

THE  
OCTAGON

---

*A Journal of The American Institute of Architects*

---



*Housing and the Depression*  
*A Housing Policy for the Government*  
*Architecture and the Recovery Program*  
*The Industrial Recovery Act*  
*Meeting of the Board of Directors*

*Volume 5*

*JUNE*  
1933

*Number 6*

# THE AMERICAN INSTITUTE OF ARCHITECTS

THE OCTAGON, WASHINGTON, D. C.

## OFFICERS

*President*.....ERNEST JOHN RUSSELL, Chemical Building, St. Louis, Mo.  
*First Vice-President*.....CHARLES D. MAGINNIS, Statler Bldg., Boston, Mass.  
*Second Vice-President*.....HORACE W. PEASLEE, 1228 Connecticut Avenue, Washington, D. C.  
*Secretary*.....FRANK C. BALDWIN, The Octagon, Washington, D. C.  
*Treasurer*.....EDWIN BERGSTROM, Citizens National Bank Bldg., Los Angeles, Cal.

## BOARD OF DIRECTORS

### For One Year (1933-34)

ALBERT L. BROCKWAY....Clinton Sq. Bldg., Syracuse, N. Y. (New York Div.)  
 GEORGE H. GRAY, 30 Whitney Avenue, New Haven, Conn. (New England Div.)  
 FREDERICK M. MANN, Univ. of Minnesota, Minneapolis, Minn. (Can. Sta. Div.)

### For Two Years (1933-35)

HERBERT E. HEWITT, 1600 Peoria Life Bldg., Peoria, Ill. (Great Lakes Div.)  
 JAMES O. BETELLE, Chamber of Commerce Bldg., Newark, N.J. (Middle Atl. Div.)  
 RAYMOND J. ABBOT, 312 Vermont Bldg., Salt Lake City, Utah (West Mt. Div.)

### For Three Years (1933-1936)

RALPH H. CAMERON, P. O. Box 1063, San Antonio, Texas (Gulf States Div.)  
 WILLIAM T. WARREN, Protective Life Bldg., Birmingham, Ala. (South Atlantic Div.)  
 DAVID J. WITMER, Architects Bldg., Los Angeles, Calif. (Sierra Nevada Div.)

## LIST OF CHAPTERS 1933

ALABAMA—\*Frederic Child Biggin, Alabama Polytechnic Institute, Auburn, Ala.; †Hugh Martin, 910 Title Guarantees Bldg., Birmingham, Ala.  
 ALBANY—\*Frank A. Ward, Telephone Bldg., Albany, N. Y.; †Clarence H. Gardiner, 585 Delmar, N. Y.  
 ARKANSAS—\*George H. Wittenberg, Home Insurance Bldg., Little Rock, Ark.; †Lawson L. Delony, 2407 Louisiana St., Little Rock, Ark.  
 BALTIMORE—\*William G. Nolting, Keyser Building, Baltimore, Md.; †Charles D. Loomis, 12 East Pleasant Street, Baltimore, Md.  
 BOSTON—\*Ralph W. Gray, 78 Newbury St., Boston, Mass.; †Isidor Richmond, 248 Boylston St., Boston, Mass.  
 BROOKLYN—\*William A. Sanders, 537 Fifth Avenue, New York, N. Y.; †George Francis Kies, 4 Irving Place, New York, N. Y.  
 BUFFALO—\*Harry F. Hudson, Dun Building, Buffalo, N. Y.; †Benning C. Buell, 547 Franklin St., Buffalo, N. Y.  
 CENTRAL ILLINOIS—\*I. H. Provine, 505 Michigan Ave., Urbana, Ill.; †E. L. Stouffer, 256 Administration Bldg., University of Illinois, Urbana, Ill.  
 CENTRAL NEW YORK—\*Walter H. Casebeer, 84 Exchange St., Rochester, N. Y.; †Leonard A. Waasdorp, 311 Alexander St., Rochester, N. Y.  
 CHICAGO—\*Clarence W. Farrier, Administration Bldg., Burnham Park, Chicago, Ill.; †Carl E. Heimbrodt, 20 No. Wacker Drive, Chicago, Ill.  
 CINCINNATI—\*John H. Deeken, 15 East 6th St., Cincinnati, O.; †Alan K. Laing, University of Cincinnati, Cincinnati, O.  
 CLEVELAND—\*Abram Garfield, National City Bldg., Cleveland, Ohio; †G. Evans Mitchell, Bulkley Bldg., Cleveland, Ohio.  
 COLORADO—\*George H. Williamson, Majestic Building, Denver, Colo.; †Roland L. Linder, Insurance Building, Denver, Colo.  
 COLUMBUS—\*Charles L. Inacbo, 1200 Brunson Bldg., Columbus, Ohio; †Ralph Chas. Kempton, Atlas Building, 8 E. Long St., Columbus, Ohio.  
 CONNECTICUT—\*Harold H. Davis, 29 Whitney Ave., New Haven, Conn.; †Lorenzo Hamilton, 22 Church St., Meriden, Conn.  
 DAYTON—\*Freeman A. Preisinger, 1155 Reibold Bldg., Dayton, Ohio; †Geo. T. Neuffer, 437 Ludlow Arcade, Dayton, Ohio.  
 DELAWARE—\*G. Morris Whiteside, II, 2160 duPont Bldg., Wilmington, Del.; †Roscoe Cook Tindall, 114 Orange Street, Wilmington, Del.  
 DETROIT—\*Brannon V. Gamber, 3500 Union Guardian Bldg., Detroit, Mich.; †Arthur K. Hyde, 318 Woodward Blvd. Bldg., Detroit, Mich.  
 EASTERN OHIO—\*Walter J. Canfield, 33 North Hazel St., Youngstown, O.; †Clarence A. Kissinger, 2540 Market St., Youngstown, O.  
 FLORIDA CENTRAL—\*Francis J. Kennard, R.F.D. No. 1, Asheville, N.C.; †Frank A. Wine, Jr., Stovall Office Bldg., Tampa, Fla.  
 FLORIDA NORTH—\*Bernard W. Closs, 1005 Bisbee Bldg., Jacksonville, Fla.; †Jefferson D. Powell, Professional Building, Jacksonville, Fla.  
 FLORIDA SOUTH—\*Russell T. Pancost, 1139 Lincoln Road, Miami Beach Fla.; †Robert L. Wood, 2620 Biscayne Blvd. Miami, Fla.  
 GEORGIA—\*Harold Bush-Brown, 67 Peachtree Pl., N. W., Atlanta, Ga.; †M. A. Tucker, Rhodes-Haverty Bldg., Atlanta, Ga.  
 GRAND RAPIDS—\*Harry L. Mead, 902 Michigan Trust Bldg., Grand Rapids, Mich.; †Roger Allen, 610 Lafayette Ave., S. E., Grand Rapids, Mich.  
 HAWAII—\*Hart Wood, 517 Hawaiian Trust Bldg., Honolulu, T. H.; †Herbert Cayton, 324 S. M. Damon Bldg., Honolulu, T. H.  
 INDIANA—\*Warren D. Miller, 819 Ohio Street, Terre Haute, Ind.; †Geo. C. Wright, Architects & Bldrs. Bldg., Indianapolis, Ind.  
 IOWA—\*James A. Dougher, 310 Old Colony Bldg., Des Moines, Iowa; †Edwin H. Wetherell, 506 Shops Bldg., Des Moines, Iowa.  
 KANSAS CITY—\*Raymond L. Voekamp, 4 West 13th St., Kansas City, Mo.; †Roy E. Crana, 1412 Knox, Northern Kansas City, Mo.  
 KANSAS—\*Chester M. Routledge, 204 Exchange National Bank Bldg., Hutchinson, Kansas; †George M. Beal, 305 Marvin Hall, Lawrence, Kansas.  
 KENTUCKY—\*G. M. Grimes, 1708 Heyburn Building, Louisville, Ky.; †Carl J. Epping, 806 East Broadway, Louisville, Ky.  
 LOUISIANA—\*Walter Cook Keenan, 4239 St. Charles Ave., New Orleans, La.; †Andrew M. Lockett, Jr., Baiter Bldg., New Orleans, La.  
 MADISON—\*Frank Riley, 24 E. Mifflin Street, Madison, Wis.; †James R. Law, First Central Building, Madison, Wis.  
 MINNESOTA—\*A. B. Dunham, 512 Essex Bldg., Minneapolis, Minn.; †Albert O. Larson, 306 Baker Bldg., Minneapolis, Minn.  
 MISSISSIPPI—\*N. W. Overstreet, Standard Life Bldg., Jackson, Miss.; †A. Hays Town, 1219-25 Standard Life Bldg., Jackson, Miss.  
 MONTANA—\*Chandler C. Cohagen, Box 1305, Billings, Mont.; †W. R. Plew, Boseman, Mont.  
 NEBRASKA—\*James M. Nachtigall, 512 Paxton Bldg., Omaha, Neb.; †N. R. Brigham, 607 Keelene Bldg., Omaha, Neb.  
 NEW JERSEY—\*Wilson C. Ely, 15 Washington St., Newark, N. J.; †Clement W. Fairweather, Metuchen, N. J.  
 NEW YORK—\*Ralph T. Walker, 101 Park Avenue, New York, N. Y.; †Eric Kebbon, 522 Fifth Avenue, New York, N. Y.  
 NORTH CAROLINA—\*Harry Barton, Jefferson Standard Bldg., Greensboro, N. C.; †Walter W. Hook, Commercial Bank Bldg., Charlotte, N. C.  
 NORTH LOUISIANA—\*Samuel G. Wiener, Shreveport, La.; †Edward F. Neid, Shreveport, La.  
 NORTH TEXAS—\*Frank O. Witchell, First National Bank Building, Dallas, Texas; †M. C. Kleuser, 600 Construction Bldg., Dallas, Texas.  
 NORTHERN CALIFORNIA—\*John J. Donovan, 250 Parker Street, Berkeley, Calif.; †James H. Mitchell, 369 Pine St., San Francisco, Calif.  
 NORTHWESTERN PENNSYLVANIA—\*Walter Monahan, Palace Hardware Building, Erie, Pa.; †J. Howard Hicks, Palace Hardware Building, Erie, Pa.  
 OKLAHOMA—\*Leon B. Senter, 306 Philtower Bldg., Tulsa, Okla.; †Asbury Endcott, 625 Wright Building, Tulsa, Okla.  
 OREGON—\*W. H. Crowell, 1041 Pacific Building, Portland, Oregon; †Leslie D. Howell, 404 U. S. National Bank Bldg., Portland, Oregon.  
 PHILADELPHIA—\*C. C. Zantsinger, Architects Bldg., Philadelphia, Pa.; †Edmund R. Purves, Architects' Bldg., Philadelphia, Pa.  
 PITTSBURGH—\*Press C. Dowler, Century Bldg., Pittsburgh, Pa.; †Charles Stots, Bessemer Bldg., Pittsburgh, Pa.  
 RHODE ISLAND—\*Albert Harkness, 1428 Industrial Trust Bldg., Providence, R. I.; †Norman Isham, Wickford, R. I.  
 SAN DIEGO—\*Louis J. Gill, Suite 32, Sefton Bldg., San Diego, Calif.; †Charles H. Mills, 1400 San Diego Trust & Savings Bldg., San Diego, Calif.  
 SANTA BARBARA—\*Harold E. Burket, 455 E. Main St., Ventura, Calif.; †Henry W. Howell, 137 Cheltenham Drive, Santa Barbara, Calif.  
 SCRANTON-WILKES-BARRE—\*Geo. M. D. Lewis, 806 Scranton Electric Bldg., Scranton, Pa.; †Searle Von Storch, Union National Bank Bldg., Scranton, Pa.  
 SOUTH CAROLINA—\*Albert Simons, 42 Broad St., Charleston, S. C.; †Samuel Lapham, 42 Broad St., Charleston, S. C.  
 SOUTH GEORGIA—\*Cletus Bergen, 1013 Liberty Bldg., Savannah, Ga.; †Percy Sugden, 125 East 49th St., Savannah, Ga.  
 SOUTH TEXAS—\*Maurice J. Sullivan, 4301 Main St., Houston, Texas; †J. Russ Baty, 506 Bankers Mortgage Bldg., Houston, Texas.  
 SOUTHERN CALIFORNIA—\*Gordon B. Kaufmann, 610 Union Bank Bldg., Los Angeles, Cal.; †Palmer Sabin, 170 East Calif. St., Pasadena, Cal.  
 SOUTHERN PENNSYLVANIA—\*M. E. Green, Third and Forster Sts., Harrisburg, Pa.; †John G. Todd, 253 Cumberland St., Harrisburg, Pa.  
 ST. LOUIS—\*W. Oscar Mullgardt, 1620 Chemical Bldg., St. Louis, Mo.; †Fred R. Hammond, 7020 Waterman Ave., St. Louis, Mo.  
 ST. PAUL—\*Edwin H. Lundie, 324 Endicott Bldg., St. Paul, Minn.; †G. A. Anderson, 1212 Builders Exchange Bldg., St. Paul, Minn.  
 TENNESSEE—\*J. Fraser Smith, 400 Goodwyn Institute, Memphis, Tenn.; †H. J. Regan, 736 Bank of Commerce Bldg., Memphis, Tenn.  
 TOLEDO—\*Charles A. Langdon, Security Bank Bldg., Toledo, Ohio; †Earl B. Hoke, 1115 Madison Avenue, Toledo, Ohio.  
 UTAH—\*Lorenzo Young, 1458 Princeton Ave., Salt Lake City, Utah; †Claude Ashworth, 8-9 Farrer Bldg., Provo, Utah.  
 VIRGINIA—\*Philip N. Stern, 21 Law Building, Fredericksburg, Va.; †Pendleton S. Clark, 610 Kruss Bldg., Lynchburg, Va.  
 WASHINGTON, D. C.—\*Alexander B. Trowbridge, 917-15th St., N. W. Wash., D. C.; †Donald S. Johnson, 726 Jackson Pl., N. W., Wash., D. C.  
 WASHINGTON STATE—\*J. Lister Holmes, 504 Republic Building, Seattle, Wash.; †Lance E. Gowen, 307 Medical Arts Bldg., Seattle, Wash.  
 WEST TEXAS—\*Raymond Phelps, Gunter Bldg., San Antonio, Texas; †Richard Vander Straten, Travis Bldg., San Antonio, Texas.  
 WEST VIRGINIA—\*C. C. Wood, Lowndes Bldg., Clarksburg, W. Va.; †C. E. Silling, 14 Hubbard Court, Clarksburg, W. Va.  
 WISCONSIN—\*Roger C. Kirchhoff, 710 N. Plankinton Avenue, Milwaukee Wis.; †Alexander C. Guth, 1249 N. Franklin Place, Milwaukee, Wis.

\*Presidents.

†Secretaries.

# THE OCTAGON

A Journal of The American Institute of Architects

## Housing and the Depression

By CLARENCE S. STEIN, A.I.A.

*Former Chairman, Commission of Housing and Regional Planning, New York*

**T**HE bankruptcy that is faced by our larger cities is not so much the result of municipal corruption as of the double load of supporting the unremunerative slums and blighted districts in the heart of our cities and the vast expansion of highways, public utilities and subways that was necessitated by extravagant municipal growth to serve unrestricted real estate development.

### *Blighted and Bankrupt Cities*

Blighted neighborhoods that exist in every large city throughout the country are the result of an antiquated individualistic method of planning, building, land ownership, and community disorganization. In Detroit the seventeen square miles that form the central core of the city are all blighted with the exception of a few small groups of modern buildings. In the seven years between 1925 and 1931 this area lost 27.5% of its population or 110,000 people. In Cleveland, the Housing Committee of the Chamber of Commerce and the City has found twenty-two of the seventy-one square miles of the city both unfit places for human living and unremunerative as property. The Lower East Side of New York lost 53% of its population between 1910 and 1930. In Philadelphia, the population has been drained out of a constantly increasing central area. According to Dr. Bernard I. Newman, practically every ward within a three-mile radius of City Hall lost population between 1920 and 1930, while in the district between Vine and South Street and the two rivers, there are fewer inhabitants than in 1830.

The Philadelphia Housing Association has for years pointed out that "the products of the blighted and slum spots are high rates of sickness and death, excessive delinquency and crime, and heavy concentration of poverty". Practically nothing constructive has been done to rid us of the social blight of our cities—the slums. We are now discovering that these slums are also an economic blight. They are causing colossal financial loss both to their owners and to the city. Unremunerative properties will not pay taxes or, at best, greatly decreased taxes.

In old rundown areas of our cities the municipalities are receiving insufficient revenue to cover the cost of upkeep of public utilities, highways, to say

nothing of schools and playgrounds and a share toward carrying the colossal load of transportation costs. In twenty-four wards in Philadelphia where there has been a decline in population between 1920 and 1930, the taxes were lowered \$700,000 between 1930 and 1932 because of decreased assessed values. What is true of the older sections of our cities is becoming equally true of the new slums and blighted districts—our heritage from the orgy of speculative development during the 1920's. The Bureau of Municipal Research found that the annual expenses of the city incurred because of the development of a block of new low-value houses in Philadelphia, was \$5,000 more than its income in taxes and charge for water.

On the outskirts of most of our cities are vast areas which were subdivided and supplied with endless miles of pavements, sewers, and other public utilities during the boom years before '29. These improvements have not been paid for excepting in promises. A large part of the lots have not, and probably never will be built upon and the owners are tax delinquent. According to Professor Ernest M. Fisher ". . . in most urban communities, the number of subdivided lots is nearly twice as great as the number in use. . . . In Grand Rapids, Michigan metropolitan area in 1931, 51,000 lots were in use and 40,000 vacant. . . . In Chicago, in 1928, there were 1,227,000 lots of record and only 668,000 in use."

If land subdividers and speculative real estate developers will not put an end to their obsolete methods of individualistic development, the municipalities must do so in self defence.

### *A New Technique*

Housing produced by these antiquated methods can have no permanent value, either monetary or human. The exceptional speculator may have made his pile in real estate, but generally he has done so by selling his buildings quickly before they became obsolete because of shoddy construction, changed standards of living, or neighborhood decay. But even if this type of housing served in the busy era that has just passed, it will not do for this age in which the use of leisure time is our fundamental

problem. For with the growth of leisure we demand more spaciousness—space for recreation, for beauty, for nature. We need it within the city as well as in the suburbs. The old methods of speculative individualistic real estate development cannot supply it. A new technique is required.

#### *Planned Communities*

We have all looked upon the present depression as nothing but a curse. I think there is just a chance that we may make it serve in building a better foundation for the future. We architects now have the time to study the past and develop a better means of producing more adequate human environment. Housing—we are many of us talking about housing as the hope of our future practice. What do we mean by housing? More speculative, individualistic slums or communities planned, built, and organized as unified large-scale operations to meet the real needs of the future? We must make up our minds soon which it is to be for the time has come for action. The opportunity to start at once to build new communities and replace obsolete blighted areas is offered by the National Government under the Industrial Recovery Act. Its purpose is primarily to help care for the growing army of unemployed. The Government will spend billions. This it cannot escape no matter how strong the demand for economy. The great problem is how to prevent this money from being wasted. Shall it be invested in a futile attempt to revise a bankrupt past or in building the solid foundation for the future? The answer we give to that question depends on how well we understand the nature of the present depression.

#### *A New Kind of Depression*

Depressions of the past have come from the poisoning of the economic system as a result of too much gourmandizing. The cure has been temporary starvation diet. Now we—America, the whole world—have been following old Doctor Economics' prescription for a cure of this depression for some years. We have been on a strictly starvation diet. It is getting us nowhere because the diagnosis of the disease is wrong. We are not passing through a depression like other depressions. The ailment of the world is not temporary. The old world is dying and in dying it is giving birth to a new era. Or perhaps it is better to say that it is passing through a complete metamorphosis as the larva does when it becomes a moth.

#### *A New Order*

When you and I and the other architects dust the cobwebs from the old T-squares and triangles and get back to work, it is going to be another world. The old scenery we painted in 1920 will not fit

the realities of this changed world. Now it is quite apparent that unless we have some idea of what the play is about we are going to make a pretty poor job of the setting and the costumes. Some bankers and realtors think that all that is needed is to recut the old costumes and the old sets and give them a modern touch. So our architectural magazines are filled with articles about reconditioning of old buildings. That will not get them anywhere. Victorian back drops can't be made to serve as setting for this new age. Patching will not do the job. We need something much more fundamental. Let us face the facts. Our cities are obsolete. The whole physical environment that we have helped to build is out of date. When Ford or any other great industrialist finds his factory no longer serves efficiently to build his new model, he scraps it and builds anew. But our city developers try to patch the obsolete machines. As a result, the physical structure of our 19th century cities fits the needs of our 20th century life about as well as a covered wagon would serve a present day continental tourist.

During the first third of the 20th century we have passed through more history than in the hundred—perhaps the thousand years—that preceded it. This so-called depression is probably merely the culmination of the most radical changes man has ever known. Technological development has completely changed the possibility of life. We are beginning to discover that unemployment is not a temporary state. Partial unemployment is destined to be the lot of most people. And in spite of the lessened labor of man, we all of us on this North American continent can have more of the things of this world than any but the exceptional ruler had in the past. We have in our soil more wealth than we can use; we have built machines that can give us infinite leisure. Our problems are different from those that man has known at any time in the past. We need no longer fight want. We must merely learn first how to distribute plenty, and second, how to make unemployment a blessing instead of a curse by translating our ever increasing leisure into terms of a freer and finer physical and social life. The first of these—the sane distribution of plenty, we must leave to statesmen and economists, if there are any of them left. The second, the building of a richer and finer environment in which to enjoy the profit from our leisure, is the great work that the American architects have before them. The houses and the cities of the past will not serve to make this new leisure anything but a curse. Our task is to build a new setting for a new era. By the old piecemeal, wasteful, speculative methods we cannot attain that end. We need a new technique to plan and build homes, communities, cities for this new age.



### *The Old Order Passes*

The old method of building cities and homes consisted of a series of unrelated processes. The master street plan of main thoroughfares was fixed by the city engineer. The sub-divider then divided the remaining land into a rectangular pattern of blocks and lots. Neither street layout nor lot divisions was conceived to fit the ultimate use. In fact the ultimate use was never known in advance. The same sites were set for free-standing houses or apartments, or for stores, factories, or even monumental community buildings. The best use of the land for housing was the last thing to be given consideration. Sale, not use, was the basic purpose of plan and subdivision. Land was generally taken out of productive farming use generations before it was needed for housing. The ballyhoo of auctioneer or high-pressure salesman marketed it. Before it could be used, interest on investment, taxes, and assessments snowballed its costs. Ultimately, the owner, the architect, or the builder, attempted to fit to a narrow lot a house generally conceived in the terms of broad spaces of the farm or at least the acres of the country seat or suburban estate.

During the great decade of housing productivities, the 1920's, we had mass production of housing but with none of the technical advantages of large scale planning or construction. The antiquated methods when homes were built one by one for individual owners persisted. The builder's trick was to buy cheaply; to beat down the price of the carpenter, plumber, plasterer, to a point where they could not afford to do a good job. Their game was speculative, but often they risked nothing and built without any investment. As far as possible they paid material men and subcontractors with promissory notes, and they borrowed from the loan institutes two-thirds of the presumed value—often more than the building was worth. Without that loan they would not have built their rotten houses. They would not have been able to sell them to purchasers who never should have bought and who never would have done so if they had known what they were getting. The lending institutions have too often made loans without proper consideration of the quality of construction, the ability and integrity of the builder, the financial ability of the purchasers to meet all costs of upkeep, future assessments, and taxes, or the future character of the neighborhood as affecting the value of the house.

The individualistic haphazard methods of the past produce an unstable environment. Good residential sections are ruined by changed use of a small percentage of buildings. Zoning regulations in themselves are insufficient to save them from blight.

### *Not Houses but Communities*

According to the old method of city building, good living, beauty and convenience made the best of a plan of land subdivision and streets arranged to facilitate trade in real estate. That is why there is no relation between the plan of our cities and the fundamental requirements of the life most people want to live. That can only be secured if the framework of the city plan and every detail down to the last house and the view out of the windows of that house are conceived of as a related and inseparable whole built for the purpose of creating a convenient, wholesome and beautiful background for living and working. Ideally, these should be a single operation from raw land to complete neighborhood community. All the waste of land—subdivision, sale of lots, individual construction of separate dwellings should be replaced by a single large-scale operation. Every house must be built as an integrated and related part of the plan of the whole town, or the neighborhood community, or the group of houses. In a town created in this manner, every road can be built economically for the exact use that it is to serve instead of being wastefully planned so that it may fit all possible changes. Open spaces can be planned so that they will be adequate to serve the recreational needs of children and adults. Good planning and large-scale construction can make saving enough through the elimination of unnecessary roads alone, to pay for parks and play spaces. This kind of city building as a single operation or a series of related large-scale operations, planned and built by trained technicians working as an organized group is utterly foreign to our customary haphazard development of urban environment through a series of unrelated processes. But it is the way—the only way—to secure towns and neighborhood communities fitted to our modern needs and what is quite as important, fitted to our pocketbooks.

This technique was applied in Radburn to the development of raw farm land into a modern town—a town built to meet the requirements of the Motor Age and more—the Age of Leisure. The same idea of safety, large common open spaces and complete community equipment should be applied not only to the building of the outskirts of the city and the partially developed sections as it was at Chatham Village in Pittsburgh, but also to the rebuilding of the older blighted areas. Anything less than the building of complete neighborhood communities is pure waste. They will be obsolete long before their cost can be amortized.

# A Housing Policy for the Government

Proposed By

THE REGIONAL PLANNING ASSOCIATION OF AMERICA

## I. Employment

The prime purpose of the immediate housing policy (under the "Recovery Act") is to further employment. The building industry distributes investment more directly and it gives a larger part of its income to labor than any other industry: it includes both skilled and unskilled workers. New housing must not merely produce good structures but a sound neighborhood environment. This means that it will bring in new groups of unemployed workers (for the construction of parks, open spaces, and playgrounds), many of whom can be drawn from the clerical and unskilled manual workers without competing with the trained workers in the building trades.

## II. Investment

New housing must take care of the needs of the lower income groups. A third of these have always been unable to afford decent new quarters; today probably two-thirds. If one intends to accommodate the lowest income groups then housing must be supported with a subsidy.

The rate of interest for all housing should be at its cost to the Government. But preference might be given to the lower income groups by lending a great part of the total cost (if necessary the full cost) and by amortizing the cheapest housing on a longer term basis.

## III. Land

New housing is for the relief of unemployment and for the easing of the actual housing shortage that now exists—a shortage obscured by doubling up and room crowding. In every new housing project, therefore, the maximum amount must be spent on labor and sound construction. *The more money spent on land the less is available for labor. Government-aided housing should be limited to low-priced land.* Even in cases of necessary slum clearance or the improvement of blighted areas, we believe that aid should be extended only on the basis of deflated land values. A clear announcement of this policy would discourage groups who would try to use the emergency housing program to salvage damaged realty, rather than to put people back to work.

Where raw land at low prices is brought into use, we recommend the purchase of a larger area than actually needed: the surplus to be *permanently held*

*by the corporation, the city or village as a park or agricultural belt.* Where the city already owns the land to be used for housing, the land should be leased, not sold, and the period of the lease should not be longer than that needed for the amortization of the building costs.

## IV. Community Unit

In order to make the most effective use of site-planning and large-scale building, to reduce costs, as well as insure stable occupancy, the complete neighborhood community should be taken as the basic unit of housing. This unit should contain from the beginning the necessary community facilities and the organization for administering community activities. The number of community buildings and the amount of recreation areas *must be in proportion to the number of people housed, not to the area covered by buildings.*

## V. Standards

*The essential standards of modern housing are the same for all economic classes.* And the methods of planning, building, and community construction are likewise the same. It is essential for the social health as well as for the ultimate economic value of the new housing *that any kind of class segregation be avoided* in either the design or the layout of the new buildings. The quarters of the more well-to-do should be differentiated from those of lower paid workers solely by having more than the minimum dwelling space and mechanical accessories.

The improvement of standards for government-aided housing should not be impeded by local housing regulations, some of which are obsolete and wasteful. Nor should too much respect be accorded the past customs in building procedure or actual design. The horse and buggy gave no clue to the proper design of motor cars; nor were the habits of that age a basis for sound predictions as to the future of motor transportation.

The main principles to be observed in the new standards are these:

1. The dwelling is to be conceived as a unit in a neighborhood community. The distribution of type and size of single and multi-family dwellings should be fixed with respect to variations in the size of families, to group habits, and to age and sex distribution. No

one size or type of dwelling and no single form of community plan should be developed into a stereotype.

2. Scientific standards of orientation and spacing in order to obtain maximum amounts of sunlight and air must be set up.
3. The provision and maintenance of adequate open spaces for parks, playgrounds, recreation gardens, or subsistence gardens must be included as part of the cost of housing. Where land values are not based on pre-existing or prospective congestion, *adequate open spaces represent a small part of the original cost and a large part of the final achievement.*
4. Planning must minimize expenditure on streets and physical utilities and provide for safe and quiet neighborhoods, insulated from through traffic.

These principles are now universally accepted in Europe from conservative England to communist Russia, and they have been partly embodied in various American experiments, notably the Bridgeport and South Chester War Housing, Sunnyside, and Radburn.

#### VI. Lowered Costs

The employment of economic methods of construction including the use of factory-made units can go hand in hand with the evolution of more efficient types of dwelling units. But such improvements, while bettering the quality of the product, must not

be treated as the most important factors in lowering the cost. The basic factors that in all circumstances critically affect the cost are—1. the price of land, 2. financing and the rate of interest, 3. the rate of amortization, and 4. the cost of maintenance. Reduction must be made at all these points in order to secure low-cost housing.

*While recognizing the urgent need for architectural and technical invention, and while pleading for its encouragement from the beginning, we must point out that in the work of the first year skillful economic administration should be counted on chiefly to make the new houses available to the lower income groups. For immediate results, social experiment must precede mechanical experiment.*

#### VII. Location

Last on this program, but first in the order of actual procedure, comes the location of new housing. This should be on the basis of *prospective availability in respect to employment*, rather than on that of past interest and opportunity. New housing should not be confined to urban regions or crowded centers. Other things being equal housing should favor regions that are not so completely over-urbanized as to have lost the possibility of creating subsistence gardens for extra unemployment insurance and family recreation. Rapid reconnoissance surveys, frequently revised, of immediate and eventual opportunities for employment should be the basis of any sound housing program.

NOTE: This document has been submitted to representatives of the new Public Works Administration, under the Industrial Recovery Act.

## Standards and Specifications

Prior to 1923 no effort had been made to assemble into one form all of the various standards and specifications adopted by technical societies, governmental agencies, trade associations and other organizations with authority to speak for industry. Architects and engineers were compelled to refer to the individual publications of these organizations.

In conformity with plans outlined by the Secretary of Commerce in 1923, a review of nationally recognized standards, specifications, simplifications and testing methods in use in this country, was undertaken under the joint auspices of the Bureau of Standards and the Bureau of Foreign and Domestic Commerce. The material assembled as a result of this review was divided into two distinct parts, one of which was in the nature of an index, now referred to as the National Directory of Commodity Specifications, the other part containing copies of the actual specifications (or abstracts thereof) instead of descriptive titles.

The first volume of the second part entitled "Standards and Specifications in the Wood-Using Industries" was published in 1927. This was followed in 1930 by "Standards and Specifications for Nonmetallic Minerals and their Products."

The third volume entitled "Standards and Specifications for Metals and Metal Products" has just been published. It includes over 1600 nationally recognized specifications and standards covering both ferrous and nonferrous metals and their manufacture, (except machinery, vehicles and electrical supplies), in addition to other valuable data.

Through the courtesy of Dr. A. S. McAllister, Chief, Division of Specifications of the Bureau of Standards, a copy of this publication has been placed in the library of the Structural Service Department at The Octagon. Copies may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., at \$3.00 each.



## Architecture and the Recovery Program

THE President of each Chapter of the Institute received a copy of the official text of the National Recovery Act—which was mailed to him on the day it became available in Washington.

It was sent at the direction of the President of the Institute for the purpose of giving the Chapters immediate and official information concerning the provisions of new legislation which is of great significance to architecture and the architect.

The provisions of the entire Recovery Act are printed in full on the following pages. They warrant a careful reading by every architect who expects to continue to practice in the years to come.

Three obvious questions arise:

(1) *Should the architectural profession submit a code of practice and a schedule of fees to the National Recovery Administration?*

It is by no means certain that the provisions of Title I of the Act are intended to apply to professional groups—such as architects and engineers. If the architectural profession is to be placed under the provisions of Title I the profession must be prepared to accept both advantages and disadvantages that may arise therefrom. In due course, Institute policy in this respect must be formulated, and the President of the Institute would be glad to have, at The Octagon, the views of Members and Chapters on the principles involved.

Pending a determination of policy, the Institute has written to the Administrator—General Hugh S. Johnson—under Title I:

To formally request that The American Institute of Architects be given opportunity to be heard at any hearings on codes of fair practice and related matters, contemplated under Title I of the National Industrial Recovery Act, with relation to the construction industry, such as building construction, engineering, contracting, sub-contracting, the manufacture of building materials, and the hours and wages of building trades employees, as all of these are inseparable from and related to the practice of architecture.

And further:

To say that the architectural profession desires to submit, in due course, a memorandum concerning the inclusion (or the exclusion) of the architectural profession as an independent unit under the provisions of Title I of the Act. A thorough study is now being made of this question, in cooperation with other professional societies, and we hope that this question can be held in abeyance until the memorandum of the Institute can be laid before you.

Meanwhile, and pending the receipt of opinions from Members and Chapters, there have been conferences with representatives of the American Society of Civil Engineers, American Engineering

Council, and the New York Society of Consulting Architects. No final conclusions have been reached by any of the engineering groups so far as is known, and their present position appears to be the same as that of the Institute.

(2) *What should the architectural profession do with respect to Title II—Public Works and Construction Projects?*

This question has been well answered in a letter by the President of the Institute to the President of the Kentucky Chapter, quoted in part as follows:

There is much that the architects can and should do in connection with the Industrial Recovery Act as passed by Congress. They should cooperate with the entire construction industry in making a survey of needed work, not only for the cities but for the entire state. These works may be in the nature of highways, grade crossing eliminations, buildings of all sorts, as well as water-works, sewers, etc.

Architects should take a leading, if not the leading, part in this program. Your city undoubtedly is in need of increased facilities, and the same can be said of the county and of the state. The administrator under the Bill will no doubt have a representative in each state, and the architects are interested in seeing that the right sort of man heads this development.

A number of states have already undertaken such surveys and are prepared to go to Washington to advocate them. As a matter of fact the Mayor of St. Louis heads a delegation leaving for Washington today for the purpose of securing government aid in opening up a new street that will be approximately 3½ miles long, from 100 to 140 feet in width, and that will probably be double-decked throughout its entire length.

The Governor of Missouri appointed a Survey Committee about a month ago and this committee will be ready to state its requirements within a comparatively short time.

Architects should cooperate with the other branches of the construction industry in establishing codes of fair practice. This is a large job as each branch has its own idea of what it wants to accomplish and often goes about it without regard for its effect on other branches or upon the public. In cases of this sort, the architect should act as a balance wheel.

(3) *To whom should communications be addressed?*

No organization set-up has been announced so far (June 24) except that General Hugh S. Johnson is Administrator, National Recovery Administration, Department of Commerce Building, Washington, D. C.; and Colonel Donald H. Sawyer, is temporary Administrator, the Public Works Administration, Department of the Interior Building, Washington, D. C.

In due course, an outline of the administrative set-up of the Public Works Administration (under Title II) and general information concerning procedure will be published in THE OCTAGON.



THIS IS A COPY OF THE OFFICIAL TEXT OF THE NATIONAL INDUSTRIAL  
RECOVERY ACT.

PRESERVE IT FOR REFERENCE.

[PUBLIC—No. 67—73D CONGRESS]

[H.R. 5755]

AN ACT

To encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

TITLE I—INDUSTRIAL RECOVERY

DECLARATION OF POLICY

SECTION 1. A national emergency productive of widespread unemployment and disorganization of industry, which burdens interstate and foreign commerce, affects the public welfare, and undermines the standards of living of the American people, is hereby declared to exist. It is hereby declared to be the policy of Congress to remove obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof; and to provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industries, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and to conserve natural resources.

ADMINISTRATIVE AGENCIES

SEC. 2. (a) To effectuate the policy of this title, the President is hereby authorized to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the provisions of the civil service laws, such officers and employees, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

(b) The President may delegate any of his functions and powers under this title to such officers, agents, and employees as he may designate or appoint, and may establish an industrial planning and research agency to aid in carrying out his functions under this title.

(c) This title shall cease to be in effect and any agencies established hereunder shall cease to exist at the expiration of two years after the date of enactment of this Act, or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended.

CODES OF FAIR COMPETITION

SEC. 3. (a) Upon the application to the President by one or more trade or industrial associations or groups, the President may approve a code or codes of fair competition for the trade or industry or sub-division thereof, represented by the applicant or applicants, if the President finds (1) that such associations or groups impose no inequitable restrictions on admission to membership therein and are truly representative of such trades or industries or subdivisions thereof, and (2) that such code or codes are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of this title: *Provided*, That such code or codes shall not permit monopolies or monopolistic practices: *Provided further*, That where such code or codes affect the services and welfare of persons engaged in other steps of the economic process, nothing in this section shall deprive such persons of the right to be heard prior to approval by the President of such code or codes. The President may, as a condition of his approval of any such code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the President in his discretion deems necessary to effectuate the policy herein declared.

(b) After the President shall have approved any such code, the provisions of such code shall be the standards of fair competition for such trade or industry or subdivision thereof. Any violation of such standards in any transaction in or affecting interstate or foreign commerce shall be deemed an unfair method of competition in commerce within the meaning of the Federal Trade Commission Act, as amended; but nothing in this title shall be construed to impair the powers of the Federal Trade Commission under such Act, as amended.

(c) The several district courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of any code of fair competition approved under this title; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations.

(d) Upon his own motion, or if complaint is made to the President that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in any trade or industry or subdivision thereof, and if no code of fair competition therefor has theretofore been approved by the President, the President, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition for such trade or industry or subdivision thereof, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of this section.

(e) On his own motion, or if any labor organization, or any trade or industrial organization, association, or group, which has complied with the provisions of this

title, shall make complaint to the President that any article or articles are being imported into the United States in substantial quantities or increasing ratio to domestic production of any competitive article or articles and on such terms or under such conditions as to render ineffective or seriously to endanger the maintenance of any code or agreement under this title, the President may cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this subsection, and if, after such investigation and such public notice and hearing as he shall specify, the President shall find the existence of such facts, he shall, in order to effectuate the policy of this title, direct that the article or articles concerned shall be permitted entry into the United States only upon such terms and conditions and subject to the payment of such fees and to such limitations in the total quantity which may be imported (in the course of any specified period or periods) as he shall find it necessary to prescribe in order that the entry thereof shall not render or tend to render ineffective any code or agreement made under this title. In order to enforce any limitations imposed on the total quantity of imports, in any specified period or periods, of any article or articles under this subsection, the President may forbid the importation of such article or articles unless the importer shall have first obtained from the Secretary of the Treasury a license pursuant to such regulations as the President may prescribe. Upon information of any action by the President under this subsection the Secretary of the Treasury shall, through the proper officers, permit entry of the article or articles specified only upon such terms and conditions and subject to such fees, to such limitations in the quantity which may be imported, and to such requirements of license, as the President shall have directed. The decision of the President as to facts shall be conclusive. Any condition or limitation of entry under this sub-section shall continue in effect until the President shall find and inform the Secretary of the Treasury that the conditions which led to the imposition of such condition or limitation upon entry no longer exists.

(f) When a code of fair competition has been approved or prescribed by the President under this title, any violation of any provision thereof in any transaction in or affecting interstate or foreign commerce shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than \$500 for each offense, and each day such violation continues shall be deemed a separate offense.

#### AGREEMENTS AND LICENSES

SEC. 4 (a) The President is authorized to enter into agreements with, and to approve voluntary agreements between and among, persons engaged in a trade or industry, labor organizations, and trade or industrial organizations, associations, or groups, relating to any trade or industry, if in his judgment such agreements will aid in effectuating the policy of this title with respect to transactions in or affecting interstate or foreign commerce, and will be consistent with the requirements of clause (2) of subsection (a) of section 3 for a code of fair competition.

(b) Whenever the President shall find that destructive wage or price cutting or other activities contrary to the policy of this title are being practiced in any trade or industry or any subdivision thereof, and, after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition or an agreement

under this title or otherwise to effectuate the policy of this title, and shall publicly so announce, no person shall, after a date fixed in such announcement, engage in or carry on any business, in or affecting interstate or foreign commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as the President shall prescribe. The President may suspend or revoke any such license, after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the President suspending or revoking any such license shall be final if in accordance with law. Any persons who, without such a license or in violation of any condition thereof, carries on any such business for which a license is so required, shall, upon conviction thereof, be fined not more than \$500, or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a separate offense. Notwithstanding the provisions of section 2 (c), this subsection shall cease to be in effect at the expiration of one year after the date of enactment of this Act or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended.

SEC. 5. While this title is in effect (or in the case of a license, while section 4 (a) is in effect) and for sixty days thereafter, any code, agreement, or license approved, prescribed, or issued and in effect under this title, and any action complying with the provisions thereof taken during such period, shall be exempt from the provisions of the antitrust laws of the United States.

Nothing in this Act, and no regulation thereunder, shall prevent an individual from pursuing the vocation of manual labor and selling or trading the products thereof; nor shall anything in this Act, or regulation thereunder, prevent anyone from marketing or trading the produce of his farm.

#### LIMITATIONS UPON APPLICATION OF TITLE

SEC. 6. (a) No trade or industrial association or group shall be eligible to receive the benefit of the provisions of this title until it files with the President a statement containing such information relating to the activities of the association or group as the President shall by regulation prescribe.

(b) The President is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this title shall be truly representative of the trade or industry or subdivision thereof represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this title.

(c) Upon the request of the President, the Federal Trade Commission shall make such investigations as may be necessary to enable the President to carry out the provisions of this title, and for such purposes the Commission shall have all the powers vested in it with respect of investigations under the Federal Trade Commission Act, as amended.

SEC. 7. (a) Every code of fair competition, agreement, and license approved, prescribed, or issued under this title shall contain the following conditions: (1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protec-

tion; (2) that no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and (3) that employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.

(b) The President shall, so far as practicable, afford every opportunity to employers and employees in any trade or industry or subdivision thereof with respect to which the conditions referred to in clauses (1) and (2) of subsection (a) prevail, to establish by mutual agreement, the standards as to the maximum hours of labor, minimum rates of pay, and such other conditions of employment as may be necessary in such trade or industry or subdivision thereof to effectuate the policy of this title; and the standards established in such agreements, when approved by the President, shall have the same effect as a code of fair competition, approved by the President under subsection (a) of section 3.

(c) Where no such mutual agreement has been approved by the President he may investigate the labor practices, policies, wages, hours of labor, and conditions of employment in such trade or industry or subdivision thereof; and upon the basis of such investigations, and after such hearings as the President finds advisable, he is authorized to prescribe a limited code of fair competition fixing such maximum hours of labor, minimum rates of pay, and other conditions of employment in the trade or industry or subdivision thereof investigated as he finds to be necessary to effectuate the policy of this title, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of section 3. The President may differentiate according to experience and skill of the employees affected and according to the locality of employment; but no attempt shall be made to introduce any classification according to the nature of the work involved which might tend to set a maximum as well as a minimum wage.

(d) As used in this title, the term "person" includes any individual, partnership, association, trust, or corporation; and the terms "interstate and foreign commerce" and "interstate or foreign commerce" include, except where otherwise indicated, trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States.

#### APPLICATION OF AGRICULTURAL ADJUSTMENT ACT

SEC. 8. (a) This title shall not be construed to repeal or modify any of the provisions of title I of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933; and such title I of said Act approved May 12, 1933, may for all purposes be hereafter referred to as the "Agricultural Adjustment Act."

(b) The President may, in his discretion, in order to avoid conflicts in the administration of the Agricultural Adjustment Act and this title, delegate any of his functions and powers under this title with respect to trades, industries, or subdivisions thereof which are engaged in the handling of any agricultural commodity or product thereof, or of any competing commodity or product, thereof, to the Secretary of Agriculture.

#### OIL REGULATION

SEC. 9. (a) The President is further authorized to initiate before the Interstate Commerce Commission proceedings necessary to prescribe regulations to control the operations of oil pipe lines and to fix reasonable, compensatory rates for the transportation of petroleum and its products by pipe lines, and the Interstate Commerce Commission shall grant preference to the hearings and determination of such cases.

(b) The President is authorized to institute proceedings to divorce from any holding company any pipe-line company controlled by such holding company which pipeline company by unfair practices or by exorbitant rates in the transportation of petroleum or its products tends to create a monopoly.

(c) The President is authorized to prohibit the transportation in interstate and foreign commerce of petroleum and the products thereof produced or withdrawn from storage in excess of the amount permitted to be produced or withdrawn from storage by any State law or valid regulation or order prescribed thereunder, by any board, commission, officer, or other duly authorized agency of a State. Any violation of any order of the President issued under the provisions of this subsection shall be punishable by fine of not to exceed \$1,000, or imprisonment for not to exceed six months, or both.

#### RULES AND REGULATIONS

SEC. 10. (a) The President is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this title, and fees for licenses and for filing codes of fair competition and agreements, and any violation of any such rule or regulation shall be punishable by fine of not to exceed \$500, or imprisonment for not to exceed six months, or both.

(b) The President may from time to time cancel or modify any order, approval, license, rule, or regulation issued under this title; and each agreement, code of fair competition, or license approved, prescribed, or issued under this title shall contain an express provision to that effect.

#### TITLE II—PUBLIC WORKS AND CONSTRUCTION PROJECTS

##### FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

SECTION 201. (a) To effectuate the purposes of this title, the President is hereby authorized to create a Federal Emergency Administration of Public Works, all the powers of which shall be exercised by a Federal Emergency Administrator of Public Works (hereafter referred to as the "Administrator"), and to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the civil service laws, such officers and employees, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the



compensation of any officers and employees so appointed. The President may delegate any of his functions and powers under this title to such officers, agents, and employees as he may designate or appoint.

(b) The Administrator may, without regard to the civil service laws or the Classification Act of 1923, as amended, appoint and fix the compensation of such experts and such other officers and employees as are necessary to carry out the provisions of this title; and may make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, for law books and books of reference, and for paper, printing and binding) as are necessary to carry out the provisions of this title.

(c) All such compensation, expenses, and allowances shall be paid out of funds made available by this Act.

(d) After the expiration of two years after the date of the enactment of this Act, or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended, the President shall not make any further loans or grants or enter upon any new construction under this title, and any agencies established hereunder shall cease to exist and any of their remaining functions shall be transferred to such departments of the Government as the President shall designate: *Provided*, That he may issue funds to a borrower under this title prior to January 23, 1939, under the terms of any agreement, or any commitment to bid upon or purchase bonds, entered into with such borrower prior to the date of termination, under this section, of the power of the President to make loans.

SEC. 202. The Administrator, under the direction of the President, shall prepare a comprehensive program of public works, which shall include among other things the following: (a) Construction, repair, and improvement of public highways and park ways, public buildings, and any publicly owned instrumentalities and facilities; (b) conservation and development of natural resources, including control, utilization, and purification of waters, prevention of soil or coastal erosion, development of water power, transmission of electrical energy, and construction of river and harbor improvements and flood control and also the construction of any river or drainage improvement required to perform or satisfy any obligation incurred by the United States through a treaty with a foreign Government heretofore ratified and to restore or develop for the use of any State or its citizens water taken from or denied to them by performance on the part of the United States of treaty obligations heretofore assumed: *Provided*, That no river or harbor improvements shall be carried out unless they shall have heretofore or hereafter been adopted by the Congress or are recommended by the Chief of Engineers of the United States Army; (c) any projects of the character heretofore constructed or carried on either directly by public authority or with public aid to serve the interest of the general public; (d) construction, reconstruction, alteration, or repair under public regulation or control of low-cost housing and slum-clearance projects; (e) any project (other than those included in the foregoing classes) of any character heretofore eligible for loans under subsection (a) of section 201 of the Emergency Relief and Construction Act of 1932, as amended, and paragraph (3) of such subsection (a) shall for such purposes be held to include loans for the construction or completion of hospitals the operation of which is partly financed from public funds, and of reservoirs and pumping plants and for the construction of dry docks; and if in the opinion of the President it seems desirable, the construc-

tion of naval vessels within the terms and/or limits established by the London Naval Treaty of 1930 and of aircraft required therefor and construction of heavier-than-air aircraft and technical construction for the Army Air Corps and such Army housing projects as the President may approve, and provision of original equipment for the mechanization or motorization of such Army tactical units as he may designate: *Provided, however*, That in the event of an international agreement for the further limitation of armament, to which the United States is signatory, the President is hereby authorized and empowered to suspend, in whole or in part, any such naval or military construction or mechanization and motorization of Army units: *Provided further*, That this title shall not be applicable to public works under the jurisdiction or control of the Architect of the Capitol or of any commission or committee for which such Architect is the contracting and/or executive officer.

SEC. 203. (a) With a view to increasing employment quickly (while reasonably securing any loans made by the United States) the President is authorized and empowered, through the Administrator or through such other agencies as he may designate or create, (1) to construct, finance, or aid in the construction or financing of any public-works project included in the program prepared pursuant to section 202; (2) upon such terms as the President shall prescribe, to make grants to States, municipalities, or other public bodies for the construction, repair, or improvement of any such project, but no such grant shall be in excess of 30 per centum of the cost of the labor and materials employed upon such project; (3) to acquire by purchase, or by exercise of the power of eminent domain, any real or personal property in connection with the construction of any such project, and to sell any security acquired or any property so constructed or acquired or to lease any such property with or without the privilege of purchase: *Provided*, That all moneys received from any such sale or lease or the repayment of any loan shall be used to retire obligations issued pursuant to section 209 of this Act, in addition to any other moneys required to be used for such purpose; (4) to aid in the financing of such railroad maintenance and equipment as may be approved by the Interstate Commerce Commission as desirable for the improvement of transportation facilities; and (5) to advance, upon request of the Commission having jurisdiction of the project, the unappropriated balance of the sum authorized for carrying out the provisions of the Act entitled "An Act to provide for the construction and equipment of an annex to the Library of Congress", approved June 13, 1930 (46 Stat. 583); such advance to be expended under the direction of such commission and in accordance with such Act: *Provided*, That in deciding to extend any aid or grant hereunder to any State, county, or municipality the President may consider whether action is in process or in good faith assured therein reasonably designed to bring the ordinary current expenditures thereof within the prudently estimated revenues thereof. The provisions of this section and section 202 shall extend to public works in the several States, Hawaii, Alaska, the District of Columbia, Puerto Rico, the Canal Zone, and the Virgin Islands.

(b) All expenditures for authorized travel by officers and employees, including subsistence, required on account of any Federal public-works projects, shall be charged to the amounts allocated to such projects, notwithstanding any other provisions of law; and there is authorized to be employed such personal services in the District of Columbia and elsewhere as may be required



to be engaged upon such work and to be in addition to employees otherwise provided for, the compensation of such additional personal services to be a charge against the funds made available for such construction work.

(c) In the acquisition of any land or site for the purposes of Federal public buildings and in the construction of such buildings provided for in this title, the provisions contained in sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

(d) The President, in his discretion, and under such terms as he may prescribe, may extend any of the benefits of this title to any State, county, or municipality notwithstanding any constitutional or legal restriction or limitation on the right or power of such State, county, or municipality to borrow money or incur indebtedness.

SEC. 204. (a) For the purpose of providing for emergency construction of public highway and related projects, the President is authorized to make grants to the highway departments of the several States in an amount not less than \$400,000,000, to be expended by such departments in accordance with the provisions of the Federal Highway Act, approved November 9, 1921, as amended and supplemented, except as provided in this title, as follows:

(1) For expenditure in emergency construction on the Federal aid highway system and extensions thereof into and through municipalities. The amount apportioned to any State under this paragraph may be used to pay all or any part of the cost of surveys, plans, and of highway and bridge construction including the elimination of hazards to highway traffic, such as the separation of grades at crossing, the reconstruction of existing railroad grade crossing structures, the relocation of highways to eliminate railroad crossings, the widening of narrow bridges and roadways, the building of footpaths, the replacement of unsafe bridges, the construction of routes to avoid congested areas, the construction of facilities to improve accessibility and the free flow of traffic, and the cost of any other construction that will provide safer traffic facilities or definitely eliminate existing hazards to pedestrian or vehicular traffic. No funds made available by this title shall be used for the acquisition of any land, right of way, or easement in connection with any railroad grade elimination project.

(2) For expenditure in emergency construction on secondary or feeder roads to be agreed upon by the State highway departments and the Secretary of Agriculture: *Provided*, That the State or responsible political subdivision shall provide for the proper maintenance of said roads. Such grants shall be available for payment of the full cost of surveys, plans, improvement, and construction of secondary or feeder roads, on which projects shall be submitted by the State highway department and approved by the Secretary of Agriculture.

(b) Any amounts allocated by the President for grants under subsection (a) of this section shall be apportioned among the several States seven-eighths in accordance with the provisions of section 21 of the Federal Highway Act, approved November 9, 1921, as amended and supplemented (which Act is hereby further amended for the purposes of this title to include the District of Columbia), and one-eighth in the ratio which the population of each State bears to the total population of the United States, according to the latest decennial census and shall be available on July 1, 1933, and shall remain available until expended; but no part of the funds apportioned to any State need be matched by the State, and such

funds may also be used in lieu of State funds to match unobligated balances of previous apportionments of regular Federal-aid appropriations.

(c) All contracts involving the expenditure of such grants shall contain provisions establishing minimum rates of wages, to be pre-determined by the State highway department, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals for bids for the work.

(d) In the expenditure of such amounts, the limitations in the Federal Highway Act, approved November 9, 1921, as amended and supplemented, upon highway construction, reconstruction, and bridges within municipalities and upon payments per mile which may be made from Federal funds, shall not apply.

(e) As used in this section the term "State" includes the Territory of Hawaii and the District of Columbia. The term "highway" as defined in the Federal Highway Act approved November 9, 1921, as amended and supplemented, for the purposes of this section, shall be deemed to include such main parkways as may be designated by the State and approved by the Secretary of Agriculture as part of the Federal-aid highway system.

(f) Whenever, in connection with the construction of any highway project under this section or section 202 of this Act, it is necessary to acquire rights of way over or through any property or tracts of land owned and controlled by the Government of the United States, it shall be the duty of the proper official of the Government of the United States having control of such property or tracts of land with the approval of the President and the Attorney General of the United States, and without any expense whatsoever to the United States, to perform any acts and to execute any agreements necessary to grant the rights of way so required, but if at any time the land or the property the subject of the agreement shall cease to be used for the purposes of the highway, the title in and the jurisdiction over the land or property shall automatically revert to the Government of the United States and the agreement shall so provide.

(g) Hereafter in the administration of the Federal Highway Act, and Acts amendatory thereof or supplementary thereto, the first paragraph of section 9 of said Act shall not apply to publicly owned toll bridges or approaches thereto, operated by the highway department of any State, subject, however, to the condition that all tolls received from the operation of any such bridge, less the actual cost of operation and maintenance, shall be applied to the repayment of the cost of its construction or acquisition, and when the cost of its construction or acquisition shall have been repaid in full, such bridge thereafter shall be maintained and operated as a free bridge.

SEC. 205. (a) Not less than \$50,000,000 of the amount made available by this Act shall be allotted for (A) national forest highways, (B) national forest roads, trails, bridges, and related projects, (C) national park roads and trails in national parks owned or authorized, (D) roads on Indian reservations, and (E) roads through public lands, to be expended in the same manner as provided in paragraph (2) of section 301 of the Emergency Relief and Construction Act of 1932, in the case of appropriations allocated for such purposes, respectively, in such section 301, to remain available until expended.

(b) The President may also allot funds made available by this Act for the construction, repair, and improvement of public highways in Alaska, the Canal Zone, Puerto Rico, and the Virgin Islands.

SEC. 206. All contracts let for construction projects and all loans and grants pursuant to this title shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed on any such project; (2) that (except in executive, administrative, and supervisory positions), so far as practicable and feasible, no individual directly employed on any such project shall be permitted to work more than thirty hours in any one week; (3) that all employees shall be paid just and reasonable wages which shall be compensation sufficient to provide, for the hours of labor as limited, a standard of living in decency and comfort; (4) that in the employment of labor in connection with any such project, preference shall be given, where they are qualified, to ex-service men with dependents, and then in the following order: (A) To citizens of the United States and aliens who have declared their intention of becoming citizens, who are bona fide residents of the political subdivision and/or county in which the work is to be performed, and (B) to citizens of the United States and aliens who have declared their intention of becoming citizens, who are bona fide residents of the State, Territory, or district in which the work is to be performed: *Provided*, That these preferences shall apply only where such labor is available and qualified to perform the work to which the employment relates; and (5) that the maximum of human labor shall be used in lieu of machinery wherever practicable and consistent with sound economy and public advantage.

SEC. 207. (a) For the purpose of expediting the actual construction of public works contemplated by this title and to provide a means of financial assistance to persons under contract with the United States to perform such construction, the President is authorized and empowered, through the Administrator or through such other agencies as he may designate or create, to approve any assignment executed by any such contractor, with the written consent of the surety or sureties upon the penal bond executed in connection with his contract, to any national or State bank, or his claim against the United States, or any part of such claim, under such contract; and any assignment so approved shall be valid for all purposes notwithstanding the provisions of sections 3737 and 3477 of the Revised Statutes as amended.

(b) The funds received by a contractor under any advances made in consideration of any such assignment are hereby declared to be trust funds in the hands of such contractor to be first applied to the payment of claims of subcontractors, architects, engineers, surveyors, laborers, and material men in connection with the project, to the payment of premiums on the penal bond or bonds, and premiums accruing during the construction of such project on insurance policies taken in connection therewith. Any contractor and any officer, director, or agent of any such contractor, who applies, or consents to the application of, such funds for any other purpose and fails to pay any claim or premium hereinbefore mentioned, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

(c) Nothing in this section shall be considered as imposing upon the assignee any obligation to see to the proper application of the funds advanced by the assignee in consideration of such assignment.

#### SUBSISTENCE HOMESTEADS

SEC. 208. To provide for aiding the redistribution of the overbalance of population in industrial centers \$25,-

000,000 is hereby made available to the President, to be used by him through such agencies as he may establish and under such regulations as he may make, for making loans for and otherwise aiding in the purchase of subsistence homesteads. The moneys collected as repayment of said loans shall constitute a revolving fund to be administered as directed by the President for the purposes of this section.

#### RULES AND REGULATIONS

SEC. 209. The President is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this title, and any violation of any such rule or regulation shall be punishable by fine of not to exceed \$500 or imprisonment not to exceed six months, or both.

#### ISSUE OF SECURITIES AND SINKING FUND

SEC. 210. (a) The Secretary of the Treasury is authorized to borrow, from time to time, under the Second Liberty Bond Act, as amended, such amounts as may be necessary to meet the expenditures authorized by this Act, or to refund any obligations previously issued under this section, and to issue therefor bonds, notes, certificates of indebtedness, or Treasury bills of the United States.

(b) For each fiscal year beginning with the fiscal year 1934 there is hereby appropriated, in addition to and as part of, the cumulative sinking fund provided by section 6 of the Victory Liberty Loan Act, as amended, out of any money in the Treasury not otherwise appropriated, for the purpose of such fund, an amount equal to 2½ per centum of the aggregate amount of the expenditures made out of appropriations made or authorized under this Act as determined by the Secretary of the Treasury.

#### REEMPLOYMENT AND RELIEF TAXES

SEC. 211. (a) Effective as of the day following the date of enactment of this Act, section 617 (a) of the Revenue Act of 1932 is amended by striking out "1 cent" and inserting in lieu thereof "1½ cents".

(b) Effective as of the day following the date of the enactment of this Act, section 617 (c) (2) of such Act is amended by adding at the end thereof a new sentence to read as follows: "As used in this paragraph the term 'benzol' does not include benzol sold for use otherwise than as a fuel for the propulsion of motor vehicles, motor boats, or airplanes, and otherwise than in the manufacture or production of such fuel."

SEC. 212. Titles IV and V of the Revenue Act of 1932 are amended by striking out "1934" wherever appearing therein and by inserting in lieu there "1935". Section 761 of the Revenue Act of 1932 is further amended by striking out "and on July 1, 1933" and inserting in lieu thereof "and on June 1, 1933, and on July 1, 1934".

SEC. 213. (a) There is hereby imposed upon the receipt of dividends (required to be included in the gross income of the recipient under the provisions of the Revenue Act of 1932) by any person other than a domestic corporation, an excise tax equal to 5 per centum of the amount thereof, such tax to be deducted and withheld from such dividends by the payor corporation. The tax imposed by this section shall not apply to dividends declared before the date of the enactment of this Act.

(b) Every corporation required to deduct and withhold any tax under this section shall, on or before the last day of the month following the payment of the dividend, make return thereof and pay the tax to the collector

of the district in which its principal place of business is located, or, if it has no principal place of business in the United States, to the collector at Baltimore, Maryland.

(c) Every such corporation is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payment made in accordance with the provisions of this section.

(d) The provisions of sections 115, 771 to 774, inclusive, and 1111 of the Revenue Act of 1932 shall be applicable with respect to the tax imposed by this section.

(e) The taxes imposed by this section shall not apply to the dividends of any corporation enumerated in section 103 of the Revenue Act of 1932.

SEC. 214. Section 104 of the Revenue Act of 1932 is amended by striking out the words "the surtax" wherever occurring in such section and inserting in lieu thereof "any internal-revenue tax." The heading of such section is amended by striking out "surtaxes" and inserting in lieu thereof "internal-revenue taxes." Section 13(c) of such Act is amended by striking out "surtax" and inserting in lieu thereof "internal-revenue tax."

SEC. 215. (a) For each year ending June 30 there is hereby imposed upon every domestic corporation with respect to carrying on or doing business for any part of such year an excise tax of \$1 for each \$1,000 of the adjusted declared value of its capital stock.

(b) For each year ending June 30 there is hereby imposed upon every foreign corporation with respect to carrying on or doing business in the United States for any part of such year an excise tax equivalent to \$1 for each \$1,000 of the adjusted declared value of capital employed in the transaction of its business in the United States.

(c) The taxes imposed by this section shall not apply—

(1) to any corporation enumerated in section 103 of the Revenue Act of 1932;

(2) to any insurance company subject to the tax imposed by section 201 or 204 of such Act;

(3) to any domestic corporation in respect of the year ending June 30, 1933, if it did not carry on or do business during a part of the period from the date of the enactment of this Act to June 30, 1933, both dates inclusive; or

(4) to any foreign corporation in respect of the year ending June 30, 1933, if it did not carry on or do business in the United States during a part of the period from the date of the enactment of this Act to June 30, 1933, both dates inclusive.

(d) Every corporation liable for tax under this section shall make a return under oath within one month after the close of the year with respect to which such tax is imposed to the collector for the district in which is located its principal place of business or, if it has no principal place of business in the United States, then to the collector at Baltimore, Maryland. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector before the expiration of the period for filing the return. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 1 per centum a month from the time when the tax became due until paid. All provisions of law (including penalties) applicable in respect of the taxes imposed by section 600 of the Revenue Act of 1926 shall, in so far as not inconsistent with this section, be applicable in respect of the taxes imposed by this section. The

Commissioner may extend the time for making the returns and paying the taxes imposed by this section, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than sixty days.

(e) Returns required to be filed for the purpose of the tax imposed by this section shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under title II of the Revenue Act of 1926.

(f) For the first year ending June 30 in respect of which a tax is imposed by this section upon any corporation, the adjusted declared value shall be the value, as declared by the corporation in its first return under this section (which declaration of value cannot be amended), as of the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section (or as of the date of organization in the case of a corporation having no income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section). For any subsequent year ending June 30, the adjusted declared value in the case of a domestic corporation shall be the original declared value plus (1) the cash and fair market value of property paid in for stock or shares, (2) paid-in surplus and contributions to capital, and (3) earnings and profits, and minus (A) the value of property distributed in liquidation to shareholders, (B) distributions of earnings and profits, and (C) deficits, whether operating or nonoperating; each adjustment being made for the period from the date as of which the original declared value was declared to the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section. For any subsequent year ending June 30, the adjusted declared value in the case of a foreign corporation shall be the original declared value adjusted, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, to reflect increases or decreases (for the period specified in the preceding sentence) in the capital employed in the transaction of its business in the United States.

(g) The terms used in this section shall have the same meaning as when used in the Revenue Act of 1932.

SEC. 216. (a) There is hereby imposed upon the net income of every corporation, for each income-tax taxable year ending after the close of the first year in respect of which it is taxable under section 215, an excess-profits tax equivalent to 5 per centum of such portion of its net income for such income-tax taxable year as is in excess of  $12\frac{1}{2}$  per centum of the adjusted declared value of its capital stock (or in the case of a foreign corporation the adjusted declared value of capital employed in the transaction of its business in the United States) as of the close of the preceding income-tax taxable year (or as of the date of organization if it had no preceding income-tax taxable year) determined as provided in section 215. The terms used in this section shall have the same meaning as when used in the Revenue Act of 1932.

(b) The tax imposed by this section shall be assessed, collected, and paid in the same manner, and shall be subject to the same provisions of law (including penalties), as the taxes imposed by title I of the Revenue Act of 1932.

SEC. 217. (a) The President shall proclaim the date of—

(1) the close of the first fiscal year ending June 30 of any year after the year 1933, during which the total receipts of the United States (excluding public-debt



receipts) exceed its total expenditures (excluding public-debt expenditures other than those chargeable against such receipts), or

(2) the repeal of the eighteenth amendment to the Constitution,

whichever is the earlier.

(b) Effective as of the 1st day of the calendar year following the date so proclaimed section 617(a) of the Revenue Act of 1932, as amended, is amended by striking out "1½ cents" and inserting in lieu thereof "1 cent".

(c) The tax on dividends imposed by section 213 shall not apply to any dividends declared on or after the 1st day of the calendar year following the date so proclaimed.

(d) The capital-stock tax imposed by section 215 shall not apply to any taxpayer in respect of any year beginning on or after the 1st day of July following the date so proclaimed.

(e) The excess-profits tax imposed by section 216 shall not apply to any taxpayer in respect of any taxable year after its taxable year during which the date so proclaimed occurs.

SEC. 218. (a) Effective as of January 1, 1933, sections 117, 23(i), 169, 187, and 205 of the Revenue Act of 1932 are repealed.

(b) Effective as of January 1, 1933, section 23(r) (2) of the Revenue Act of 1932 is repealed.

(c) Effective as of January 1, 1933, section 23(r) (3) of the Revenue Act of 1932 is amended by striking out all after the word "Territory" and inserting a period.

(d) Effective as of January 1, 1933, section 182(a) of the Revenue Act of 1932 is amended by inserting at the end thereof a new sentence as follows: "No part of any loss disallowed to a partnership as a deduction by section 23(r) shall be allowed as a deduction to a member of such partnership in computing net income."

(e) Effective as of January 1, 1933, section 141(c) of the Revenue Act of 1932 is amended by striking out "except that for the taxable years 1932 and 1933 there shall be added to the rate of tax prescribed by sections 13(a), 201(b), and 204(a), a rate of three fourths of 1 per centum" and inserting in lieu thereof the following: "except that for the taxable years 1932 and 1933 there shall be added to the rate of tax prescribed by sections 13(a), 201(b), and 204(a), a rate of 1 per centum".

(f) No interest shall be assessed or collected for any period prior to September 15, 1933, upon such portion of any amount determined as a deficiency in income taxes as is attributable solely to the amendments made to the Revenue Act of 1932 by this section.

(g) In cases where the effect of this section is to require for a taxable year ending prior to June 30, 1933, the making of an income-tax return not otherwise required by law, the time for making the return and paying the tax shall be the same as if the return was for a fiscal year ending June 30, 1933.

(h) Section 55 of the Revenue Act of 1932 is amended by inserting before the period at the end thereof a semicolon and the following: "and all returns made under this Act after the date of enactment of the National Industrial Recovery Act shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules and regulations promulgated by the President".

SEC. 219. Section 500 (a) (1) of the Revenue Act of 1926, as amended, is amended by striking out the period at the end of the second sentence thereof and inserting in lieu thereof a comma and the following: "except that no tax shall be imposed in the case of persons admitted free to any spoken play (not a mechanical reproduction), whether or not set to music or with musical parts or accompaniments, which is a consecutive narrative interpreted by a single set of characters, all necessary to the development of the plot, in two or more acts, the performance consuming more than 1 hour and 45 minutes of time."

#### APPROPRIATION

SEC. 220. For the purposes of this Act, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,300,000,000. The President is authorized to allocate so much of said sum, not in excess of \$100,000,000, as he may determine to be necessary for expenditures in carrying out the Agricultural Adjustment Act and the purposes, powers, and functions heretofore and hereafter conferred upon the Farm Credit Administration.

SEC. 221. Section 7 of the Agricultural Adjustment Act, approved May 12, 1933, is amended by striking out all of its present terms and provisions and substituting therefor the following:

"SEC. 7. The Secretary shall sell the cotton held by him at his discretion, but subject to the foregoing provisions: *Provided*, That he shall dispose of all cotton held by him by March 1, 1936: *Provided further*, That, notwithstanding the provisions of section 6, the Secretary shall have authority to enter into option contracts with producers of cotton to sell to the producers such cotton held by him, in such amounts and at such prices and upon such terms and conditions as the Secretary may deem advisable, in combination with rental or benefit payments provided for in part 2 of this title.

"Notwithstanding any provisions of existing law, the Secretary of Agriculture may in the administration of the Agricultural Adjustment Act make public such information as he deems necessary in order to effectuate the purposes of such Act."

#### TITLE III—AMENDMENTS TO EMERGENCY RELIEF AND CONSTRUCTION ACT AND MISCELLANEOUS PROVISIONS

SECTION 301. After the expiration of ten days after the date upon which the Administrator has qualified and taken office, (1) no application shall be approved by the Reconstruction Finance Corporation under the provisions of subsection (a) of section 201 of the Emergency Relief and Construction Act of 1932, as amended, and (2) the Administrator shall have access to all applications, files, and records of the Reconstruction Finance Corporation relating to loans and contracts and the administration of funds under such subsection: *Provided*, That the Reconstruction Finance Corporation may issue funds to a borrower under such subsection (a) prior to January 23, 1939, under the terms of any agreement of any commitment to bid upon or purchase bonds entered into with such borrower pursuant to an application approved prior to the date of termination, under this section, of the power of the Reconstruction Finance Corporation to approve applications.



DECREASE OF BORROWING POWER OF RECONSTRUCTION  
FINANCE CORPORATION

SEC. 302. The amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time is decreased by \$400,000,000.

SEPARABILITY CLAUSE

SEC. 303. If any provision of this Act, or the applica-

tion thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SHORT TITLE

SEC. 304. This Act may be cited as the "National Industrial Recovery Act."

Approved, June 16, 1933, 11:55 a. m.

## Meeting of the Board of Directors

MARCH, 1933

*To the Members:*

The Annual Meeting of the Board of Directors of the Institute was held at The Octagon, Washington, D. C., on March 15, 16, 17 and 18, 1933.

Various matters acted upon by the Board have been reported in the April and May numbers of THE OCTAGON.

The resolutions adopted by the Board and here printed show the action on those subjects appropriate for publication at this time. The complete Minutes record a total of 133 items of business with 153 resolutions adopted. These, of course, include many items of a routine nature such as resignations, reinstatements, and other status cases which, under the basic law of the Institute, must be acted upon by the Board or Executive Committee.

**Members Present.**

The annual meeting of the Board of Directors was called to order by the President, Ernest John Russell, at 10:00 A. M., March 15, 1933, at The Octagon, Washington, D. C.

Members present were the President, Ernest John Russell; the First Vice-President, Charles D. Maginnis; the Second Vice-President, Horace W. Peaslee; the Secretary, Frank C. Baldwin; the Treasurer, Edwin Bergstrom; and Directors Franklin O. Adams, M. H. Furbringer, Frederick H. Meyer, Albert L. Brockway, George H. Gray, Frederick M. Mann, James O. Betelle, and Raymond J. Ashton.

The Secretary read a letter from Director Herbert E. Hewitt regretting that he could not be present.

The Executive Secretary, E. C. Kemper, and the Assistant Executive Secretary, G. T. Heckert, were also present.

**Jury of Fellows—Meeting Omitted.**

*Resolved,* That the action of the Jury of Fellows in omitting its meeting for the year 1933 be approved.

It will be evident that the brief record here printed omits numerous items and resolutions, because the subject matter thereof is not appropriate for publication at this time, or is of a strictly routine nature.

Any member of the Institute may obtain complete information concerning action on any subject considered by the Board, by addressing a request to the Secretary. The Minutes of each meeting of the Board of Directors and Executive Committee are open at The Octagon to members of the Institute.

The next meeting will be that of the Executive Committee in November.

FRANK C. BALDWIN,  
*Secretary.*

**Regional Directors—Resignations—Elections.**

The President said that the action of the Executive Committee and the Board in omitting the Convention of 1933 had raised a question as to procedure with regard to the terms of Officers and Directors which normally would have been completed at the Convention of 1933. He read a letter of February 3 from Institute counsel.

The President's recommendation was that the Board take action to elect three new Directors for the terms which would normally begin in May, 1933.

Accordingly, new Directors were elected as follows as of May 15:

Ralph H. Cameron, San Antonio, Texas, Director, Gulf States Division.

William T. Warren, Birmingham, Ala., Director, South Atlantic Division.

David J. Witmer, Los Angeles, Calif., Director, Sierra Nevada Division.

**Expressions from Retiring Directors.**

The retiring Directors, Franklin O. Adams, M. H. Furbringer, and Frederick H. Meyer, expressed

personal appreciation of their close association with the work of the Institute and the members of the Board, and of the inspiration which had come from their service as Directors.

The President, on behalf of the other members of the Board, expressed regret at the separation, and the hope that the Institute could continue to count upon the retiring Directors for their aid and co-operation.

#### Committee Appointments—Standing and Special.

The President referred to the standing and special committees of the Institute, about forty in number, whose members were elected or appointed at or subsequent to the organization meeting of the Board in April, 1932.

He said that these committees had received their instructions, had been acting upon matters assigned to them, and were performing their duties satisfactorily.

If the Convention had been held in May, 1933, the terms of practically all members of the standing committees would have expired; and all of the special committees would have automatically ceased to exist with the adjournment of the Convention.

His suggestions to the Board, with respect to procedure in this matter, were that in the main the committee personnel be re-elected or reappointed, subject to a few changes to take care of resignations or desirable new appointments.

It was the sense of the meeting that all standing and special committees should be continued until the next Convention, subject to such changes in personnel, or set-up of the special committees, as the President might determine.

*Resolved*, That the general and special instructions to the standing and special committees be continued in full until the next annual meeting of the Board.

#### Board of Directors—Report.

In view of the omission of the Convention, the President suggested that a statement be made to the membership in *The Octagon*, briefly reviewing the activities of the Institute, the work of the standing and special committees, the situation with respect to public works legislation, the reduction of dues, the remission of dues, and other matters of vital importance.

#### Committees—Final Reports.

The Secretary submitted the final reports of the Standing and Special Committees. He said that heretofore the substance of these reports and their recommendations have been transmitted to the Convention by the Board of Directors in its report to

\*Information concerning the Special and Standing Committees will be published later. In practically all cases Committee personnels were re-appointed.

the Convention. Under the present emergency some modification of procedure was essential. He recommended that the Board consider and act definitely upon each report; and that the Secretary be authorized, if funds and space are available, to print reviews of the reports and Board action thereon in *THE OCTAGON* during the spring and summer.

\*The Committee reports were read, assigned for review, and acted upon in order.

#### Blue Prints—Free of Charge.

*Resolved*, That with respect to the number of blue prints of drawings and specifications to which the client is entitled free of charge the Board is of the opinion that as a principle of practice the architect should differentiate between public and private work, and that the number of blue prints to be furnished should be definitely stated in the contract; recognizing first, that as many prints as are necessary for the proper execution of the work should be furnished by the architect without charge and second, that if the owner, public or private, desires an unusually large number of bidders the architect should be reimbursed for extra sets of blue prints above a reasonable number, which might be tentatively stated as ten.

#### Draughting Time of Principal—In Fee Plus Cost Contract.

*Resolved*, That it be suggested to the Committee on Contracts that in any proposed revision of the Agreement Between Owner and Architect—on the Cost Plus Fee Basis, there should be included a provision for an hourly rate of payment for time spent by a principal in draughting or other service or cost of production of work, including same in the cost of rendering professional service.

#### Joint Committee on Preparation for Practice of Architecture.

*Resolved*, That the Executive Council of the Committee on Education be commended for their good work, and especially for their initiative in joining with the Association of Collegiate Schools of Architecture, the Beaux Arts Institute of Design, and the National Council of Architectural Registration Boards in undertaking a study of methods for improving training in preparation for the practice of Architecture.

#### School Medals—Presentation.

*Resolved*, That the Committee on Education be requested to arrange for the presentation of the school medals of the Institute, in the colleges and universities, by a representative of the Institute and the Institute Chapter having jurisdiction.

#### Restoration of Stratford.

*Whereas*, The Lee homestead, known as Stratford, in Virginia, is a building still largely intact, and of prime architectural importance; and

*Whereas*, The Robert E. Lee Memorial Foundation has shown wisdom and serious purpose in the preliminary research that has been conducted and in the programs for restoration; therefore be it

\*It would be too expensive to publish the Committee reports in *THE OCTAGON*. It is hoped that reviews of some of those reports may be published during the summer.

*Resolved*, That the Institute commends the fact and the manner of the proposed restoration of Stratford, Virginia, and cites it to the country as an undertaking worthy of support and emulation.

#### The Architect in Civic Affairs.

*Resolved*, That the Board of Directors take this occasion to urge the members of the Institute to make the most of this period of construction inactivity by identifying themselves actively with all phases of general planning work for which architects are specially fitted through training and experience; and it calls to the attention of the architectural profession that now is the time to take a leading part in initiating and developing civic betterments and all planning projects related to architecture.

#### Shopping for Bids and Bid Peddling.

*Resolved*, That the Committee on Industrial Relations be requested to make a study of the Huddleston Plan, the Nashville Plan, and the Detroit Plan relating to bid peddling, and to report its recommendations to the Board at the next meeting.

(The first two were published in the January and April numbers of THE OCTAGON, respectively.)

#### Honor Awards—Report.

This report was supplemented by Director Furbringer who described the successful exhibition of executed work held in Memphis. The response of the public was most gratifying, and the experience in Memphis should offer encouragement to other chapters of the Institute who are contemplating architectural exhibitions.

The Board recommended that other chapters endeavor to carry on honor award or other forms of architectural exhibitions in order to stimulate interest in building in their communities. It suggested that the chapters confer with the chairman of the Committee on Honor Awards (David J. Witmer) for advice as to ways and means of financing and managing such exhibitions.

#### Schedule of Charges—Report.

*Resolved*, That the report of the Committee on Schedule of Charges, dated March 9, be accepted as a progress report and that the review thereof be accepted.

*Resolved*, That the report of the Committee on Schedule of Charges, with regard to proposed revisions of A. I. A. Document No. 177—Schedule of Proper Minimum Charges—be published in THE OCTAGON—marked "confidential" and tentative—with a statement by the Chairman in explanation thereof and with a request for criticisms and comments from the membership.

*Resolved*, That the Board express to the Committee on Schedule of Charges and its able Chairman, M. H. Furbringer, deep appreciation of the valuable and exhaustive study which made the report of the Committee available; and it requests the Committee to continue its work and to submit a further draft of the proposed revised Schedule after receiving the comments and criticisms of the chapters and the membership.

*Resolved*, That the Board requests each chapter to appoint a special committee to review the proposed re-

visions of the Schedule of Charges and to report to the Chairman of the Committee.

(This report and the proposed revision of the Schedule of Charges will appear in the September number of THE OCTAGON.)

#### Appraisal Practices—Proposed Model Law.

Mr. Parker's letter of March 3 to the President, with regard to Institute endorsement of documents issued by the Associated General Contractors, entitled "Certified Building Appraisals" and "A Model Law Regulating the Practice of Building Appraisals", was read; also the review thereof by Director Brockway.

*Resolved*, That the Board of Directors does not endorse at this time the proposed model law regulating the practice of building appraisals, as submitted, but heartily approves of the principle that proper machinery be established to make independent, sound, economic appraisals which can be accepted as such.

It was suggested that this matter be referred to the chapters for study, in the belief that more will be accomplished by local action. The architects should act as leaders in this movement.

#### Legal Bidding Requirements for Professional Services—Report.

*Resolved*, That the report of the Committee on Legal Bidding Requirements for Professional Services, dated March 9, and the review thereof be accepted; and that the name of the Committee be and hereby is changed to "Committee on Architects' Contracts for Municipal Work."

The Board urged that the chapters cooperate fully with the Chairman (Fred F. Willson) in order to bring about a discontinuance of the practice which requires the submission of bids for the performance of architectural service;

That they make surveys of the bidding requirements of municipalities within their territories, and furnish the same to the Chairman of the Committee.

#### Structural Service

##### Floor Area Measurement—Proposed Document.

A memorandum, dated March 8, 1933, was presented, from the Technical Secretary to the Executive Secretary, outlining the progress on the proposed document on Floor Area Measurement, together with available data on the subject.

*Resolved*, That the President be authorized to appoint a committee to confer with representatives of the building owners and managers and real estate groups for the purpose of formulating a mutually satisfactory document on Floor Area Measurement—for submission to the Board for consideration.

#### *Filing System for Architectural Plates.*

The Secretary read a letter dated February 1, 1933 from N. Max Dunning, Chairman of the Structural Service Committee, with reference to the preparation and adoption by the Institute of a filing system for architectural plates, and submitted correspondence and data relating to the subject.

*Resolved*, That the Structural Service Department be instructed to obtain and review existing data on filing systems for architectural plates and to prepare a proposed document for consideration of the Board.

#### **Annuary and Proceedings—Omission in 1933.**

The Secretary reported that in compliance with a resolution of the Board, the Annuary for 1932-1933, and the Proceedings for the 1932 Convention, had not been printed.

He referred to the intention of the Board, as expressed by resolution, to combine and publish the Proceedings for 1932 and 1933 as one document.

*Resolved*, That the Annuary for the year 1933-34, and the Proceedings of the Convention of the year 1932, which were prepared for publication in 1933, be not published in 1933 for lack of funds, and that the question of publishing these records be considered at the annual meeting of the Board in 1934.

#### **The Octagon—Mailing to Former Members.**

The Secretary reported that in view of the unexpected reduction of income he had not mailed THE OCTAGON to former members, as directed by previous resolution.

*Resolved*, That the action of the Secretary in not sending THE OCTAGON to former members be approved, and that the resolution directing such distribution be and hereby is rescinded.

#### **Dues—Communications from Individuals.**

The Secretary presented for consideration letters from members, all of which urged one or another form of reduction of Institute dues. He said that each of these letters had been acknowledged, and the assurance given that the point of view expressed would receive the careful attention of the Board.

These letters were fully considered in connection with the whole financial problem of the Institute.

#### **Dues—Communications from Chapters.**

The Secretary submitted communications from Chapters, and Officers of Chapters, with regard to a reduction of Institute dues, as follows: Cleveland, Detroit, Florida South, Georgia, Kentucky, Louisiana, Minnesota, Northern California, Oregon, South Texas, Virginia, and West Texas.

The Secretary said that each of these letters had been acknowledged and the assurance given that the point of view expressed would be called to the attention of the Board.

Directors Mann, Adams, and Furbringer called attention to resolutions by Chapters in their Divisions which urged a reduction in dues.

These letters and resolutions were fully considered in connection with the financial problem of the Institute.

#### **Report of the Treasurer.**

The Treasurer submitted his report to the Board of Directors of the Institute.

*Resolved*, That the report of the Treasurer be accepted.

The Treasurer said that it was necessary for the Board to consider ways and means of balancing the budget for the year 1933, as the income during the first two months of 1933, and the estimated income for the remainder of the year, were much less than anticipated.

\*The Board spent an entire day on the financial difficulties which confronted the Institute, the Chapters, and the Members. As reported elsewhere in these Minutes, it gave special attention to letters from Chapters urging a reduction of dues and to letters from delinquent members.

Action on the many matters related to finances and arising from the Treasurer's report, or from other communications before the Board is recorded under the sub-heads which follow:

#### *Institute Dues—Action on Proposed Reduction, and on Remissions.*

Following the report of the Treasurer, and after full consideration of letters from members and chapters with regard to a reduction of Institute dues, and after drastically reducing or eliminating appropriations for activities and departments heretofore regarded as fundamental, the following resolutions were adopted:

*Whereas*, The long business depression has seriously affected the architectural profession, resulting, as the Board of Directors fully realizes, in a situation affecting the membership of the Institute in the matter of payment of dues; be it

*Resolved*, That the Board of Directors hereby remits the dues of those members who are in arrears for annual dues for the years 1931 and 1932, either in whole or in part, depending on their ability to pay the same. Such remission in each case shall be conditioned (a) that the President or the governing board of the chapter of which the delinquent is a member shall certify his or its judgment as to the ability of the delinquent to pay said dues either in whole or in part; and (b) that the member in arrears shall pay the annual dues for 1933 to the Institute in full, by installments or otherwise, on or before December 31, 1933; and be it further

*Resolved*, That the Director of each Division be requested to cooperate with the Chapters in his Division for the purpose of carrying out this program of relief; and be it further

\*See the April OCTAGON for statements on Institute finances.



*Resolved*, That the Board, having reduced its own and other meetings of the Institute to the minimum required to conduct its affairs; having restricted the activities of the Committees to the lowest possible levels; having given up some Committee and departmental activities in all but name; and having reduced the salaries and the personnel of the administration staff at The Octagon to the lowest possible point that will enable it to continue any sort of adequate service to the members, finds that it cannot remit the 1933 dues, even in part, and still carry on the affairs of the Institute in a manner that it believes the members will require. It is therefore compelled to advise the members that, under the existing conditions, no part of the annual dues for 1933 can be remitted, much as it regrets to make that announcement; but

The Treasurer is authorized to give notice to those members who have not paid their 1933 dues to the Institute that they may pay such dues in installments at the rate of \$6.25 quarterly.

#### *Budget for 1933—Revision.*

Following the report of the Finance Committee and of the Treasurer, and after extended consideration of the financial situation of the Institute, and with due consideration to the decreased income for the year 1933, the following action was taken:

#### *Resolved*,

(1) That THE OCTAGON shall not be mailed free of charge during 1933 to those whose memberships were terminated in 1930, 1931, and 1932, and that the appropriation of \$300 therefor is cancelled.

(2) That the appropriations heretofore made to the following accounts are changed as follows.\*

(3) That the services of the personnel of the Structural Service Department shall be discontinued on and after June 30, 1933, and the affairs and business of the Department reduced or eliminated by the Secretary as necessary to permit such work being carried on by the remaining personnel at The Octagon; unless prior to said time the Secretary shall find some way of continuing the said services and/or affairs and business without cost to the Institute for the remainder of the current fiscal year and until the Board shall make an appropriation therefor.

(4) That the President, Secretary, and Treasurer are hereby authorized and directed to adjust, combine, or discontinue any insurance held by the Institute, and/or any service rendered by it, and/or the salaries or employment of its employees, as they shall find necessary.

(5) That the President and Treasurer hereby are authorized to borrow such sums as they shall find necessary from the Emergency Loan Fund to meet the current expenses of the Institute, and to execute the five per cent (5%) three-year note or notes of the Institute therefor; provided, that the Officers have heretofore reduced the current expenses of the Institute, as required in paragraphs (3) and (4) of this resolution. The Treasurer shall pay the interest on the said loan or loans when and as it becomes due, and the principal or principals thereof at or before the due date thereof.

(6) That the Treasurer shall send the due bills for the 1934 annual dues of \$25.00 as required by the By-Laws, but shall give notice therewith that the member

\*Long list of reduced appropriations is omitted.

may pay the same in installments at the rate of \$6.25 quarterly.

#### **Advance Planning of Public Works—Cooperation with Stabilization Board.**

*Resolved*, That the report of the President with regard to Institute support of a program for Advance Planning of Public Works be approved and accepted.

#### **A Digest of the Competition Code—Form Approved.**

*Resolved*, That the Digest of the Competition Code as submitted in the letter of March 9, 1933, from the Chairman of the Committee on Competitions be approved and adopted, and that the Secretary be instructed to issue the Digest as an Institute document when funds are available.

#### **Architectural Service by Commercial Groups.**

*Resolved*, That the Secretary be directed to secure complete information concerning the proposed plan of commercial organizations to furnish architectural service with their products, and if the facts warrant to publish a statement condemning such practice.

*Resolved*, That the Secretary transmit his findings to the Iowa Chapter, the Des Moines Architects Associations, and The Producers' Council, and to the membership of the Institute through the pages of THE OCTAGON if he deem wise.

#### **Committee on Cooperation with Engineers.**

*Resolved*, That the President be authorized to appoint a special committee to cooperate with a like committee representing the engineering professions, in accord with the request of the President of the American Society of Civil Engineers.

It was understood that no appropriation would be available.

#### **Henry Adams Fund—Mont St. Michel and Chartres—Agreement.**

*Resolved*, That the report of the Treasurer on the completion of the assignment of the title, copyright, royalties, and interests connected with the gift of Mont St. Michel and Chartres and the Henry Adams Fund be accepted and approved—with the thanks of the Board to the Treasurer and other officers who acted in the matter, and that a copy of the agreement be appended to the official minutes of this meeting.

*Resolved*, That the Secretary be requested to convey the appreciation of the Institute to Ralph Adams Cram and Charles Francis Adams.

*Resolved*, That the copyright, royalties, rights and interests in and of the book Mont St. Michel and Chartres be accepted by The American Institute of Architects as a gift from the heirs of Henry Adams, Ralph Adams Cram, and all others signatory to the agreement of November 25, 1932, which assigned those rights to The American Institute of Architects.

#### **Henry Adams Fund—Program for Expenditures.**

*Resolved*, That the Board hereby authorizes and directs the Committee on Education to prepare a general program for the expenditure of the net income of the Henry Adams Fund, and to submit the same to the Board or the Executive Committee at its next meeting; and hereby authorizes the Executive Committee to approve a

general program for such expenditure if the Board does not act thereon. When such general program is approved, then the Committee on Education is authorized and directed to carry out such approved program for and on behalf of the Board, so far as may be done within the annual appropriation made therefor by the Board.

#### Octagon Markers.

*Resolved*, That the Secretary be authorized to restore, or refinish, or replace the markers on The Octagon property, or to reface them if necessary, and to charge the cost against the appropriation for repairs and maintenance.

#### Gift—Allied Architects of Washington, Inc.

*Resolved*, That the Board of Directors accept the gift of the Allied Architects of Washington, D. C., and of individual members of its staff, in the total sum of \$269.00, to be used for the purpose of cataloguing two of the libraries of the Institute, and that the Secretary be directed to express the appreciation of the Board to the Allied Architects of Washington, D. C., and to the individual members thereof who were donors.

*Resolved*, That the Board of Directors of the Institute express its appreciation to Dr. Leicester B. Holland for his cooperation and aid in establishing the catalogue system and supervising its application to the libraries of the Institute.

#### Hospitality of Allied Architects.

*Resolved*, That the Board express its appreciation to the members of the Allied Architects of Washington for their hospitality at luncheon, and for the privilege of viewing the newly completed and very fine House Office Building designed by the Allied Architects.

#### Architectural Libraries—Bookplate.

*Resolved*, That the Board express its appreciation to Paul Cret for his contribution of time and talent in designing the eminently satisfactory bookplate for the Libraries of the Institute.

#### Shop Drawings—First Class Postage.

*Resolved*, That the Secretary be authorized and directed to take up with the Post Office Department the alleged unfair postage rates on corrected shop drawings, and to act for the Institute in securing a reduction of those rates if possible.

#### American Year Book—Unfavorable Reference to Architects.

*Resolved*, That the report of Director Brockway, concerning his action in protesting against statements derogatory to the architectural profession, as published in the American Year Book, be accepted.

#### National Fire Protection Association—Institute Membership.

*Resolved*, That the Board regrets that Institute membership in the National Fire Protection Association cannot be maintained in 1933.

*Resolved*, That the action of Robert D. Kohn and other members, in paying the dues of the Institute to the National Fire Protection Association for the year 1932 be acknowledged, and that the Board expresses to them its appreciation of the gift.

#### Standard Contract Documents—Services of Mr. Parker.

*Resolved*, That the Board expresses to William Stanley Parker its great appreciation of his generous letter of February 21,

and of his willingness to continue to act as Consultant on questions arising from the Standard Contract Documents.

#### Model Mechanics' Lien Act.

At the November meeting of the Executive Committee, a resolution was adopted to the effect that the Uniform Mechanics' Lien Act, developed under the sponsorship of the Department of Commerce, be approved in principle, and that the Chapters of the Institute be urged to submit State Lien Law legislation based thereon and not inconsistent with the fundamental principles thereof.

*Resolved*, That the resolution adopted by the Executive Committee at its meeting in November, 1932, be amended to read as follows: That the Uniform Mechanics Lien Act developed under the sponsorship of the Department of Commerce be approved in principle, but the Board believes it most desirable that additional lien protection should be provided for services rendered by architects if the building project does not proceed; and that the Chapters of the Institute be urged to support state lien law legislation, based upon and not inconsistent with the fundamental principles of the model act and with due regard for lien protection for the architect.

#### Chapters—Transfer of Territory.

Director Furbringer said that considerable attention had been given to the proposed transfer of certain territory from the Louisiana Chapter to the Shreveport Chapter. His report was read.

*Resolved*, That the following parishes, now in the territory of the Louisiana Chapter be and hereby are transferred to the North Louisiana Chapter, formerly known as the Shreveport Chapter: Vernon, Rapides, Avoyelles, Sabine, Natchitoches, Grant, LaSalle, Catahoula, Concordia, De Soto, Red River, Madison, Winn, Caldwell, Franklin, Tensas, Richland, West Carroll, East Carroll, Morehouse, Ouachita, Union, Jackson, Lincoln, Bienville, Bossier, Webster, and Claiborne; and be it further

*Resolved*, That all Institute Members residing therein be transferred from the Louisiana Chapter, or from other Chapters to which they may be assigned, to the North Louisiana Chapter, effective May 15, 1933.

*Resolved*, That the Shreveport Chapter, together with the territory hereby assigned thereto, shall comprise and be known as the North Louisiana Chapter, effective May 15, 1933.

#### Chapter Activities—Chicago Proposals.

*Resolved*, That the proposals of the Chicago Chapter for a program of Chapter activities be sent to the Presidents of all Chapters for their information and guidance.

The Board regrets that due to financial stringency the proposed national committee cannot be appointed at this time.

#### State Associations of Architects—Applications.

The Secretary presented, in the order in which received, applications for membership in the Institute from the State Association of California Architects, Robert H. Orr, President; and from the Michigan Society of Architects, H. Augustus O'Dell, President. These letters were accompanied by the Constitutions and By-laws of the two Associations.

At this point the Chairman of the Committee on State Societies, Edwin Bergstrom, said that he had also received the California and Michigan applications, and in addition preliminary notices from the State Associations of Ohio, Florida, Kentucky, New York, Indiana, and Wisconsin, of their intention to enter or affiliate with the Institute.

He stated that his Committee had withheld approving the Constitutions and By-laws of these applicants because no Institute Convention was to be held in 1933, and therefore no delegates would need to be elected by the State Associations, and because time was needed for a comprehensive study and comparison of the various proposed by-laws. He suggested that the Board take action admitting each of the applying Societies to membership in the Institute, and authorizing the President and Secretary to issue charters to each of them when its form of organization and By-laws is approved by the Institute's Committee on State Societies.

*Resolved*, That the State Associations of Architects of California, Michigan, Florida, Kentucky, New York, Indiana, and Wisconsin be and hereby are admitted to membership in The American Institute of Architects as State Association Members or as affiliates therewith, in the order of seniority here recorded, and subject to the provisions of Chapter V of the By-laws of The American Institute of Architects; and be it further

*Resolved*, That the President and Secretary are hereby authorized and directed to issue to said Associations charters of membership or affiliation, as the case may be, if and when their respective By-laws have been approved by the Committee on State Societies of the Institute as being in conformity with the provisions of the By-laws of the Institute.

#### State Societies—Letter of Indiana Society of Architects.

The Secretary read a communication of February 21 from the Secretary of the Indiana Society

of Architects, which commended the Institute for its accomplishments and expressed its gratification with the step which the Institute took at the last Convention in voting for a plan of unification of the architectural profession.

It was directed that the Secretary make appropriate acknowledgment to the Indiana Society expressing the appreciation of the Board of the substance of the letter of February 21.

#### Congresses of Architects.

##### *International.*

The Secretary stated that in accordance with the instructions of the Executive Committee in November he had notified Major Totten of the decision to omit the Convention in 1933, and suggested that he so advise the European representatives or officials of the Congress.

Major Totten responded in a letter of December 10, the substance of which was that he had acted in accordance with the Secretary's suggestion, and that the Congress had been postponed.

The report was accepted.

##### *Pan American.*

The Secretary reported a letter from the Director General of the Pan American Union advising that it had been decided to postpone the Fifth Pan American Congress of Architects for a period of one year.

The report was accepted.

#### Board or Executive Committee Meeting.

The Secretary suggested that the Board consider dates and place for a meeting of the Board or Executive Committee in the fall of 1933.

*Resolved*, That the fixing of the place and dates for the next meeting of the Board or Executive Committee be left in the hands of the President with power.

## With the Chapters

#### Baltimore Chapter.

At the request of the President, the Secretary read at the May meeting the talk delivered to the Architectural League of New York by Mr. J. C. Knapp, Vice President of the Otis Elevator Company, on "Obsolescence Insurance and the Architect". This constructive paper was of great interest to the members, and it was directed that copies be sent to the Real Estate Board, the Association of Commerce, and the Apartment House Owners Association.

The meeting was then turned over to Mr. Raymond P. Allen, Architect, who was invited to at-

tend the meeting to speak on the work of the Building Congress Committee on Codes, of which he is Chairman. Mr. Allen spoke of the study by his Committee into means to lessen the "bid peddling" evil. He outlined the data collected and studied, which was collected from all the Building Congresses of the United States having plans under consideration, and the conclusions so far reached as to a plan for Baltimore. He explained that the Committee was not yet ready to report a recommendation, but expected to be able to recommend to the Congress, in June, the adoption of a plan for the building industry in Baltimore.



Mr. Allen made it clear that opinion throughout the country was strongly to the effect that no plan to control this evil can be successful unless given the whole-hearted backing of the architectural profession. He appealed for the active and strong support of every member of the Chapter, and said that unless the plan was actually used by the architects no good would come from its adoption by the Congress. The plan for Baltimore, as the Committee saw it, must be a carefully studied modification of the Huddleston Plan, with all the local customs and trade methods taken into consideration.

#### Minnesota Chapter.

The Legislative Committee of the Minnesota Chapter, William G. Dorr, Chairman, has been successful in securing an amendment to the registration law of that state.

Minnesota has had a weak registration law since 1921. Registration was optional, and the law was of small value to the public. Amendments to remedy its defects have been sought at each session of the Legislature.

In 1932, a Legislative Committee was appointed by the Minnesota Chapter to cooperate with a like committee representing other groups in the state.

Early in the proceedings these two committees decided to try for a complete new law, as an amendment, but after consideration it was decided to advocate a short amendment as being more likely to succeed.

At its last session the Minnesota Legislature had a heavy program, and the Legislative Committee of the Chapter was called upon for a tremendous amount of time and effort, not only to advance the amendment, but to overcome the opposition of other elements in the construction industry who claimed the right to make plans.

Finally, at an all-night session of the Legislature attended by members of the Committee, who were ably supported by the President of the Chapter, A. B. Dunham, both houses of the Legislature passed the amendment, which has been signed by the Governor.

The Committee states that the new Minnesota law is not ideal, but that it is a great improvement over the old law.

#### Oregon Chapter.

At a well-attended meeting of the Chapter, in May, the following resolution was adopted, and other Chapters of the Institute may find this vigorous example a good one to follow.

*Resolved*, That in view of the immediate needs and opportunities of the architectural profession, the imminent prospect of important public works, and the urgent

necessity of vigorous and sustained action by the chapter, towards benefit to its united membership and also to the public, the following policies are hereby adopted, and shall be regularly followed until amended by other action:

1. Regular chapter meetings shall be held every two weeks.
2. Meetings shall be held in private places suitable for free discussion.
3. Guests are to be present at special meetings only.
4. The presiding officer shall strictly enforce the rules of order.
5. At all regular meetings the minutes of the previous regular meeting shall be read.
6. Chapter activities in matters of public works shall be guided by appropriate committees, to be especially appointed if necessary, who shall submit written reports at each meeting and receive promptly from the meeting its approval, criticisms or further instructions.
7. The presiding officer is urged to control discussion towards the end that business before the meeting will be dispatched fairly, promptly and definitely; and whenever expedient for this purpose he shall at the outset place a time limit on debate, which may be extended by vote of the meeting.

#### Pittsburgh Chapter.

The May meeting of the Chapter was held at the Carnegie Inn, the Carnegie Institute of Technology. Following the meeting, the group adjourned to the dining room, where the members were the guests of the faculty and graduating class in architecture. The occasion was in honor of the presentation of the School Medal of the A. I. A. to Edward Knorr Schade, for achievement in architectural design during his studies at the Institute of Technology, and other awards of medals and books. After dinner, Mr. Hitchens, Dean of the Department of Architecture, briefly welcomed the Chapter and expressed appreciation for its cooperation in giving lectures to the students in the past year. Mr. Dowler, the Chapter President, responded, and made the awards of the medal and books on "Mont St. Michel and Chartres" to the winning class members. Several other speakers followed, including Charles T. Ingham, former Director of the Middle Atlantic Division of the Institute.

#### West Texas Chapter.

The Chapter has appointed a Committee, composed of Glenn Wilson, Marvin Eichenroht, and Leo Deilmann to write letters to the Governor of Texas and the Highway Commission, asking their cooperation to urge the use of architects as consultants on all highway bridge design in the future.

**Wisconsin Chapter.**

"In the spirit of fair play, what can we do to aid the young architect to get a start in the profession?" This was the theme of a discussion held at the May meeting of the Wisconsin Chapter, A. I. A., Milwaukee.

Recognizing that many of the younger men, well trained and capable by virtue of long service as draftsmen, intend to hang out their shingles with the upswing of construction work, it was felt that "now is the time to decide upon a general policy on the question."

Due regard was given to the fact that these men will be competitors, in a cautious opening of the subject by Roger C. Kirchhoff, president. He pointed out that few of the young men can show any of their own completed work to a prospective

client. This handicap would be considerably lightened if all architects, knowing the calibre of the man, would permit him to take out of their offices sets of blueprints of work actually done by the draftsman in question.

Several long-established architects engaged in the discussion, which was held open until a later meeting to permit others to express their views as well as to determine the fundamentals of general policy on the plan. General approval was accorded the proposal it being believed that judicious cooperation would tend to elevate the standards of the new members of the profession and that the canons of ethics in the matters of competition and practice would more likely be observed.

—*Wisconsin Architect.*

## Items of Interest

**Greetings—to the "Wisconsin Architect".**

Receipt is acknowledged of the first issue of the "Wisconsin Architect" issued by the State Association of Wisconsin Architects.

This new member of the architectural press gallery is well-printed, orderly in arrangement, and filled with information of special interest to the architects of Wisconsin.

It will be the official publication of the State Association of Wisconsin Architects, and of the Madison Chapter of the Institute.

The editor-in-chief is Leigh Hunt, at 3800 North Humboldt Avenue, Milwaukee. Mr. Alfred H. Zarse is the publishing and managing editor.

Best wishes for good luck are extended to the "Wisconsin Architect".

**Educating Future Clients.**

The Chapters of the Institute and their Committees on Public Information are referred to the May number of *The American Architect*. It contains, on pages 17 and 18, a significant and able report concerning the program of the Tennessee Chapter of the A. I. A., the purpose of which is to encourage an appreciation of architecture in the public schools of the State of Tennessee.

This practical plan of taking architecture into the schools has been in effect for two years. The ways and means utilized in successful accomplishment, and the experience gained by the Chapter, are all clearly stated.

The author of the report is M. H. Furbringer, of Memphis, Past Director of the Gulf States Division of the Institute.

**Mass Production of Houses—A Denial.**

In some way the story got started some months ago that the Institute had endorsed mass production of small houses—to the exclusion of the architect and to the extermination of individuality.

The zeal and the forthright directness with which various publications have expressed their indignation and their condemnation is encouraging. It demonstrates their interest in good architecture and in the architectural profession.

However, continued circulation of the story is unfair to the Institute, and it is hoped that this notice will reassure both the membership and the architectural publications that the resolution in question does *not* endorse the mass production of small houses, and that its intention is quite the contrary.

The resolution was printed in the January number of *THE OCTAGON*, page 37.

**Small Houses—Again.**

The Illinois Society of Architects, in its monthly bulletin, mentions the championing of the small house for workers in industrial cities by The Society of German Architects (Bund Deutscher Architekten). That German Society presents in the current Dusseldorf architectural exhibition superior types of houses built at one-half the cost of like accommodations in recent years. This saving is ascribed to lower cost of labor and material, and to technical advance in production of material. The Bulletin states, in comment, "The A. I. A. is spilling endless words over the architect and stock building plans, principally the 'Bureau's'. The Institute should learn from its German brother, the B. D. A., what has been accomplished and by what means. This is material all architects would value."

**A British Viewpoint.**

An interesting report of the annual dinner of the Association of Architects, Surveyors and Technical Assistants, held in London, England, appeared in its publication, *The Keystone*, June issue. The newly-elected President, Charles McLachlan, A. R. I. B. A., spoke of the evident interest in architectural education, and commented as follows:

"So far as architectural education is concerned, I have a suggestion to make to the Chairman of the Board and that is that the most important item in the training of the young architect should be an alternative vocation, or what to do if architecture fails."

Educators in this country are now considering the problem of too many students in architecture; and unemployment committees are seeking to place the architectural draftsmen in other vocations, wherever possible.

**California Legislation Affecting School Designs.**

In the May number of *THE OCTAGON*, brief reference was made to the recently enacted Field Law in California, governing the designs of schools. The State Association of California Architects reports that this legislation was hastened by the Long Beach earthquake.

The law segregates schools from other buildings, imposing certain requirements on the builders of schools and making the State Division of Architecture in Sacramento a state-wide building department as far as this class of building is concerned. It requires the school districts to pay a small percentage fee to the State Division of Architecture to cover its perusal of the plans prior to approval, to cover adequate inspection, and the following up of the work by regular reports submitted by both the contractor and the architect, in making which they both assume considerable legal responsibility. This law throws very direct responsibilities on the architectural profession.

While the State Division of Architecture is preparing instructions and an actual "code" for this school work, the State Association and the Board of Examiners are anxious to arouse the architects of the State to an adequate appreciation of their new responsibility, both to the public and to the good name of the profession. Under this law, schools must be designed by certificated architects, or certificated structural engineers.

Another emergency measure that somewhat affects the practice of architecture, not only in school work, but in general practice throughout the State, is the Riley bill, which imposes certain minimum requirements for earthquake resistance.

**Michigan Society of Architects—Membership Procedure.**

The effective and interesting plan of this Society for membership procedure is described in the *Weekly Bulletin*, as follows:

Certificates of Membership in the Michigan Society of Architects in accordance with the new membership plan passed at the last convention are ready to be mailed out.

To begin at the beginning, as might be expected in any organization, a very large proportion of members in the Michigan Society of Architects were delinquent in their dues. At the last convention it was decided to cancel all back dues and to start on a new basis, that known as the California Plan. In this plan every architect registered in the state is issued a certificate of membership in the associate class. With the certificate is enclosed a card which may be filled out and returned stating that the architect applies for active membership and agrees to pay the annual dues of three dollars per year, either in full or in installments as he chooses. When the card is received by the Treasurer a gold seal bearing the inscription, "Active Member (1933)" is issued to be attached to the certificate.

There is no initiation fee and if no annual dues are paid the architect registered in Michigan is still a member in the associate class, unless he requests otherwise. If he does not choose to become an active member by paying three dollars, he may contribute any lesser amount that he wishes, thus helping to carry on the work of the Society.

The advantages of this plan are chiefly to make the state society one hundred per cent representative of the profession and in turn to give the state society an association membership in The American Institute of Architects. It is not necessary to waste words in explaining that this is all important in going after state legislation and, when other states follow suit, for the Institute to go after national legislation.

**Joseph Manigault House, Charleston, S. C.**

It is gratifying to learn from Albert Simons, Vice-Chairman of the Institute's Committee for Safeguarding Charleston Architecture, that the Joseph Manigault House, in Charleston, has been purchased by an anonymous donor and entrusted to the care of the Charleston Museum. This preservation of a splendid example of eighteenth century architecture is all the more gratifying because of the imminent danger, during the past year, of its loss or destruction.

**New Book on Housing—By Henry Wright.**

The Chairman of the Institute's Sub-Committee on Housing Laws announces that a new book, "How Shall We House?" is in preparation by Henry



Wright, A. I. A. He concluded from the San Antonio Convention discussion that we needed a manual of good housing practice, but the idea has been expanded to include a survey of comprehensive procedure in city rehabilitation. Its early chapters also suggest new forms of multi-family dwellings more appropriate for most cities than the better known model or garden apartments.

Since it appears likely that the Government, under the "Industrial Recovery Act," will encourage a broad policy in housing matters, these portions of the book should be in the hands of architects as soon as possible. It has been arranged therefore to have them appear as supplements to the July and August issues of "Architecture." Copies will be made available to students through the Institute's Subcommittee on Housing, which through the Carnegie Fund has been able to afford some financial help toward the preparation of the material.

**"The Evolving House: A History of the Home."**

"The Evolving House," by Albert Farwell Bemis and John Burchard, 2nd, is the only comprehensive and complete study in English ever to be made of the evolution of the home and of the social and economic forces which have influenced its development. The book describes the homes of every civilization, with extended space being given to the Egyptian, Grecian, Roman, and English, because

more particularly through them has the American home evolved. There are included, also, significant features of the houses of India, China, Japan, semi-civilized races of Africa and the Americas. This study includes not only the obvious things pertaining to houses, such as materials, methods of construction, plans, accessories, and furnishings, but delves into many other manifestations of home life.

The Technology Press, Massachusetts Institute of Technology, Cambridge, Mass., is the publisher, and the price is \$4.00.

**Competition for Designs of Seating Furniture.**

From the British Aluminium Co., Ltd., Adelaide House, London, E. C. 4, can be obtained full particulars of a competition which has been arranged by the International Aluminium Bureau. This competition will be open to architects, craftsmen, designers, manufacturers, or others interested from all countries; prizes will be awarded for the best designs of seating furniture (i. e., chairs, armchairs, settees, invalid chairs and couches, etc.) employing aluminium or aluminium alloys.

Since the International Aluminium Bureau is a branch of the Alliance Aluminium Cie., the headquarters for the competition will be the offices of the Alliance Aluminium Cie., 22 Aeschengraben, Cale (Suisse), and the rules of the competition are to be interpreted according to Swiss law.

## Winners of the School Medals

FOR THE YEAR 1933

**T**HE School Medal of the Institute was established in 1914. It is awarded each year, under the direction of the Committee on Education, for general excellence in architecture throughout the course—to winning graduate students of the architectural schools recognized by the Institute. The winners are selected by the faculties.

These medals are of silver and the cost of their production is defrayed by an appropriation from the income of the Henry Adams Fund.

In addition to the Medal, each of the recognized schools receives two copies of Henry Adams' book "Mont Saint Michel and Chartres" for award to honor students under the same general conditions which apply to the Medal.

The schools and the Medal winners for the year 1933 are as follows:

*Alabama Polytechnic Institute*.....JESSE DONALD SIMMONS  
*Armour Institute of Technology*.....WILFRED W. DAVIES  
*University of California*.....SIBERIUS YOICHI SAITO  
*Carnegie Institute of Tech.*.....EDWARD KNORR SCHADE  
*Catholic University of America*.....SOCRATES T. STATHES

*University of Cincinnati*.....LYLE H. CLICK  
*Columbia University* .....JULIUS R. VON STERNBERG  
*Cornell University* .....E. STEWART WILLIAMS  
*Georgia School of Technology*.....HUGH ASHER STUBBINS  
*Harvard University* .....JOHN KLEPPINGER HEYL  
*University of Illinois*.....HENRY P. T. TIDEMAN  
*Kansas State College*.....OSCAR SIVERT EKDAHL  
*University of Kansas*.....L. C. CAVITT, JR.  
*Massachusetts Institute of Tech.*.....WILLIAM HOSKINS BROWN  
*University of Michigan*.....WILLIAM ELBERT BROWN  
*University of Minnesota*.....KENNETH R. LUNDBERG  
*New York University*.....JOSHUA LOWENFISH  
*University of Notre Dame*.....LOUIS REUBEN CHRIST, JR.  
*Ohio State University*.....RICHARD SCOTT SMITH  
*University of Pennsylvania*.....HAROLD EUGENE STEINBERG  
*Pennsylvania State College*.....ROBERT A. BUSTARD  
*Princeton University* .....CHARLES EDGAR LANE  
*University of So. California*.....DOMENIC DI NOTO  
*Syracuse University* .....ERVAY JAY BAKER  
*University of Texas*.....R. MAX BROOKS  
*University of Washington*.....CHARLES G. MACDONALD  
*Yale University* .....SYDNEY GEORGE FRAEKE

## BOOKS AND DOCUMENTS

### STANDARD CONTRACT DOCUMENTS

Agreement and General Conditions in cover.....	\$0.50
General Conditions without Agreement.....	.35
Agreement without General Conditions.....	.15
Bond of Suretyship.....	.10
Form of Sub-Contract.....	.10
Letter of Acceptance of Subcontractor's Proposal .....	.10
Cover (heavy paper with valuable notes).....	.02
Complete set in cover.....	.75

### MISCELLANEOUS DOCUMENTS

Agenda for Architects.....	\$ .40
Review of the Standard Documents.....	1.00
Standard Filing System.....	.50
Alphabetical Index to Standard Filing System.....	.50
Standard Filing System and Alphabetical Index (combined) .....	1.00

### BOOKS

HANDBOOK OF ARCHITECTURAL PRACTICE.....	\$5.00
THE AUTOBIOGRAPHY OF AN IDEA— <i>Louis H. Sullivan</i> .....	3.00
A SYSTEM OF ARCHITECTURAL ORNAMENT— <i>Louis H. Sullivan</i> .....	15.00
CHARLESTON, S. C. (Vol. I—Octagon Library of Early American Architecture).....	20.00
BERTRAM GROSVENOR GOODHUE—ARCHITECT AND MASTER OF MANY ARTS.....	30.00

---

These books and documents are published and endorsed by The American Institute of Architects. They are highly commended to the membership.

A discount of twenty-five per cent is given to members of the Institute, on the Handbook, and on the Standard Contract Documents in lots of 100 or more, when ordered direct from THE OCTAGON.

Transportation prepaid on order amounting to \$1.00 or more net. Orders, communications and remittances (checks, money-orders, cash or stamps) should be sent to The American Institute of Architects, The Octagon, 1741 N. Y. Ave., N. W., Washington, D. C.

---



V  
C  
U  
I  
X