

and the reasonableness of the estimate upon which the charges were based.

In rendering his verdict, the Judge held that the charges established by the Ontario Association of Architects was reasonable. He did not maintain that it was binding; but it was fair. Had plaintiff sued for a larger amount, he believed he would have given him judgment. He was satisfied the charge had not been excessive, but would not increase the verdict. He would give plaintiff a verdict for the amount for which he had brought action—\$907.75, with interest from the teste of the writ and full costs of suit on the High Court scale—usual stay, of course, thirty days.

It may be of interest to the profession to know upon what authorities Barrister W. N. Tilley, counsel for plaintiff, based his claim. He quoted from Emden's British Legal Hand-book on Building Contracts: "The mere employment of a professional person implies an understanding to give him reasonable remuneration, but this inference may be rebutted by circumstances. There is no rule regulating the payment of architects, but a schedule of Rules of Architects and Charges is published by the authority of the Royal Institute of British Architects. These rules cannot of course be binding upon the parties to a building agreement unless they specially agree that the charges of the architect shall be in accordance with those authorized by the scale."

Counsel Tilley also cited a judgment as chronicled in Roscoe's hand-book, as follows:

"The rule of the Royal Institute of British Architects as to charges is not binding in law because it is not a custom of so universal an application as to be an implied term of every contract, but in considering what was a reasonable charge it was right to take into consideration the practice adopted by the larger proportion of the profession as shown by the rules drawn up by the council of the institute for the guidance of the members of the profession."

The following letter from Mr. F. W. Fitzpatrick, of Washington, D.C., in which he comments upon the article "Dilapidated Buildings in Canadian Cities," which appeared in the October number of this journal, is worthy of reproduction. Mr. Fitzpatrick, as Executive officer of the International Association of Building Inspectors and Commissioners, has directed strenuous campaigns for the promotion of better building laws in many of the largest cities on this continent, and has been largely instrumental in bringing about a large number of greatly needed reforms in this direction. Mr. Fitzpatrick says:

I particularly commend the article "Dilapidated Buildings in Canadian Cities." It is only by means of reiterating just such articles and the plentiful use of photographic illustrations that people can be awakened to the realization that there are such marring spots in our cities. You can't do too much of it. It was by such tactics that we got action in Washington, in Chicago, in Cleveland, in which cities decided steps have been taken towards eliminating these unsightly places and making those municipalities truly and completely "cities beautiful." You will find just such streets as you portray not only in Toronto but in Montreal, Ottawa, everywhere that there has not been continuous and vigorous elimination of the unsightly. And, by the way, very little of the latter has been done anywhere until recent years.

Such work should properly be an essential part of a "beautifying" committee's duties. Every city should have such a committee, yes, and every town. It doesn't necessarily imply that vast sums of money must yearly be spent

in tearing down old buildings and carrying on wonderful improvements, but it does mean that immediately the situation should be thoroughly studied and gotten in hand. A plan for the beautifying should be established, and then it is merely a question of when improvements become due, or cash is available, to have the work done so that it will harmonize and fit in with that prearranged system or plan. That is what we are doing very satisfactorily here in Washington, though it took us eight good, big years to get the Government into seeing things our way and abstaining from slapping buildings and "improvements" down here and there haphazard, or to satisfy a particular craving of some pet real estate holder.

Notice that I said I did not advise the immediate tearing down of everything unsightly. To do so at one fell swoop would savor of extravagance and has generally been deemed poor policy, yet that is what Hausmann did in Paris. He there seemingly ruthlessly threw down block after block, the city condemned property by the wholesale, but, nevertheless and notwithstanding, after doing all this work the city actually made a profit and turned into its coffers over \$10,000,000 by reason of what had been called "ruthless municipal extravagance."

Editor CONSTRUCTION:—

IN the first issue of your elegantly printed and ably edited new journal CONSTRUCTION, appears an illustrated article entitled "Senator Cox's Mausoleum," which, it is stated, "is considered architecturally and mathematically correct in every detail." I beg most respectfully to demur to this ex cathedra claim. Artistically, it is a fine example of the pure classic Greek (Doric) style; but it certainly is not "mathematically correct." The law of esthetic proportion is as 13 is to 8. The ground plan indicates 20 x 28 ft., whereas it should be 20 x 32 ft. 5 in. It is this violation of the canon of esthetic proportion which gives the otherwise beautiful structure such a stumpy appearance both in plan and elevation, hence offends the eye.

Yours respectfully,
Westmount, P. Q. S. GROVES.

In reply to the above, while we would dislike to speak of Mr. Groves as a "hair-splitter," we cannot refrain from regarding him as a little extreme. If editors but had the time and patience to delve into encyclopedias and books of formulae they might even be able to scare up a point of technicality that would baffle an unsophisticated student just as the student might floor the most eminent practising architect through knowledge of his text-book. However, we appreciate very much the interest Mr. Groves has shown in the first number of CONSTRUCTION. It is just such interest that keeps up the standard of a trade paper. Nevertheless, our esteemed critic has taken a decidedly narrow view in this instance. The same edifice which he criticizes as being out of proportion mathematically has been very flatteringly commented upon by architects of esthetic temperament, who appreciated at a glance that the building was no temple and therefore the design had to be modified slightly to meet the requirements. These modifications, as conceived by the designers, have been pronounced most interesting. Moreover in order to have adhered to the principle of constructing the roof of seven monolith stones it were impossible to have secured seven pieces of granite long enough to have carried the structure 4 ft. 5 in. longer. Then, too, the building was only required to be a certain length in order to admit of two rows of sarcophagi on either side, while sufficient width must necessarily have been provided to admit and give room to operate in placing the caskets upon the sarcophodies.

While we must admit that, from a casual reading, Mr. Grove's exception is justly taken, we might also suggest