computed cost for such repairs, modernization, and/or alterations shall not exceed one hundred dollars per pupil. Under no circumstances will the state contribute more than its share that would result from the building formula prescribed in subdivision one of this section.

EXAMPLE OF CALCULATION OF DISTRICTS SHARE OF COST AND STATES CONTRIBUTION ON AN ADDITION AND ALTERATION

Where only an addition is required, based upon same enrollment as in "A" and same true value of real property in "C".

Assumed cost of addition to present building....$90,000
Assumed cost of alterations to present building....30,000

Total costs of improvement$120,000

Ratio of State's contribution to the building Ceiling is $44,888 to $179,550 which equals 25 per cent. Then the state will contribute toward the cost of the addition and alterations 25/100 times $120,000 or $30,000. (D) NOTE: — In this instance the district can add to the building at any time in the future for repairs, modernization, and/or alterations or additions, an amount equal to $95,550, and receive state assistance in the same ratio as established if the entire building had been built in one operation.

LEGAL PITFALLS—Continued

interested further, we refer you to the New York Reporter, pages 51 to 53 in Volume 283. It is enough here to merely state that the Education Law with regard to practice by corporations not organized and chartered prior to April 12th, 1929 in the case of a corporation practicing architecture or April 15, 1935 in the case of a corporation practicing engineering was sustained in full and is free from encroachments from building corporations.

The architect who prepares plans and specifications for a builder who offers them to the owner as a part of the builder's services will, of course, be aiding and abetting the builder in unlawful practice of architecture. Attention is called to the answer in last month's issue which fully covers a like situation. The architect must be retained by the owner to prepare the plans and specifications for the proposed structure if he is to avoid the embarrassment of being implicated in an illegal transaction.
GOOD RECEPTION

Sirs:—

I think this is the start of a worthwhile publication relative to the profession in New York State and I wish to compliment you and your organization.

ARTHUR H. HODDICK, Director,
Bureau of Welfare Institutions and Agencies.

SOME FOOD FOR THOUGHT

Sirs:—

The lumber mills are a source of competition for the architect. Locally they are furnishing sets of plans for $1.00. What can be done about this?

A still further source of competition is the House Plan Book. One of these is the Architects Small House Service Bureau of Minnesota, published by the Southern Pine Association, and endorsed by the A.I.A. This particular book to which I refer, contains 155 pages, each 11” x 16” and illustrating over 100 houses with floor plans. These plans and others which may be secured from Plan Bureaus are a serious encroachment on the work of the architect. The question that I raise here is whether or not the organizations of the profession should withdraw their support of all architectural bureaus and of the stock plans and, adopt as part of their standards of practice a provision prohibiting any of their members from engaging in such practices.

The F.H.A. and the Federal Home Loan Bank Board has sent speakers out around the country illustrating houses which could be built for $2500, but which, upon further investigation in the several localities, were usually found to run upwards of $4000. Further than that, the public has gained from this endeavor the impression that the architects were willing to prepare plans and specifications for nothing. How can the profession counteract this erroneous misconception of the architects’ functions?

JAMES A. WALKER.

ED. — Are any of the points raised by Mr. Walker a proper subject for action by the State Association?

BAD RECEPTION

Sirs:—

I regret to state that the first number of the E.S.A. was given a poor reception in Westchester. This is based on the comment made at our Society’s meeting, last Wednesday. The chief criticism seemed to be aimed at the text covering old news and the limited number of Ads.

There is a matter which I think requires some ground work before the next legislative session. Having taken an active part in the prosecution of illegal practitioners of architecture, and having seen the futility in trying to get satisfactory results from a judge or jury, I believe we must tackle the problem from another angle. The State Education Department, together with its prosecuting agencies, know from experience the weaknesses in the Law and why convictions cannot be had under their present form.

They should make a comprehensive report on their experiences and recommend legislation to correct the evils and fill in the holes in the Law. They should be the driving force to see that the laws are put thru. I think architects will agree with me, that their advice and recommendations will bear greater weight with the legislators and the governor than that of the architects.

LOUIS LEVINE.

ED. — Convention Chairmen will note and make provision for a full discussion of this vital subject. Will other architects favor us with their views and comments?
RUSSELL shines shoes in the Rand Building in Buffalo, and the boys admit he does a swell job. Funny thing about Russell is that he sticks to shining shoes. He avoids sidelines, such as selling policy slips and candy bars. Figures if he branches out he wouldn’t have time to give that super-shine which keeps ‘em coming back!

Too few people in this day and age are content to stick to a line and become expert in it. Instead, they’ve got to get you coming and going.

Of course, you can argue that a "general store" business makes more money. But there is plenty of evidence to prove that a specialist gives his customers better service, and National is a shining example. Aggressive specialized research, and the courage to put research findings into immediate production, have made National the pace-setter for the wall and ceiling industry. The first contribution was a revolutionary light-weight gypsum wallboard. It set new quality standards for wallboard processing to the benefit of all dealers and carpenters.

Recently, with the introduction of the Gold Bond Floating Wall System, National took the first decisive step that has ever been made toward minimizing plaster cracking and reducing sound transmission. This, too, will stimulate the industry to greater efforts in the interest of the builder, dealer, and architect.

For large housing projects National has developed a unique 2” solid partition system that saves floor space, cost and time. These are but a few of National’s contributions. There are many more.

The result is there’s a Gold Bond product for every wall and ceiling job. The complete line includes every kind of gypsum plaster, wallboard, lath, finish lime, metal lath, insulation, casein paint, and sound control material. A valuable plus is National’s staff of more than 300 trained representatives who can help you select the best materials for any job and tell you how to use them for the best result.

Remember this when it comes to wall and ceiling materials—it costs no more to use the specialist, and you get the full value of National’s research and product improvements, and you get it first! Write for the 1941 Gold Bond Handbook describing new methods of wall and ceiling construction. National Gypsum Company, Buffalo, N. Y.