THE WISCONSIN ARCHITECT

Official Publication

The State Association of Wisconsin Architects

Wisconsin Chapter, The American Institute of Architects

Producers’ Council Club of Wisconsin

LEIGH HUNT, Editor
152 W. Wisconsin Ave., Milwaukee

EDWIN R. CRAMER, Publisher
724 E. Mason St., Milwaukee

Published Monthly

Subscription, $1.00 per year

Address all communications for publication to
Editor at 152 W. Wisconsin Ave., Milwaukee

CONTRIBUTING EDITOR
PETER BRUST

OFFICERS
William Mickelsen ............ President
Edgar H. Berners ............ 1st Vice president
Wallace H. Brown ............ 2nd Vice president
Leigh Hunt .................. Secretary Treasurer

EXECUTIVE BOARD

Districts Nos. 1 and 2
Howard M. Nelson ............ Eau Claire

District No. 3
Edgar H. Berners ............ Green Bay
Edward A. Wettengel ......... Appleton

District No. 4
Gage M. Taylor ............... Stevens Point

District No. 5
Wallace H. Brown ............ Oshkosh
Frederick Rauhner ............ Manitowoc

District No. 6
Allen J. Strang .............. Madison

District No. 7
Edmund J. Schrang ............ Milwaukee
Theodore L. Eschweiler ....... Milwaukee
Leigh Hunt .................... Milwaukee
Arthur L. Seidenschwarz ..... Milwaukee

District No. 8
William Mickelsen ............ Racine
Robert S. Chase .............. Janesville

OFFICERS AND DIRECTORS OF THE WISCONSIN CHAPTER OF THE A.I.A.

OFFICERS
Alexander H. Bauer .......... President
Carl Eschweiler ............... Vice President
Leigh Hunt ................... Sec.-Treasurer

Directors in addition to Officers:

Richard Philipp .............. S. Sutherland
Ralph Kloppeburg ............. Noel Ross Safford
James D. Livermore

Cover: W. H. Benfield Co., Milwaukee
Grassold and Johnson
Architects

Special Notice

The Wisconsin Chapter of the A.I.A. invites the Members of the State Association to attend its January meeting to be held at the City Club, Milwaukee at 6:15 P.M., January 30, 1941. The meeting will be in charge of the Specification Committee of the Chapter. Mr. E. O. Kuenzli, chairman. Subjects will include: Lumber, Grading, Plaster Patching, Glass Cleaning, and Sheet Metal work required in Heating and Ventilating. Dinner at 6:15 P.M. Eighty-five cents. A return post card will be mailed to each member of the 7th district of the State Association. These are vital matters. Arrange to come.

LEIGH HUNT, Secretary

Notice of State Association Board Meeting

The Board of the State Association by resolution, will hold its February meeting in Madison, Wisconsin with the 6th District at a time and place to be agreed upon by the 6th District. Notice will be published in the February issue of the WISCONSIN ARCHITECT

Minutes of the December Meeting of The Producers’ Council Club of Wisconsin

Mr. Carl Eschweiler, of the Wisconsin Chapter of A.I.A., and Mr. E. J. Shrang, of the Seventh District of the Wisconsin State Association of Architects, were guests at the regular Producers’ Council Club business meeting held Monday, December 9th, at Karl Ratzsch’s restaurant. The following members were present:

H. N. Hilton. Aluminum Co. of America
M. Banshaf. Armstrong Cork Company
E. B. Kennedy. Crane Company
R. E. Welton. General Electric Company
N. J. Klein. Kewanee Company
G. E. Ryan. Kohler Company
G. F. Gerlach. National Lead Company
W. T. Dortch. Pittsburgh Plate Glass Co.

Mr. Hilton, the President, presided over a discussion on the projected programs for the forthcoming year, until April, 1941. It was suggested by Mr. Eschweiler that attendance at the Informational Meetings could be improved by spending a greater proportion of the money available for good programs and speakers, and less for entertainment. The outcome of the discussion was a decision to form a joint committee composed of one member each from the A.I.A., Wisconsin State Association of Architects, and The Producers’ Council Club, which committee will formulate plans for the 1941 programs.

Mr. Hilton again informed the members that the Wisconsin Architect is in search of good articles for its publication. This is an excellent opportunity for our members, and it is suggested that you send your articles in for publication.

Respectfully submitted,
W. J. FLUECK, Secretary
In Howard Shaw’s office almost twenty-five years ago, a stranger turned up in the drafting room one morning and was placed at a table next to mine. Within the first half hour he let it be known that he had worked with Charles Platt and professed to have known Stanford White almost like a brother. The old fellow was an amusing wreck. In a shiny soiled suit, with a frayed Vandyke beard half covering a dirty collar and a black string tie, he looked like the typical “artist” of those days. He would draw languidly all day, smoke countless cigarettes, destroy roll after roll of tracing paper, all the while mumbling hazily and half audibly to himself, and accomplishing practically nothing for the benefit of Mr. Shaw’s purse. I remember how he amused us by his formula for being a successful architect: “All one has to do is to sit in a beautiful, paneled office in an immaculate white flannel suit. When a client comes in, don’t notice him. Just look at the ceiling and murmur, as if to yourself, ‘Exquisite! Exquisite!’ Then he’d chuckle a little, light another Egyptian Deity and add, ‘Yes, create an artistic atmosphere and you cannot help being a success.’”

I suppose he never tried it out, because there was small probability of his ever having a white flannel suit, to say nothing of keeping it immaculate. I never tried it either; but in those days, although his theory was exaggerated and absurd, there was more truth in it than there would, or could, be today. For architecture then was style, sometimes pure and almost always simple, and not many architects had yet emerged from their ivory — or celluloid — towers, those secure book-lined fortresses of precedent which kept them and their goddess Beauty insulated from defilement by the modern world.

Not all, but most of us, in those pre-war days, had been educated to believe that architecture was simply a succession of styles and that it was neither right nor proper to break too far beyond the rules of these styles as they were handed down to us by Vignola or Palladio or Scamozzi or Blondel. It had already grown necessary sometimes to make restrained concessions to the needs of modern life, for the elevator, rising real estate values, subways, and the chugging auto were hard to follow successfully. And the reason was that the industrial architects were trained to think of architecture as a succession of styles. It was the popular conception, particularly emphasized by the privileged few who were able to toy with expensive domestic architecture. Before the depression almost all clients — fully ninety per cent of mine — came in with a picture of a pretty house they had clipped from a garden magazine, or at least with a burning desire to materialize the memory of some lovely setting they had seen in their travels through Europe, New England or along the James. Appearance was their first thought, almost always, and thus the plans of these suburban houses became in the manner of Blondel, “conveniences” to be fitted to a scenic shell as best one could. Residence architects didn’t mind; it was so easy, provided they had a few shelves well filled with books.

Easy at first. But during the decade of the twenties, I noticed that this method of approach became harder to follow successfully. And the reason was that business, with a constant outpouring of new devices and materials which added to our comfort and pleasure and a little to the efficiency of building, was complicating and confusing the ancient archaeological principles of design. I noticed that the industrial architects were beginning to break free from the past but domestic architecture didn’t; it stuck doggedly to the old way, trying to hide the new things under the synthetic scenery of any chosen age, although with increasing difficulty and expense. They tell me that one of the librarians who presided at the lectern in Yale’s great cathedral of literature, “where nothing is quite what it seems,” had a
sense of humor about this attitude of ours. On Washing-
on’s birthday, when a lot of alumni come back to
look around, he hung a sign on the aged (with acid)
latch of the worm-holed (with an awl), antiquated
(with a sandblaster) portals which read: “Gentlemen,
the Library Is Inside.”

And yet, in spite of our efforts to preserve tradi-
tion, business with its insistence on new things and
particularly with its methods of creating them by mass
production which employs economy, accuracy, contin­
uity and speed (elements which domestic architecture
abhorred), kept forcing us to face around. The result
was that domestic architecture got trickier and trickier
because we kept trying to use the modern techniques
while still sticking to the sentimentalities we thought
were art. The strange thing was that only a few of us
noticed our own confusion. Why, in 1927, when a
client asked me in all seriousness if the firereoot
“Colonial Farmhouse” we were building for her
could be made safe from injury from a falling airplane, I
only laughed and said: “If you can tell me how far the
plane is going to fall and at what speed, I think I can
get an engineer to figure it for you.” The real absurdity
of her question never reached my mind.

I who was one of the worst archaeological scavengers
began to be bored by the results I was producing;
but I didn’t understand the reason for my boredom nor
did I try to understand, until one Sunday afternoon
when I was suddenly shocked out of my complacency
by a trifling event which no one else probably noticed.

I had just finished an Elizabethan house for an
Indiana broker. Behind the panel walls and underneath
the flagged and punchioned floors everything was strict­
ly fireproof: in the knotty pine bookcases of the li-
brary whose design we had pilfered from the Metro­
politan, was space for an experimental television set in
which our sense of humor failed to save

production coupe- out from the shadow of the six-car.
fireproof garage that looked like a 17th Century tythe
barn in Gloucestershire (which formed one side of the
coffined court), and motored home modestly while the
satisfaction of being considered a successful residence
architect in 1928 dimmed considerably. If architecture
was scenic design, then I was all right; but I began to
suspect there ought to be more to it than that.

Certainly it was ridiculous to keep on trying to fit
modern mechanical conveniences into the shell of some
adapted style which one had meaning and purpose but
now no longer did. Soon, perhaps, it would be im-
possible to make most of the popular styles of
architecture fit the requirements of modern life, modern
living was changing so from the quiet, secure existence
it once had been. If our sense of humor failed to save
us, then business would, inevitably. We couldn’t go on
this way much longer without going nuts.

But it was a difficult problem. I didn’t want to
go in for this new style which some called “modern”
and others “modernistic.” I had done a couple of bath-
rooms in the latter style and I didn’t like to think of
them. Even if I had the courage and the ability to be
rational about architecture, how would a well-grooved
practitioner like me start to go about it? There was
only one answer. Thinking. You had to find a way
into the unknown by yourself, without help from any
one — even a client: you had to dig into the secrets of
honest architecture all alone: no more copying or adap-
ting even from the most modern past of Le Corbusier
or Gropius or Van der Rohe. That was the trouble
with the products of most of our new American oppor-
tunists who were already treating the philosophy of

(Continued on page 5)
Announcement by the Milcor Steel Company

"Quiet" is the keynote of a new improvement to the well known line of Architectural Metal Trim manufactured by the Milcor Steel Company.

In keeping with the modern demand for sound insulation in hospitals, libraries, schools, and other public buildings, they have announced that its complete Metal Trim line is now available with Insulmat sound-proofing.

This process, originally developed to eliminate reverberation in automobile bodies, consists of applying a special sound absorbent material to the back, unexposed surfaces of the trim. For all practical purposes, Milcor reports, the treatment eliminates both reverberation and sound transmission. Actual laboratory tests on a section of Metal Trim treated with Insulmat show a 55 per cent reduction in sound volume under impact and a 75 per cent reduction in sound decay time. This is enough to muffle the sound of door and window slamming or other accidental blows.

In the future all Milcor Chalk Trough will be sound-proofed with Insulmat at no advance in prices. Any other items in the Milcor Metal Trim line will be supplied with Insulmat on specification. For further information about this new product, write Milcor Steel Company, Milwaukee, Wisconsin.

(Continued from page 4)

these modern thinkers as just another fad in decoration.

To acquire a respectable knowledge of new materials and to learn how to use them efficiently would require more imagination than I had ever had to draw upon, because the limit of imagination had been the size of the library and the number of my trips to Europe. If I didn’t look at my books, it might prove whether, after all, I had the capacity for any real imagination. I didn’t like to take this horrible risk of finding out; but by the time I had reached home that Sunday evening, the prospect of the new adventure in imagination seemed to have infinite possibilities for interest which the old way didn’t have, and it seemed worthwhile to try it out.

With satisfaction I soon began to see how far ahead I was of that time in 1920 when I first designed a house for myself. It had been a puerile, stagey casing for a compact but badly handicapped little plan. (fig. 1.)

The second one, in 1929, I had labored long and hard at. It was drawn in the years of my first questionings when I was trying to think and not to copy. But I hadn’t then learned to break away from the old habits of design and in two years of serious struggle I accomplished nothing discernible. However, having the money and wanting a house, tired of trying longer for the ideal that was beyond my reach, I finally knocked out another meaningless style chassis that crippled what might have been a nice plan for that site. The scenery is of the same popular type as No. 1, although on a grander scale of cost. Only one thing did I find timid ambition achieve: while the front is as stereotyped as a shoe, the living side has wide, muntinless steel doors from floor to ceiling that no “provençal” cottage ever saw. Frankly, the big dark masses look like hell from the lawn, but who cares? We live nine months of the year inside looking out and the clear expanse of glass is a great satisfaction.

Since 1930 I have been working “off and on” at another plan. I knew why I had failed so dismally with my second house and wanted to try again. Meanwhile I watched a thousand new materials come on the market, saw a hundred different types of prefabricated unit houses given publicity and slowly became accustomed to the starkness — or cleanliness — of modern forms in industrial design as well as in architecture. An inherent beauty born from the spirit of honesty and use seemed to be entering these forms. Realizing that I would still have to erase a lot of prejudices if I was ever to approach the interesting concept of architecture I was searching for, I began to clear away many old restrictions that had been imposed by education, custom and sentiment, while trying to retain those ideas which were intelligent and useful. That sounds easy; but try it sometime! I knew I was through with lots of things: axis lines that looked swell on a drawing but led up blind alleys actually; the imposing effects of wasted space; those picturesque sloping roofs that had so crippled my first two second floor plans; and the bottleneck dormers that necessarily ensued: garage connections through kitchen to the hall (for I employ no chauffeur and usually enter and leave the house in a car): muntins in windows; double-hung windows; wood floors that continually need waxing and often refinishing; niggardly little cornices in places where protection is needed from rain or sun: and many other habits I could reject now for personal reasons but had often fought hard for.

I find I want to relate the inside plan to the outside plan more completely and effectively than I ever have, and to make the plan satisfy scientifically the demands of climate and the requirements of site as far as I am able, to secure a pleasant life for my family rather than to please the conventional eye of a cautious stranger who may drive along the road. I want to make the layout compact (although that does not necessarily mean small), comfortable, convenient and as effortless as possible both in use and appearance. I want it to be flexible, because I found in the two other houses that flexibility is a valuable element for my family today. Once, “circulation” was supposed to render rigidly fixed spaces usable, but I find that if I can make these hitherto fixed spaces usable for different purposes at different times it is better for my manner of living than to depend on circulation.

(To be concluded in February Issue)
Only Architects Can Collect

Editor’s Note: The following article is a reprint of the opinion by Justice Rosenman mentioned in the article “Only Architects Can Collect” in the December issue.

American Store Equipment & Construction Corporation v. Jack Dempsey’s Punch Bowl et al

Opinion by Justice Rosenman:

The principles and precedents with respect to the effect of statutory licensing provisions upon actions for compensation for services rendered by unlicensed plaintiffs have been discussed by me in Shorten v. Millbank et al. (N.Y. L.J., March 2, 1939, p. 976, aff’d App. Div., April 28, 1939). The question to be determined is whether or an agreement by one who is not licensed but who should be licensed according to statute is merely malum prohibitum so that a recovery thereon may be permitted; or whether it is of such illegality that public policy will actually ban any recovery thereon even though the unlicensed party has performed the services undertaken.

It is conceded that plaintiff here has no license as an architect. It could not, in fact, be licensed (subd. 2, sec. 1476, Education Law). The provisions of the Education Law relative to licensing of architects were promulgated “to safeguard life, health and property” (subd. 1, sec. 1476, Education Law). In principle, too, “any professional service such as consultation * * * planning, design, including aesthetic and structural design, or responsible supervision of construction, in connection with any private or public buildings, * * * or the equipment or utilities thereof, or accessories thereto * * * (subd. 6, sec. 1475, Education Law) necessarily involves, at least to some extent, the safeguarding of life, health or property. Such were a substantial portion of the services required by the contracts to be performed by the plaintiff. Though there were other services to be rendered, such as designing, arranging and decorating, there were also the preparation of plans and the supervision of construction work which are the usual functions of an architect.

Subdivision 1 of section 1476 and subdivision 6 of section 1475 of the Education Law are almost identical respectively with the first portion of section 1450 and subdivision 6 of section 1449 thereof. It has already been held judicially, (Dinan Co., Inc. v. Slater: 132 Misc. 454, aff’d 225 App. Div., 750) that compliance with section 1450 was a necessary requisite to a recovery for engineering services. (That case was decided upon the statute as enacted in 1927; but there has been little change in the section as it reads today). The same principles are applicable to architectural services: for both professions involve the safety and lives of the general public who use their structures. Consequently, plaintiff here cannot recover, for it cannot show compliance with the architectural licensing statutes.

The plaintiff contends, however, that even if it did perform certain architectural services, nevertheless it can recover for all those portions of the contract not involving such services, and that the architectural services, if any, amount only to about 5% or 10% of all services undertaken to be rendered. However, there is no means of segregating the good from the bad portions of the contract in this case. The contract was entire and indivisible: to plan, contract and furnish a complete unit. If the plaintiff had sold the interior furnishings and decorations, the contract could have been separated at least to the extent of permitting recovery for the merchandise sold. Here, however, were only services, ideas and supervision. They cannot be separated into different classes — legal and illegal.

The general rule still persists that “if any part of the consideration for his contract was contrary to public policy, the whole promise fails” (Metz v. Woodward-Brown Realty Co., 182 App. Div., 60, 65). Where, as here, the “defendant’s promise arose out of
and is indissolubly linked with plaintiff's illegal bargain" (Sturm v. Truby, 245 App. Div. 357.360). There can be no separation of acts to support proportional recovery.

To sustain the legality of the balance of the agreements would lead to widespread disregard of the licensing statutes. It would be easy for any construction contractor to thwart the purposes for which the licensing of architects was enacted by merely providing in his contract that architectural services would be given gratis, so long as the contractor were awarded the contract itself.

Another contention of the plaintiff is that it is not generally engaged in the practice of architecture. Subdivision 6 of section 1475 of the Education Law, however, provides that "a person practices architecture within the meaning and intent of this article, who * * * does perform any professional service such as * * * are called for by these agreements. One instance of rendering such services is sufficient to bring a person within the category of practicing architecture. It is not necessary, under this provision, that a person make a regular business of performing similar services before he is obligated to comply with the licensing sections.

Judgment for defendants. Thirty days' stay and sixty days to make a case.

Affirmed by the Court of Appeals on May 21, 1940

"Milcor Steel Roof Deck certainly is helpful in satisfying demands for speed!"

Free bulletin gives you the economical answer to problems you face in getting jobs under cover quickly—even in bad weather.

Shows in detail why Milcor Steel Roof Deck is a practical, versatile material you can depend on to meet today's rush construction schedules—on jobs of all types, like the Kearney & Trecker Corp. addition illustrated above (Milwaukee, Wis.) where over 70,000 square feet of deck were laid, some of it in 15-below-zero weather.

Shows how Milcor Steel Roof Deck is quickly attached—with clips or welding—to any structural member, requiring relatively lighter and less costly supporting structure.

Points out how fire-safety, permanence, over-all economy, and adaptability to standard forms of insulation provide a better all-around roofing job that means long-run satisfaction of your clients.

Let the free, colorful Milcor Roof Deck manual help save your time in planning, designing. Write for it today.

Milcor Steel Company
Milwaukee, Wisconsin
Canton, Ohio
Chicago, Ill. • Kansas City, Mo. • La Crosse, Wis.
New York, N.Y. • Rochester, N.Y. • Baltimore, Md.
Sales Offices: Minneapolis, Minn., Little Rock, Ark., Dallas, Tex.,
Denver, Colo., Washington, D.C.