

LEGAL.

Building owners should be warned that if there are law-suits about their property there is great risk in making charges against the architect or builder. Although the amount claimed was only 70l. 2s. 11d., the case *Cheale v. DePinto*, which was tried at the Hastings County Court, is as much of a warning as if it were heard in the High Court. The plaintiff, a timber merchant, took over the contract for the completion of the building of a house at Bexhill. He executed the work, and the architect had certified it was properly carried out. Counsel for the defendant interposed at the beginning of the case by saying he was instructed that the words "to the satisfaction of the architect" were not in the original deed. That was an allegation of a most serious kind. But evidence was not brought forward to support it. Mr. Alton, the architect, said the orders for extras were often given in his presence by the defendant, and several witnesses testified that the defendant did give such orders. The defendant said that he told the original builders that he had decided to expend no more than 250l., and no extras were to be recognized unless there was his written authority. Two architects were called to prove that the work was inferior and the measurements did not correspond with the specification. An effort was also made to upset the claim on the ground that the original contractors had filed their petition March 10, and therefore the assignment of the balance of the contract a month afterwards was invalid. Judge Martineau decided in favour of the plaintiff, saying that practically the whole of the work to be done had been performed. There were a few deviations, but he thought every shilling claimed was due except two guineas in respect of these deviations.

The apparent ease with which actions for damages against architects arising from carelessness succeed is ominous. Two cases have been heard within the last fortnight. At Stafford, in the case of *Boyes & Son v. Adshead*, which was allowed to go by default, the damages were assessed by a jury. The plaintiffs complained that the work was not attended to, and said they must engage another architect. That course had to be followed, and the second architect received 32l. 10s. 6d. in fees. It was alleged that some part of the work was not properly executed. The Under-Sheriff said the claim was reasonable, and the jury accordingly assessed the damages at 52l. 16s. 6d. An adjourned case, *Harris v. Babb*, was heard at Wrexham. The plaintiff, an architect, sought to recover 30l. 16s. for fees. The defendant put forth a counterclaim of 150l. as damages on account of plaintiff's incompetence and negligence. The jury found for the plaintiff for the amount claimed, but they assessed the damages at 82l. 14s., and the judge said the defendant was not liable for a claim for bricks amounting to 47l. 5s. 9d., or in all 129l. 19s. 9d. From that sum was deducted 30l. 16s., plaintiff's fees, and judgment was accordingly entered in favour of the defendant for the net sum of 99l. 3s. 9d. In both instances the work done was not large, and the amount of damages is therefore more remarkable. It is too generally supposed that an architect is a privileged person, in fact an independent judge, and so long as he is supposed to act with "reasonable skill," he is secure from liability for damages. It is now evident that judges have become more exacting, and unless it is manifest that other architects of experience and skill would act in the same way, a claim for damages has a chance of succeeding. The remedy, of course, lies with architects.

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PUBLICATIONS.

A general treatise on school architecture, by Edmund M. Wheelwright, architect, of Boston, has been published by Messrs. Rogers & Manson, of that city. Examples are presented of the most typical and practically suggestive schools of Germany, Austria, Switzerland, the Scandinavian countries. All details of school construction are considered, yet the information is studiously condensed within the limits of a convenient handbook, which is made readily accessible by an unusually full index.

A new book on mill construction prepared by Mr. H. G. Tyrell, C.E., has been issued by the Engineering News Publishing Co., of New York. It treats of the general design of this class of buildings, contains descriptions and illustrations of details of construction and gives figures and diagrams showing the loads which may safely be imposed.

TORONTO INDUSTRIAL EXHIBITION NOTES.

The Canada Foundry Company, Toronto, had a complete display of structural iron and steel work, fire escapes, iron stairs, etc.

Rice, Lewis & Son Company, Limited, Toronto, in a special building had an extensive display of brass mounted beds, mantels, tilings for floors and walls, bronze builders' hardware, etc.

The warerooms of the Gurney Foundry Company on King street west, contained as usual an interesting display of all kinds of heating appliances, and received many out of town callers.

The Pedlar Metal Roofing Company, Oshawa, had a very attractive display in their own separate building of metal ceilings, fireproof windows and wire-bound glass, spun metal, relief work in copper and zinc.

The Dominion Radiator Company, whose works are in proximity to the Exhibition grounds gave a cordial welcome to many visitors who dropped in to inspect the numerous styles of radiators in their well appointed show rooms.

The Gurney Tilden Company, Limited, Hamilton, had in their own building a large display of stoves, furnaces and builders' hardware. The building was very prettily decorated with hunting. Mr. A. J. Brenton, Toronto representative, was in charge of the exhibit.

The Imperial Varnish & Color Company, Toronto, had an original display of high grade architectural varnishes for interior and exterior finishing, also their famous "Grantitine" floor finish and "Elastilite" varnish for interior and exterior use. All varnishes are put up in cans with the company's name and address stamped on a brass seal.

In The Canada Radiator Company's advertisement in this issue appears a photo of their exhibit, which shows a few of the artistic designs of radiators manufactured by them. While they endeavor to give a radiator of handsome appearance, their chief feature is the system of circulation of water through the radiator. By causing the water to pass alternately up first and down second section of entire radiator, they secure a distinct difference in temperature of water in return and supply pipes and in consequence a positive and rapid circulation is maintained.

The Metallic Roofing Co. had one of the most attractive and original exhibits in the Main Building, the special feature which attracted crowds of people being a dome temple finished in white marble and built of sheet metal. In this temple was a twenty-five ton coining press in operation which stamped the Company's name and address, and formed a very neat twentieth century souvenir in six colors. In addition this company were showing metallic shingles, embossed plates for interior decorations, steel lathing and general architectural sheet metal work.

One of the largest exhibits at the Exhibition was that of Clare Bros. & Company, Preston. It consisted of a complete line of stoves, ranges and heating systems, including a number of new lines recently added. The most prominent feature was their "Hecla" furnace, to burn coal or wood. They have found it necessary to manufacture the "Hecla" in a series of five sizes to meet the several requirements, the largest sizes suitable for schools, churches and public buildings. The "Preston" boiler attracted considerable attention from parties interested in hot water heating. The construction of this boiler is entirely different from any other make. It provides vertical circulation, with its water-ways thoroughly surrounded by fire, and being a one-piece boiler is entirely free from joints and is practically a self-cleaner.

Mr. Baines, the eastern representative of the Preston Metal Shingle & Siding Company, was a visitor at the exhibition.

The J. F. Pease Company, Limited, Toronto, had a large and varied display of hot water boilers, wood and coal furnaces, combination heaters, etc. The company also exhibited a new apparatus for which they control the Canadian patent, the "Ideal" Heater and Ventilator for schools and churches. It is claimed by the Company that this heater will furnish a thorough system of heating and ventilation for buildings which have no basement. The new "Economy" hot water boilers have several original and effective features of construction. The company claim that this boiler has the largest area of heating surface exposed to the direct rays of the fire of any round boiler on the market. The joints are made with screwed nipples and no bolts, gaskets, or packing of any kind are required. Another feature is the ease with which the boiler can be set up; it being claimed that it can be erected in less than half the usual time.