MINUTES OF MEETING OF THE COMMISSION OF FINE ARTS

Held in Washington, D.C., June 21, 1949.

The ninth meeting of the Commission of Fine Arts, during the fiscal year 1949, was held in its Office in the Interior Department Building on Tuesday, June 21, 1949. The following members were present:

Mr. Clarke, Chairman,
Mr. Finley,
Mr. Reinhard,
Mr. Sterne,
Mr. Murphy,
Mr. Lawrie,
also H. P. Caemmerer, Secretary and Administrative Officer.

The meeting was called to order at 9:30 a.m.

1. APPROVAL OF MINUTES OF PRECEDING MEETINGS: The Minutes of the meetings of the Commission of Fine Arts, held on May 6 and May 25, 1949, were approved.

2. STATUE OF SIMON BOLIVAR: Under date of June 3, 1949, the following letter was received from Congressman Ken Regan:

"I am enclosing several copies of House Joint Resolution 240 entitled "Authorizing the erection in the District of Columbia of a statue of Simon Bolivar," on which an expression of viewpoint from the Commission of Fine Arts is desired.

"As your Commission well knows, the proposition of putting up statues in Washington has been sharply curtailed for several years. The war intervened for a good while, and since the war, although World War II produced its expected share of heroes, the Congress has authorized very few memorials in the nation's capital.

"In the 80th Congress a bill was introduced which ultimately became law, authorizing the acceptance of a statue of General Jose Gervasio Artigas of Uruguay, a gift of the people of Uruguay. The attached joint resolution seems to follow in a similar vein, looking toward greater solidarity between the United States and other nations in the Western hemisphere.

"I should appreciate an early reply, in order to enable me to present your views to the subcommittee on the Library, of which I am chairman."

In view of the fact that a prompt report was desired, the Chairman reported on the Bill (Exhibit A), and the Commission ratified the action of the Chairman in this matter.

MINUTES OF MEETING OF THE COMMISSION ON CIVIL RIGHTS

held in Washington, D.C., June 21, 1962.

The ninth meeting of the Commission on Civil Rights, under the Civil Rights Act 1957, was held in the Office of the Secretary, Department Building, Washington, June 21, 1962. The following members were present:

Mr. Hughes, Chairman,
Mr. Fanin,
Mr. Hannah,
Mr. Freeman,
Dr. Ginzberg,
Dr. Storey,

also G. L. Christian, Executive Director and Staff Director.

The meeting was called to order at 9:30 a.m.

1. APPROVAL OF MINUTES OF PREVIOUS MEETINGS: The minutes of the meetings of the Commission of June 8-9, 1962, were approved.

2. STATUS OF SOUTH DAKOTA: Under date of June 8, 1962, the following letter was received from Congressman Ken Regan:

> "I am enclosing several copies of House Joint Resolution 200, entitled 'Authorizing the establishment in the District of Columbia of a statue of Abraham Lincoln,' for inclusion in expression of viewpoint from the Commission on Civil Rights is desired.
>
> As your Commission well knows, the proposition of placing a statue of Lincoln in Washington has been strongly supported for several years. It was introduced for a 100 years, and since this year, although it has not yet passed its expected course of hearings, the Congress has authorized and is favorable in the message's capital.
>
> The Abe Lincoln Commission, a bipartisan organization of citizens, became law, authorizing the erection of a statue of Lincoln under certain budget of Congress, a part of the Lincoln Memorial. The Lincoln joint resolution seems to follow in a similar vein, trying to create greater unanimity between the United States and other nations in the western hemisphere.
>
> It should commend as early reply, in order to provide me to present your views to the subcommittee on this legislation, if which I am sponsor."

In view of the fact that a formal report was desired, the Commission resorted on the Staff Memorandum #1, and the Commission relating the status of the Chairman in this matter.

3. AMERICAN BATTLE MONUMENTS COMMISSION: (a) In view of a report from the American Battle Monuments Commission that Miss Hoffman, Mr. Gregory, Mr. Islin, and Mr. Manship, will have models to present at a Committee meeting of the American Battle Monuments Commission to be held in New York City on June 27th, Chairman Clarke stated that he would attend the meeting in order to ascertain the views of the Committee regarding the models submitted. A meeting of the Commission of Fine Arts is to be held in New York City soon after.

(The Committee Meeting was held and it has been decided to hold the next meeting of the Commission of Fine Arts at the studio of Miss Malvina Hoffman 157 East 35th Street on Friday, July 15th, at 10:00 a.m.)

(b) Chairman Clarke presented the following letter, dated June 17, 1949, that he received from Mr. Harbeson:

"On behalf of General North of A.B.M.C., I submit for the consideration of your Commission a firm of Landscape Architects proposed by Moore and Hutchins, architects for Tunis Cemetery, to collaborate with them on that project.

"The proposed firm is Bryan J. Lynch and Donald L. Kline, 80 W. 40th Street, New York, 18, New York. There is attached hereto an outline of the training and experience of the members of this firm. (Will you please return this after it has served its purpose so that I may submit it to General North on his return from Europe?). We shall appreciate your decision and advice.

"There are only two other landscape positions now remaining open on Battle Monuments projects—for Anzio (Gugler) and for Henri Chapelle (Root)."

Chairman Clarke stated that he regarded the firm competent for the work proposed, and on his recommendation the Commission approved the appointment. (Exhibit B)

4. RESTORATION OF PAINTINGS: Mr. Louis Francis, of Miami, appeared before the Commission, on the recommendation of Senator Pepper, to explain his method of restoring paintings by the use of copper wire woven art canvas in restoring old paintings. Mr. Francis had some samples of his work, though not a "restored portrait," as the Commission had requested at the meeting held May 25th.

The Commission thanked Mr. Francis for coming here to explain the process.

5. THE WHITE HOUSE: The Secretary reported that since the meeting of the Commission of Fine Arts held on May 25th, the following action has been taken by Congress regarding funds to renovate and repair the White House:

"Renovation and Modernization, Executive Mansion (Public Law 119, 81st Congress, approved June 23, 1949): For all expenses necessary for and incident to the renovation, repair, and modernization (without change of present architectural appearance of the exterior of the mansion or the interior of its main floor) of the Executive Mansion, or for such other provision for remodeling or rebuilding the Executive Mansion or for construction of a separate residence for the President as may be determined upon by the Commission on Renovation of the Executive Mansion established pursuant to Public Law 40 (Eighty-first Congress), including the preparation of drawings and specifications, and the purchase of furniture, furnishings, and equipment, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws, $2,000,000, to remain available until expended and, in addition contracts may be entered into in amounts not exceeding $3,400,000: Provided, That any cost-plus-a-fixed-fee general construction contract entered into in pursuance of this authority shall be awarded on competitive bidding among responsible general contractors upon the amount of the fixed fee to accrue from the performance of such contract: Provided further, That with the exception of any subcontract to be made by the general contractor for underpinning and foundation work and work incidental and appurtenant thereto, which may be a cost-plus-a-fixed fee contract, all other subcontracts made by the general contractor shall be fixed price contracts awarded on competitive bids received from responsible subcontractors."

(created by Act of Congress approved April 14, 1949, Exhibit C)

The Secretary also reported that the membership of the "White House Commission consists of:

Senator McKellar, of Tennessee, Chairman;
Senator Martin, of Pennsylvania;
Representative Rabaut, of Michigan;
Representative Keefe, of Wisconsin;
Richard Erwin Daugherty, of New York, Vice President of the New York Central Railroad;
Douglas William Orr, of Connecticut, former president of the American Institute of Architects.

6. PORTRAIT OF MRS. GROVER CLEVELAND FOR THE WHITE HOUSE: Chairman Clarke stated that under date of June 10, 1949, he received the following letter from Appolonia H. Cassidy regarding a portrait of Mrs. Cleveland for the White House:

Dear Major Clarke:

Your name was given me by the Director of the National Gallery of Art, David E. Finley, in connection with the Gift to The White House of a copy of the Zorn painting of Frances Folsom Cleveland.

Enclosed herewith is a photostat copy of a letter

5. Secretary Udall: The Secretary reported that since the beginning of the Commission's fiscal year July 1, 1962, the following action has been taken by Commission representatives to respond to requests for Indian [illegible]

"Improvements and maintenance, Executive Mansion (Pennsylvania Avenue, Lafayette Square, Jackson Place, etc.): For all expenses necessary for the improvement, maintenance, repair, and furnishing (without charge to present occupants) of the executive of the government of the District of Columbia (of the Executive Mansion, of its grounds, and of the adjacent Executive Office Building or providing the executive branch of the government, or a member thereof, for the Federal as may be determined upon by the Commissioners of the District of Columbia, or the executive department to which the Executive Mansion is assigned, or the President, or the executive department to which the Executive Office Building is assigned, or the President, or the Executive Office of the President, including the preparation of drawings and specifications, and the purchase or hire of furniture, furnishings, and equipment, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws, $2,000,000, to remain available until expended; Provided, That any contract or order in excess of $100,000 shall be awarded on competitive bids or on a cost-plus-a-fixed-fee general construction contract obtained with a performance bond of this authority shall be awarded on competitive bidding among the qualified general contractors upon the request of the fixed fee to assure from the performance of such contracts Provided further, that with the exception of any contract to be made by the general contractor for unassembled, fabricated work and work involved and equipment (hereto, which may be on a cost-plus-a-fixed-fee contract, all other work performed by the general contractor shall be fixed price contract awarded on competitive bid basis to responsible contractors or subcontractors."

(Approved April 14, 1962 Exhibit C) by Act of Congress

The Secretary also reported that the membership of the Indian Claims Commission consists of:

Commissioner Jerome K. Kelliher, of Tennessee, Chairman
Commissioner Martin, of Kansas
Commissioner Little Dogs, of Montana
Commissioner Holt, of Oklahoma
Commissioner Smith Dougherty, of New York, Vice Chairman
of the New York Central Railroad
Douglas Williams, of Connecticut, Commissioner
of the American Bankers Association.

6. Secretary Udall: Report relating to the Fort Peck Indian Reservation Irrigation District under date of July 31, 1962, was received and considered. Action was taken by Secretary Udall, as follows:

Approved by Secretary

Jerome Ave. Kevin ex in the direction of the National Building of Art, David E. Finley, in connection with the Gift to the White House of a copy of the Gram painting of George Washington, Thomson bronzed bronzed in a protective copy of a letter

from Liboria Romano, President of The Manhattan Branch, The National League of American Penwomen, who as you see are working with me in the matter of presenting this Portrait, to be included with the Wives of the Presidents of the USA, for the State Rooms, Collection of Portraits.

Mr. Finley suggested Mr. Stapko, as the Artist who would meet with your approval, as to doing this work, and Mrs. Amen, daughter of Grover Cleveland, has let me have photographs taken. She is willing to have Mr. Stapko work with me, and make this copy. I am a Member of The National Arts Club, and would arrange to have Mr. Stapko stay there, when matters have further progressed. May I hear from you as to this work, in connection with your approval of the plan as to the Artist, and the plan in general?

Sincerely yours,

Appolonia H. Cassidy.

The Commission discussed the subject, and saw no objection to having a copy of the original portrait of Mrs. Cleveland by Zorn made. Mr. Finley stated that Mr. Stapko does good work for the National Gallery of Art from time to time.

In general, the Commission did not look with favor on recommending the acceptance of a portrait which is a copy of an original for the White House. However, in this instance, the suggestion of Mr. Sterne was adopted, that since the portrait would be a copy of a masterpiece by an eminent artist of the time of Cleveland, an exception would be made. The Commission understood there is no original portrait of Mrs. Cleveland available for purchase at this time. The Commission expressed the hope that some day the original portrait of Mrs. Cleveland by Zorn might become the property of the United States Government and that it would ultimately be placed in the White House in lieu of the copy. Miss Cassidy was informed accordingly (Exhibit D)

7. MONUMENT TO MOHANDAS K. GANDHI: Chairman Clarke stated that he had received a letter from Congressman Celler, together with copy of a Resolution (Exhibit E) for a monument to Mohandas K. Gandhi, asking that he attend a Hearing on the "Bill" on June 22d, but that he could not do this. Commissioner Murphy was thereupon designated to attend the Hearing, and also the Secretary.

from Lincoln Homes, Treasurer of the Lincoln Museum, the national
lawyer of Lincoln Memorial, who as you are working with us in
the matter of presenting this portrait, to be included with the gifts of
the Presidents of the U.S. for the State Rooms, Collegiate Dormitory.

Mr. Kelley suggested "Mr. Sheppo, in the first instance and then
your self, as to doing this work, and Mr. Sheppo, daughter of Grover
Cleveland, has let us have photographs also. She is willing to have
Mr. Sheppo work on it, and make this copy. I am a member of the National
Arts Club, and would arrange to have Mr. Sheppo stay there, when matters
have further progressed. May I hear from you at no date now, in
connection with your approval of the plan as to the artist, and the
plan in general?

Sincerely yours,

Appolonia L. Lansing.

Mr. Sheppo's discussion was adjusted, and was no objection to having
a copy of the original portrait of Mrs. Cleveland by John Sloan. Mr. Lansing
stated that Mr. Sheppo does good work for the National Gallery of Art from
time to time.

In general, the Committee did not look upon favorably recommending the
acceptance of a portrait which is a copy of an original in the White House.
However, in this instance, the committee felt, there was a chance, that
since the original would be a copy of a masterpiece in an earlier period
of the time of Cleveland, an exception could be made. The Committee also felt
there is no original portrait of Mrs. Cleveland available for purchase at
this time. The Committee expressed the hope that somewhere the original
portrait of Mrs. Cleveland by John Sloan might become the property of the National Gallery
Government and then it would definitely be placed in the State Rooms in lieu
of the copy. Mrs. Kelley was informed accordingly (Exhibit A).

I. Authorized to Commend L. Sheppo. Commission Fine Arts asking that Mr. Sheppo
modeled a letter from Congressman Collier, together with copy of a resolution
(Exhibit B) for a monument to memorialize L. Sheppo, having been an Alumna of Lincoln
on the "Hill" on June 22d, but that he would not be able. Commissioner Lansing
was thereupon designated to attend the meeting, and also the Secretary.

8. SCULPTURE FOR THE NEW GENERAL ACCOUNTING OFFICE BUILDING: Honorable W.E. Reynolds, Commissioner of Public Buildings, accompanied by Gilbert Stanley Underwood, Supervising Architect, and Mr. A.S.Thorn, Assistant Supervising Architect, conferred with the Commission regarding sculptors for the new General Accounting Office Building.

Mr. Thorn said the sculpture is needed to embellish each side of two entrances 10' 6" x 14' surrounded by red granite, flat surface.

The Commission discussed the subject and named eight or ten sculptors from whom Mr. Reynolds could select one or more (Exhibit F).

Mr. Lawrie was asked with regard to the carving and the comments made by him during this phase of the subject are attached hereto and made a part of these Minutes (Exhibit F-1).

9. ANDREW W. MELLON MEMORIAL FOUNTAIN: Mr. Finley reported that he had received a letter from the secretary of the Andrew W. Mellon Memorial Committee, at Pittsburgh, advising that they are about to raise money for the fountain, and would like a specific letter from the Commission of Fine Arts and the National Capital Park and Planning Commission stating that the location agreed upon, namely, the reservation at the intersection of Pennsylvania and Constitution Avenues at Sixth Street, Northwest, has been definitely determined. The Committee seems to be afraid lest some official might take the site away from them during some time in the future.

Also, a letter with print of the latest location plan (dated May 26, 1949) was received from Eggers and Higgins, the architects.

Chairman Clarke was of the opinion that since the legislation authorizing the erection of the Andrew W. Mellon Memorial Fountain provides for the erection of this "memorial fountain on public grounds in the vicinity of the intersection of Pennsylvania and Constitution Avenues," and the District Highway Department,

the National Capital Park and Planning Commission and the Commission of Fine Arts, have given their approval to the erection of the fountain at that location, he thought this should be sufficient. Accordingly, a letter was sent to Mr. Eggers (Exhibit G), and to the Chairman of the Andrew W. Mellon Memorial Fountain Committee (Exhibit G-1) to that effect.

10. MASON HALL APARTMENT: Mr. Wm. St. Cyr Barrington, Architect, of the Mason Hall Apartment, to be built along the Mount Vernon Memorial Highway, near Alexandria, submitted a design with request for advice regarding a color scheme for casement sash windows. The Commission recommended that they be painted white, and Mr. Barrington was so informed.

11. WOODLEY ESTATE: Mr. Murphy reported that he had received a request for advice regarding a proposed apartment development on the Woodley Estate, which is near the Washington Cathedral, where one of the old historic mansions of the City of Washington is located. He said the promoters indicated a desire to do anything the Commission of Fine Arts saw fit to suggest with regard to the treatment of the building, within reason. It is an old historic building and dates from the time of The Octagon.

The Commission discussed the subject and decided that the Woodley Mansion should not be torn down. The Commission concurred in the suggestion of Chairman Clarke that the promoters get a competent architect and landscape architect.

Mr. Murphy said, "I think we could suggest studying the possibilities of retaining the character of the Mansion on account of historical associations, and building something with a design that would keep the Mansion as an element in the composition.

Mr. Finley suggested that the promoters be informed that the owners of the property could possibly make the Mansion available for the Vice President or a Cabinet Officer. A report was made accordingly (Exhibit H)

12. PRESERVATION OF HISTORIC GEORGETOWN: Mr. Finley stated that a Mr. Dorsey of the State Department, living in Georgetown, represents a group that wants to do something to preserve the historic character of old Georgetown, but that they don't know how to proceed; he presented the draft of a Bill setting forth the area in question.

The Secretary called attention to a map of Alexandria, showing the area under the protection of their Ordinance on Historic Buildings, as also a copy of the Ordinance; also a copy of the Ordinance that is known as the Charleston (South Carolina) Charter (Exhibit I). The Ordinance in each case provides for a "Board of Architectural Review" to whom plans are referred before a permit is issued by the Inspector of Buildings.

The Commission discussed the subject. The Commission felt that it might be feasible to amend the Shipstead-Luce Act in such a way as to keep the authority in the Commission of Fine Arts with power to appoint a Committee to whom plans pertaining to a building in a defined area in Georgetown could be referred and who would report to the Commission. Mr. Finley explained the area in question.

An amendment was drafted, which, with a letter, was sent to Mr. Dorsey, for appropriate action in connection with having legislation introduced in Congress on the subject (Exhibit I-1).

13. STEPHEN COLLINS FOSTER MEMORIAL: Mr. Fletcher Hodges, Jr., Curator of the University of Pittsburgh, conferred with the Commission regarding a proposed memorial to Stephen Foster in Washington. They have in mind a memorial plaque, which Walker Hancock is to design. He presented an outline as to their plans (Exhibit J). A plaque measuring about 4' x 5' is proposed, and they contemplate raising $5,000. Mr. Stephen J. Wigmore, resident of the Soldiers Home, Washington, is a leading contributor.

The Commission discussed the subject. Mr. Hodges presented each member with a book of "Songs by Stephen Foster." He said that they have been considering a location at the Water Gate near the Lincoln Memorial for the plaque. It is to be oblong with a medallion head of Stephen Foster and an inscription.

The Commission felt there should be no objection to placing the plaque at the Water Gate, but before taking any action with regard to having the plaque made they should have Walker Hancock visit the site, and also should secure necessary legislation from Congress to permit them to erect the plaque. The Commission informed Mr. Hodges that they regard Mr. Hancock a competent sculptor. A report was sent to Mr. Hodges (Exhibit K).

14. MURAL PAINTINGS, SALINA, KANSAS: During the afternoon the Commission inspected a series of mural paintings, submitted by the Public Buildings Administration, that were painted prior to the War for the post office at Salina, Kansas. They were painted by Harold Black and Miss Isabel Bate, and portrayed agricultural scenes and others of life in the mid-west. The paintings received the particular attention of Mr. Sterne.

Mr. W. E. Reynolds, Commissioner of Public Buildings, stated that while these paintings were intended for the post office at Salina, the citizens of that town generally do not like them and do not want them erected in their post office. Also, he said, an application has been received to have them placed in another town in Kansas but only for exhibition purposes.

The Commission did not like the color scheme of the paintings and felt the design in several of them was poor.

The Commission concurred in the recommendation of Mr. Sterne that, inasmuch as these paintings are not acceptable to the people of Salina, the Commission recommend that they be not hung in the Salina post office; and, being Government property, they should be disposed of in a manner deemed appropriate by the Public Buildings Administration (Exhibit L).

15. TOMB OF THE UNKNOWN SERVICEMAN OF WORLD WAR II: The Commission were asked by Col. E. V. Freeman, Chief of the Memorial Division, Office of the Quartermaster General, Department of the Army, to inspect at his office the model for the Tomb of the Unknown Serviceman of World War II, designed by Lorimer Rich, architect, in collaboration with Thomas H. Jones, sculptor. Accordingly, the Commission visited the Office of Col. Freeman during the afternoon. There were also present Major F. A. Kirk, Assistant Chief of the Memorial Division; Norman D. Monfalcone, Architect, Office of the Chief of Engineers; F. S. Poorman, Assistant Chief, Engineering Division, Office of the Chief of Engineers; Leon H. Zach, Chief, Planning Branch, Office of the Chief of Engineers. Col. Freeman said it is planned to send the model to Congress soon.

Mr. Rich explained the model and pointed out the changes pertaining to suggestions made by the Commission at previous meetings that had been incorporated in the model. Mr. Rich strongly expressed his desire to remove the Memorial Hall and thus open the vista into the Amphitheater. The Commission again strongly expressed disapproval of that scheme, since it would mean virtual destruction of a memorial building that had been erected and dedicated to honor the Grand Army of the Republic, and had been approved by the Commission of Fine Arts as to design about thirty years ago. The Commission limited any radical change to a removal of the steps at the east entrance to the Amphitheater.

The Commission made a number of suggestions in matters of detail, which were embodied in a letter to Major General H. Feldman, U.S.A., The Quartermaster General, Department of the Army (Exhibit M).

16. FREER GALLERY OF ART: Mr. Finley and Mr. Murphy, in behalf of the Commission, inspected several objects of art submitted by Director Wenley, and approved them (Exhibit N).

The Commission adjourned at 4:30 p.m. The Commission had as their guests at luncheon Commissioner Reynolds, Mr. Gilbert Stanley Underwood, Supervising Architect, and his assistant A. S. Thorn, of the Public Buildings Administration.

COPY

THE COMMISSION OF FINE ARTS
Washington

June 10, 1949.

Dear Congressman Regan:

Your letter of June 3, with enclosure of copies of House Joint Resolution 240, "Authorizing the erection in the District of Columbia of a statue of Simon Bolivar, has been received."

The Commission of Fine Arts recommend an amendment to this Resolution in line 9, after the word "That" so as to insert the following: the design of the statue, including pedestal, and; for the following reasons:—

There is being formulated a program, at least so this Commission have heard informally, to place several statues of South American heroes in the park area adjacent to the Pan American Union building. Thus a site for the statue of General Jose Gervasio Artigas has been chosen, on the recommendation of the Commission of Fine Arts, on a small Government reservation at the intersection of Eighteenth Street and Constitution Avenue.

The Commission of Fine Arts have not been officially informed as to the form the statue of General Simon Bolivar is to take; but whether it is to be an equestrian statue or a portrait statue, it should be in design appropriate for the location chosen, and the Commission of Fine Arts cannot determine this without seeing a design of it. We feel you will agree that this viewpoint of the Commission is reasonable.

For the Commission of Fine Arts:

Sincerely yours,

Gilmore D. Clarke,
Chairman.

Hon. Ken Regan,
Committee on House Administration,
House of Representatives,
Washington, D. C.

EXHIBIT A

81st CONGRESS
1st Session

H. J. RES. 240

IN THE HOUSE OF REPRESENTATIVES

May 10, 1949

Mr. Christopher introduced the following joint resolution; which was referred to the Committee on House Administration

JOINT RESOLUTION

Authorizing the erection in the District of Columbia of a statue of Simon Bolivar.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to grant authority to the Simon Bolivar Memorial Foundation, Washington, District of Columbia, to erect a bronze statue of the liberator, Simon Bolivar, the gift of the Government of Venezuela, including pedestal, on an appropriate site on grounds now owned by the United States in the District of Columbia: *Provided,* That the design of the statue, including pedestal, and the site chosen shall be approved by the National Commission of Fine Arts, and the United States shall be put to no expense in or by the

erection of this statue and proper landscape treatment of the site, so as to provide a proper setting, including planting, walks, and curbs: *Provided further*, That unless the erection of this statue is begun within five years from and after the date of passage of this joint resolution, the authorization hereby granted is revoked.

81st CONGRESS
1st SESSION

H. J. RES. 240

JOINT RESOLUTION

Authorizing the erection in the District of Columbia of a statue of Simon Bolivar.

By Mr. CHRISTOPHER

MAY 10, 1949
Referred to the Committee on House Administration

COPY

THE COMMISSION OF FINE ARTS

Washington

June 24, 1949.

Dear General North:

On the recommendation of Mr. Harbeson, the Commission of Fine Arts, at their meeting on June 21, 1949, approved the appointment of the firm of Bryan J. Lynch and Donald L. Kline, Landscape Architects, 80 West 40th Street, New York 18, N.Y., as collaborating landscape architects with the firm of Moore and Hutchins, architects, for the American Military Cemetery at Tunis, Africa.

For the Commission of Fine Arts:

Sincerely yours,

(signed) Gilmore D. Clarke,

Chairman.

Brigadier General Thomas North, Secretary,

The American Battle Monuments Commission,

Washington, D. C.

EXHIBIT B

[PUBLIC LAW 40—81ST CONGRESS]

[CHAPTER 51—1ST SESSION]

[H. R. 3856]

AN ACT

To provide for a Commission on Renovation of the Executive Mansion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the Commission on Renovation of the Executive Mansion (hereinafter referred to as the "Commission"). It shall be the duty of the Commission (a) to supervise and approve all construction plans and work necessary (1) for remedying the unsafe conditions now existing in the Executive Mansion and (2) for the modernization of such Mansion, in accordance with the provisions of section 3 of this Act and within the limits of funds appropriated by the Congress for those purposes; and (b) to perform the functions vested in the Commission by sections 2 and 4 of this Act.

SEC. 2. (a) The Commission shall be composed of six members as follows:

(1) Two Senators appointed by the President of the Senate;

(2) Two Representatives appointed by the Speaker of the House of Representatives;

(3) Two persons appointed by the President of the United States from the executive branch or from private life.

(b) A vacancy in the Commission shall not affect its powers but shall be filled in the same manner as the original appointment was made.

(c) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(d) Commission members appointed from the Congress and the executive branch shall serve without additional compensation. Commission members appointed from private life shall receive $50 per diem when engaged in the performance of Commission duties. All Commission members shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of Commission duties.

(e) The Commission is authorized to accept and utilize services of voluntary and uncompensated personnel and to pay any such personnel necessary traveling and subsistence expenses when engaged in the work of the Commission.

(f) Within the limits of its appropriations, the Commission is authorized to appoint such personnel, without regard to the civil-service laws and the Classification Act of 1923, as amended, to procure such printing and binding, and to make such expenditures as, in its discretion, it deems necessary.

(g) The Commission is authorized to request and secure the advice or assistance of any Federal agency. Any Federal agency furnishing advice or assistance to the Commission may expend its own funds for

EXHIBIT C

this purpose, with or without reimbursement from the Commission as may be agreed upon between the Commission and the agency.

(h) The Commission shall from time to time, but at least once annually, submit to the Congress and the President a report on the progress of the work under its supervision. Upon the conclusion of its work, the Commission shall promptly submit a final report.

(i) Thirty days after the submission of its final report the Commission shall cease to exist.

SEC. 3. In the performance of its duties the Commission shall—

(a) approve all construction plans for the renovation and modernization of the Executive Mansion;

(b) determine the methods for selecting, and approve the selection of, the general contractor and the subcontractors who will perform the construction work, subject to such conditions and limitations as may be contained in appropriations made for such work;

(c) generally supervise the progress of such construction work.

SEC. 4. (a) The Commission shall take measures to assure that all lumber, fixtures, and other materials removed from the Executive Mansion in the course of its renovation and modernization shall be carefully examined by appropriate Federal or other authorities for the purpose of segregating and safeguarding any of such materials which are of such historical importance that they should be permanently preserved.

(b) At the earliest possible date, the Commission shall recommend to the Congress and the President a plan for (1) the preservation of any of such material which is of permanent historical importance, and (2) the sale, donation, destruction, or other disposition of the remainder of such material in the manner most consistent with its symbolical value and without commercial exploitation.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary for the expenses of the Commission.

Approved April 14, 1949.

COPY

THE COMMISSION OF FINE ARTS

WASHINGTON

June 29, 1949.

Dear Miss Cassidy:

The Commission of Fine Arts, at their meeting on June 21, 1949, considered your letter of June 10th, with regard to having a copy made of the portrait of Frances Folsom Cleveland from an original by Zorn, which is owned by her daughter, Mrs. Amen, of New York City.

Generally, the Commission do not look with favor on recommending the acceptance of a portrait which is a copy of an original for the White House. However, in this instance the Commission would make an exception, since the portrait would be a copy of a masterpiece by an eminent artist of the time of Cleveland. The Commission understand that no original portrait of Mrs. Cleveland is available for purchase at the present time.

The Commission are hopeful that some day the original portrait of Mrs. Cleveland by Zorn may become the property of the United States Government and will ultimately be placed in the White House in lieu of the copy.

For the Commission of Fine Arts:

Sincerely yours,

(Signed) Gilmore D. Clarke,
Chairman.

Miss Appolonia H. Cassidy,
505 Fifth Avenue,
New York, N. Y.

EXHIBIT D

81st CONGRESS
1st Session

H. RES. 13

IN THE HOUSE OF REPRESENTATIVES

January 3, 1949

Mr. Celler submitted the following resolution; which was referred to the Committee on House Administration

RESOLUTION

Whereas India's greatest leader, Mohandas K. Gandhi, has met the martyr's death; and

Whereas the beloved Gandhi throughout his life had brought to the people of India and peoples everywhere the meaning of a selfless devotion to peace, and with it the gift of his own unbounded spiritual wealth; and

Whereas Mohandas Gandhi's uncompromisable strength led India to the independence for which it had sorely struggled; and

Whereas the impact of his personality upon history is undeniable; and

Whereas in consideration of the cordial relations existing between the people of the United States and the people of India, and in the hope that a monument to his memory in the United States may further those cordial cultural and spiritual re-

EXHIBIT E

lations between these two countries, and in the further hope that such a monument will awaken and keep alive in people everywhere the sense of their individual dignity and independence as well as an abhorrence for civil, religious, and communal strife anywhere: Now, therefore, be it

1 *Resolved,* That authority is hereby granted to the India
2 League of America, or any other organization which may
3 be organized for this purpose, to erect within two years
4 from the date of the approval of this Act a monument
5 testifying to the wisdom and leadership of Mohandas K.
6 Gandhi, as philosopher and statesman, in the city of Wash-
7 ington on such grounds as may be designated by the Fine
8 Arts Commission, subject to the approval of the Joint
9 Committee on the Library. The model of the monument
10 so to be erected shall be first approved by the said Com-
11 mission and by the Joint Committee on the Library, the
12 same to be presented to the people of the United States
13 without cost to the Government of the United States.

81st CONGRESS
1st Session

H. RES. 13

RESOLUTION

To erect a monument to the memory of Mohandas K. Gandhi.

By Mr. Celler

January 3, 1949

Referred to the Committee on House Administration

COPY

THE COMMISSION OF FINE ARTS
Washington

June 22, 1949.

Dear Mr. Reynolds:

The Commission of Fine Arts, at their meeting on June 21, 1949, considered your request to be furnished the names of competent sculptors, from which a selection may be made by your Office to do the sculpture proposed for the new General Accounting Office Building.

The Commission suggest any one or more of the following:

Donald DeLue, 225 East 67th Street, New York City.

Walker Hancock, Lanesville, Gloucester, Mass.

Joseph Kiselewski, 519 East 84th Street, New York City,

C. Paul Jennewein, 538 Van Nest Avenue, Bronx, New York.

Heinz Warnecke, 1063 Thirty-first Street, Washington, D. C.

Leo Friedlander, White Plains, New York.

William Zorach, 276 Hicks Street, Brooklyn, N.Y.

Sidney Waugh, 101 Park Avenue, New York, N. Y.

Miss Brenda Putnam, 356 West 22d Street, New York, N. Y.

Jose deCreeft, 218 Green Street, New York, N. Y.

For the Commission of Fine Arts:

Sincerely yours,

Hon. W.E. Reynolds, Commissioner,
Public Buildings Administration,
Federal Works Agency,
Washington, D. C.

(SGD.), Gilmore D. Clarke,
Chairman.

P.S. Mr. Lee Lawrie would of course,be eminently qualified.
H.P.C.

EXHIBIT F

MR. UNDERWOOD: Let's ask Mr. Lawrie what the situation is on carving. What is our best bet to have a sculptor do, speaking of bas relief in granite? Is it best to have full-sized models, or half-sized models and have them pointed up, or what?

MR. LAWRIE: A full-sized model is the best, but, if you are short of money, a half-sized model will do if you get a good carver, and if he knows how to point.

MR. UNDERWOOD: They are terribly scarce, aren't they?

MR. LAWRIE: A granite carver is hard to find.

MR. UNDERWOOD: Would we be better off to put more into the sculpture and buy a full-sized model if we are forced to?

MR. LAWRIE: It depends on the pointing.

CHAIRMAN CLARKE: Aren't you better off to have the sculptor have his pointing done in the plaster to full size than to trust the pointing in scale?

MR. LAWRIE: Yes.

CHAIRMAN CLARKE: You pay the sculptor a little more to do it full-sized in plaster. He points from small to large, and goes over it, and you get the sections of it full-sized. It is safer to do it that way than to have the carver point it up.

MR. THORNE: We are open to competitive bidding, too.

CHAIRMAN CLARKE: How can you bring out the relief on the north side of the building? Of course, the relief on the south side of the building isn't much better off for the simple reason that you are going to have high buildings on the side.

MR. LAWRIE: You will get east and west light on the south side, which you don't on the north.

MR. REINHARD: Will the red granite help you?

MR. LAWRIE: Is it a large formation with big crystals?

MR. UNDERWOOD: I should think the crystals would run up to half an inch.

MR. LAWRIE: You will have a very difficult time on the north side to see anything.

MR. UNDERWOOD: We were planning to polish the projected surface.

MR. LAWRIE: How high can the relief be?

MR. UNDERWOOD: In depth?

MR. LAWRIE: Yes.

MR. UNDERWOOD: As much as we want--six or eight inches.

MR. LAWRIE: That can be treated on the north side.

CHAIRMAN CLARKE: You would want to have a lot of punch.

MR. UNDERWOOD: The sculpture is within touching distance.

MR. REYNOLDS: How do you determine the price you pay a sculptor? We have an arrangement on the murals at so much a square foot.

MR. LAWRIE: It is a square-foot proposition. You can pay him $100 or $200 a square foot, or $300, if you have the money. We will say we have 140 feet to deal with, and he gets $200 a foot, which is $28,000 for the panel.

CHAIRMAN CLARKE: That includes the carving?

MR. LAWRIE: No; that is the sculpture. You see, your sculptor has no price. There is a lot of work in making the sketches and small models and pointing them up.

CHAIRMAN CLARKE: He has over a year's work there, without question.

MR. LAWRIE: It would be between $40 and $50 a square foot for carving in granite. Of course, that depends on the relief, too.

These ought to be done in this way: the sculptor makes the model and they are roughed out at the quarry, and all the background is plain.

MR. THORNE: You wouldn't carve the whole thing at the site?

MR. LAWRIE: It is a pretty big job.

CHAIRMAN CLARKE: You are going to have it in pieces.

MR. STERNE: I doubt that you could get a piece of granite that size.

CHAIRMAN CLARKE: You are going to have joints going around the building.

MR. UNDERWOOD: That is a thing to discuss with the sculptor when we get him.

CHAIRMAN CLARKE: Yes.

MR. REYNOLDS: I think that is all we have.

COPY

THE COMMISSION OF FINE ARTS
Washington

June 28, 1949.

Dear Mr. Eggers:

Your letter of June 9th, with its enclosure of a location plan for the Andrew W. Mellon Memorial Fountain, received the attention of the Commission of Fine Arts at their meeting on June 21, 1949.

The Commission noted that the drawing (which bears the date May 26, 1949) was made in accordance with a plan that was furnished you through Mr. Rice by the District of Columbia Highway Department and restores the ten feet that have been in controversy to the Reservation. The Commission of Fine Arts approved the plan.

A letter is being sent to the Chairman of the Andrew W. Mellon Memorial Committee at Pittsburgh, informing him of this action of the Commission of Fine Arts.

For the Commission of Fine Arts:

Sincerely yours,

Gilmore D. Clarke,
Chairman.

Mr. Otto Eggers, F.A.I.A.,
Eggers and Higgins, Architects,
542 Fifth Avenue,
New York, N. Y.

EXHIBIT G

COPY

THE COMMISSION OF FINE ARTS
Washington

June 28, 1949.

Dear Mr. Braun:

At their meeting on June 21, 1949, the Commission of Fine Arts approved a plan (dated May 26, 1949) submitted by Messrs. Eggers and Higgins, Architects, of New York City, for the location of the Andrew W. Mellon Memorial Fountain on a Government owned reservation at Sixth Street and Constitution Avenue, Northwest, which is in front of the National Gallery of Art.

The Commission were informed that this plan was made pursuant to a plan received from the District of Columbia Highway Department, and that it meets the requirements of the architects to give the fountain an appropriate setting.

The Commission are convinced that this Memorial Fountain will be a distinct contribution to the National Capital and its Art.

For the Commission of Fine Arts:

Sincerely yours,

Gilmore D. Clarke,
Chairman.

Mr. Arthur E. Braun, Chairman,
The Andrew W. Mellon Memorial
Fountain Committee,
Post Office Box 1138,
Pittsburgh, Pa.

EXHIBIT G - 1

Ordinance No. 470

AN ORDINANCE to amend Chapter 28, of The Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, by adding an article numbered XVI relating generally to zoning and particularly creating an Old and Historic Alexandria District, creating a board of Architectural Review and defining its powers and duties, and requiring all building permits in said district to be approved by said board.

Whereas, pursuant to due and timely notice of the time and place of hearing published in a paper of general circulation in the City of Alexandria, Virginia, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard,

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA AS FOLLOWS:

Section 1. That Chapter 28 of The Code of the City of Alexandria, Virginia enacted as a whole July 2, 1940 and made effective August 5, 1940, be and the same hereby is amended by adding an article numbered XVI following Article XV, said article to read as follows:

ARTICLE XVI Old and Historic Alexandria District.

Sec. 32. Creation of the district.

There is hereby created in the City of Alexandria a district to be known as the "Old and Historic Alexandria District", which is bounded on the north by Montgomery Street, on the east by the Potomac River, on the south by Hunting Creek, and on the west by Alfred Street and that street extended southwardly.

Sec. 33. Certificate of appropriateness; its purpose.

In order to promote the general welfare through the preservation and protection of historic places and areas of historic interest in the City of Alexandria and through the preservation of the memorial character of the George Washington Memorial Highway, no building or structure shall hereafter be erected, reconstructed, altered or restored unless and until the application for the building permit shall have been approved as to exterior architectural features which are subject to public view from a public street, way or place. Evidence of such required approval shall be a Certificate of Appropriateness issued by the Board of Architectural Review hereinafter created.

Exhibit I

Sec. 33-A

No building within the Old and Historic Alexandria District in 1846 or prior thereto shall be razed without first obtaining a permit approved by the Board of Architectural Review and said Board shall be empowered to refuse such a permit for any structure of such architectural or historic interest, the removal of which in the opinion of said Board would be detrimental to the public interest of this City.

Sec. 34. Board of Architectural Review.

For the purpose of making effective the provisions of this article, there is hereby created a board to be known as the "Board of Architectural Review", to be composed of seven members who are citizens of the City of Alexandria, six of whom shall be appointed by the City Council. Two members shall be certified architects; one a member of the City Planning Commission; one an established, licensed real estate broker in the city; and two persons with knowledge of and demonstrated interest in the historical character of the old part of the city. The building inspector shall be a member by virtue of his office. The term of office of the members shall be three years, except that the term of the building inspector shall correspond to his official tenure of office. Any appointed member of the board may be removed from office by the Council after public hearing for inefficiency, neglect of duty, or malfeasance. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

Sec. 35. Organization; meetings; records.

The Board of Architectural Review shall elect its chairman and the building inspector shall be its secretary. The board shall meet within ten (10) days after notification by the building inspector of an application for a building permit, and it shall keep a permanent record of its resolutions, transactions and determinations.

Sec. 36. Powers and duties of board.

The Board of Architectural Review shall pass upon the appropriateness of exterior architectural features of buildings and structures hereafter erected, reconstructed, altered or restored in the Old and Historic Alexandria District wherever such exterior features are subject to public view from a public street, way or place. All plans, elevations and other information deemed necessary by the board to determine the appropriateness of the exterior features to be passed upon shall be made available to the board by the applicant through the building inspector.

The Board of Architectural Review, in passing upon the appropriateness of exterior architectural features in any case, shall keep in mind the purposes set forth in Sec. 33 of this chapter, and shall consider among other things, the general design, arrangement, texture, material and color of the building or structure in question and the relation of such factors to similar features of buildings and structures in the immediate surroundings. The board shall not consider detailed design, relative size of building or structure, interior arrangement, or features not subject to public view. The board shall not make any requirements except for the purpose of preventing developments obviously incongruous to the old historic aspect of the surroundings or the memorial character of the George Washington Memorial Highway, if in the latter case the building or structure faces on said highway.

In case of disapproval, the board shall state its reasons therefor in writing, and it may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material, color and the like of the building or structure involved.

Upon approval of the plans, the board shall cause a Certificate of Appropriateness, signed by its chairman and dated, to be issued to the applicant or affixed to the plans. If the board shall fail to take any final action in any case within sixty (60) days after notice from the building inspector of any application, the application shall be deemed disapproved, unless by mutual agreement the time limit be extended.

Sec. 37. Enforcement and penalty.

Any violation of any provision of this article is hereby declared to be a misdemeanor punishable in the manner provided by Sec. 24 of this chapter. All such violations shall be further subject to the civil penalties therein referred to, and in addition may be enjoined by a court of equity.

Sec. 38. Constitutionality.

In case any section, paragraph or part of Article XVI of this chapter be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.

Section 2. That this ordinance shall become effective the day after its publication in the Alexandria Gazette.

WILLIAM T. WILKINS

August 13, 1946

Rules and Regulations

— OF —

BOARD OF ADJUSTMENT

— UNDER THE —

ZONING ORDINANCE

— OF THE —

CITY OF CHARLESTON

J. J. FURLONG & SON, CHARLESTON

existing at the time of the passage of this ordinance; and such certificate shall state that the use does not conform with the provisions of this ordinance. For continuing or maintaining such non-conforming use, and as equivalent to compliance with this requirement, the administrative officer shall mail such certificate to the occupants or owners of all such property within ninety (90) days after the passage of this ordinance.

(g) A record of all Certificates of Occupancy shall be kept on file in the office of the Administrative Officer and a copy shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected.

(h) No fee shall be charged for an original Certificate of Occupancy as required herein; but for each copy of an original certificate, there shall be a charge of one (1) dollar, which shall be remitted to the City Treasurer by the issuing officer.

Section 40—Completion of Buildings

(a) All structures for which permits have been obtained and the construction of which or a portion of which has been begun, or for which a contract or contracts have been let pursuant to a permit issued prior to the passage of this ordinance, may be completed and used in accordance with the plans for which said permit was granted.

(b) All permits for buildings issued prior to the passage of this ordinance are hereby declared void, provided such building or its use does not conform to the provisions of this ordinance, if at the time of the passage of this ordinance: (1) No substantial construction has been made; (2) No contract or contracts have been let pursuant to said permit.

(c) If after the issuance of a permit the operations authorized thereunder are not commenced within six (6) months after date of permit, or if after the commencement of operations the work is discontinued for a period of six (6) months, such permit shall be void, work may not again be commenced until a new permit shall have been issued as for the original work, and building materials and equipment on the ground shall be removed or stored according to the requirements of the Administrative Officer.

Section 41—Interpretation—Purpose

(a) In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of health, safety, morals or general welfare. Where this ordinance imposes greater restriction upon the use of a building or land or upon the height, bulk or size of a building or structure or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or permits, or by easements, covenants or agreements, the provisions of this ordinance shall govern. Where any other ordinances, rules, regulations or permits, or any easements, covenants or agreements, impose greater restrictions upon the use of a building or land, or require larger open spaces than are required under the regulations of this ordinance, such provisions shall govern.

ARTICLE X—OLD AND HISTORIC CHARLESTON DISTRICT

Section 42—General

In order to promote general welfare through the preservation and protection of historic places and areas of historic interest, applications for building permits and for Certificates of Occupancy in the Old and Historic Charleston District must be approved as to exterior architectural features which are subject to public view from a public street or way, before a building permit or Certificate of Occupancy may be issued by the Administrative Officer. Such requirement is in addition to the other provisions of this ordinance.

Evidence of such required approval shall be a Certificate of Appropriateness issued by the Board of Architectural Review as created herein. Such certificate shall be a statement signed by the chairman of the Board of Architectural Review, stating that the exterior architectural features of the proposed construction, reconstruction, alteration, restoration or use for which application has been made are approved by the Board of Architectural Review.

Section 43—Board of Architectural Review—Creation—Membership.

A Board of Architectural Review is hereby established. Such Board shall consist of five citizen members, each to be appointed by the City Council of the City of Charleston, S. C. One member shall be a member of the American Institute of Architects; one a member of the Carolina Art Association; one, a member of the City Planning and Zoning Commission; one a member of the American Society of Civil Engineers and one, a member of the Real Estate Exchange. Each member shall be appointed from a list of nominees submitted to City Council by the Charleston chapters or members of the respective organizations in case any of the organizations entitled to make nominations shall fail to make the same within thirty days after a written request therefor by the Clerk of Council, then City Council, on its own nomination, shall appoint the member. The terms of office of the members shall be for three years except the terms of two of the members of the original board shall expire within three years; two within two years and one within one year of the date of appointment. An appointment to fill a casual vacancy shall be only for the unexpired portion of the term.

Section 44—Meetings.

The Board of Architectural Review shall meet within ten (10) days after notification by the Administrative Officer of the filing of an application for a building permit or Certificate of Occupancy for a case upon which it is required to pass, and at such other times as the Board may determine or upon call of the chairman.

Section 45—Power and Duties.

It shall be the function and duty of the Board of Architectural Review to pass upon the appropriateness of exterior architectural features of buildings and structures hereafter erected, reconstructed, altered, restored or used in Old and Historic Charleston District wherever such exterior features are subject to public view from a public street or way.

Section 46—Review of Plans

All plans, elevations, and other information necessary to determine the appropriateness of the features to be passed upon, together with a copy of the application for building permit or certificate of occupancy shall be made available to the Board of Architectural Review through the offices of the administrative officer.

The Board of Architectural Review in passing upon cases, shall consider, among other things, the general design, arrangement, texture, material and color of the building or structure in question and the relation of such factors to similar features of buildings in the immediate surroundings. The Board of Architectural Review shall not consider detailed design; relative size of buildings in plan; interior arrangement; or building features not subject to public view; nor shall it make requirements except for the purpose of preventing developments obviously incongruous to the old historic aspects of the surroundings.

In case of disapproval, the Board of Architectural Review shall state the reasons therefor in a written statement to the applicant and may advise the applicant and make recommendations thereto in regard to appropriateness of design, arrangement texture, material, color and the like of the property involved.

Section 47—Approval

Upon approval of the plans, the Board of Architectural Review shall forthwith transmit a report to the Administrative Officer stating the bases upon which such approval was made and cause a Certificate of Appropriateness to be issued to the applicant. If the Board of Architectural Review shall fail to take final action upon any case within forty-five (45) days after the date of application for permit, the case shall be deemed to be disapproved, except where mutual agreement has been made for an extension of the time limit.

ARTICLE XI—BOARD OF ADJUSTMENT

Section 48—Creation-Membership

(a) A Board of Adjustment is hereby established. The word "Board" when used in this ordinance shall be construed to mean the Board of Adjustment.

(b) The Board shall consist of five citizen members, each to be appointed by the City Council of the City of Charleston, S. C. One member shall be a member of the Real Estate Exchange; one, a member of the Charleston County Bar association; one, a member of the Retail Merchants Association; one, a member of the Planning Commission and one, a member of the American Society of Civil Engineers. Each member shall be appointed from a list of nominees submitted to City Council by the Charleston chapters or members of respective organizations. In case any of the organizations entitled to make nominations shall fail to make the same within thirty days after a written request therefor by the Clerk of Council, then City Council shall appoint the member on its own nomination. The terms of office of the members shall be for three years except the terms of two of the members of the original board shall expire within three years; two, within two years and one, within one year of the date of appointment. An appointment to fill a casual vacancy shall be only for the unexpired portion of the term.

Section 49—Meetings

Meetings of the Board shall be held at least once a month and at such other times as the Board may determine, or upon call of the Chairman. All meetings shall be open to the public. The Board shall adopt its own rules of precedure and shall keep a record of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examination and other official actions. Every rule or regulation, every amendment or repeal thereof and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and become a public record.

Section 50—Appeals

Appeals from the decision of the Administrative Officer may be made to the Board of Adjustment by any person aggrieved, or by any officer, department, board or bureau of the City affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

Section 51—Powers and Duties

(a) The Board shall hear and decide appeals de novo and review on

COPY

THE COMMISSION OF FINE ARTS
Washington

June 22, 1949.

Dear Mr. Dorsey:

At a meeting of the Commission of fine Arts, held on June 21, 1949, Mr. Finley brought to the attention of the Commission a suggestion made by residents of Georgetown to have what is known as the "Shipstead-Luce Act" amended so as to include the historic portion of Georgetown within the purview of the Act and thus under the jurisdiction of the Commission of Fine Arts.

The Commission discussed the subject and were in sympathy with the proposed movement to have the Shipstead-Luce Act amended.

Mr. Finley submitted the draft of an amendment, in which the Commission concurred, with the proviso that the Commission be empowered to appoint a committee to serve as a Board of Review.

The Commission have not acted on certain matters of detail, such as additional clerical assistance, additional office space, etc., that might become necessary. This can be done after the "Bill" has passed.

It probably will not be possible to secure enactment of the legislation at this session of Congress, though, of course, it could be introduced in both the House of Representatives and the Senate.

For the Commission of Fine Arts:

Sincerely yours,

(SGD.) Gilmore D. Clarke,
Chairman.

Mr. Stephen P. Dorsey,
Department of State,
Washington, D. C.

EXHIBIT I -/

COPY

An Act to amend an Act regulating the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital," approved May 16, 1930, as amended (July 31, 1939), be, and it is hereby further amended by adding sections 3, 4, and 5, as follows:

Sec. 3. There is hereby created in the District of Columbia a district to be known as Old Georgetown, which is bounded on the north by Whitehaven Parkway as far as 35th Street and thence south on 35th Street to P Street and west to 37th Street, on the east by Rock Creek, on the south by the south bank of the Chesapeake and Ohio canal, and on the west by Glover Parkway.

Sec. 4. In order to extend further the provisions of section One (1) concerning the development of the Capital City along the lines of "good order, good taste, and with due regard to the public interests involved," no building in the area of Old Georgetown, as above defined, constructed in 1830 or prior thereto, shall be razed, altered or restored without the approval of the Commission of Fine Arts, as heretofore provided in Section One.

Sec. 5. The Commission of Fine Arts is hereby authorized to appoint a committee of three architects, who shall serve as Board of Review, without expense to the United States, and shall report to the Commission regarding designs referred to it, in carrying out the purpose of the Act as amended.

An Act to amend an Act regulating the height, exterior design, and construction of private and semi-public buildings in certain areas of the National Capital, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to regulate the height, exterior design, and construction of private and semi-public buildings in certain areas of the National Capital", approved May 16, 1930, as amended (July 21, 1939), be, and it is hereby, further amended by adding sections 3, 4, and 5, as follows:

Sec. 3. There is hereby created in the District of Columbia a district to be known as Old Georgetown, which is bounded on the north by Dumbarton Parkway as far as 37th Street and thence south on 37th Street to P Street and west to 37th Street, on the east by Rock Creek, on the south by the south bank of the Chesapeake and Ohio Canal, and on the west by Glover Archbold Parkway.

Sec. 4. In order to secure further the provisions of section 2(1) concerning the development of the Capital City along the lines of "good order, good taste, and with due regard to the public interests involved", no building in the area of Old Georgetown, as above defined, constructed on 1930 or prior thereto, shall be razed, altered or restored without the approval of the Commission of Fine Arts, as hereinafore provided in section 2.

Sec. 5. The Commission of Fine Arts is hereby authorized to appoint a committee of three architects, who shall serve at their of review, without compensation, to the Federal Commission, and shall report to the Commission regarding designs referred to it, in carrying out the purposes of the Act as amended.

COPY

THE UNIVERSITY OF PITTSBURGH

PITTSBURGH 13, PENNSYLVANIA

ice of the Curator of
eFoster Hall Collection

PROJECTED MEMORIAL TO

STEPHEN COLLINS FOSTER

FOR WASHINGTON, D. C.

June 21, 1949

SUBJECT:

Stephen Collins Foster, American composer, 1826-1864.

Born near Pittsburgh, Pa., July 4, 1826. Died in New York City, January 13, 1864. Composer of more than 200 songs, including "Old Folks at Home," "My Old Kentucky Home," "Massa's in de Cold Ground," "Old Black Joe," and many other beloved "old favorites."

PROPOSED MEMORIAL:

Bronze plaque, bearing profile of Stephen Foster, designs representing the themes of his best songs, and text. Form and size subject to change. Sizes of 4' x 5' and 5' x 6' have been discussed.

ARTIST:

Walker Hancock, of Lanesville, Mass., and member of the faculty of the Philadelphia Academy of Fine Arts. Mr. Hancock was the sculptor of the bust of Stephen Foster in the Hall of Fame, New York University, University Heights, New York City. This bust was unveiled in May, 1941. References to Mr. Hancock may be found in the Commission's Fourteenth Report, 1944, on pp. 71, 72, and 73.

DONOR:

Stephen J. Wigmore, resident of U. S. Soldiers Home, Washington, D. C. Mr. Wigmore is a veteran of the Spanish-American War, Philippine Insurrection, and World War I. Mr. Wigmore's interest in Stephen Foster began at the Hall of Fame in 1941. He first suggested a memorial for Stephen Foster for Washington in 1941. (See "Chronicles of Stephen Foster's Family," by Evelyn Foster Morneweck, Volume II, p. 732.)

PURPOSE OF DONATION:

Mr. Wigmore wishes the memorial to include the phrase:

ERECTED BY THE CITIZENS

OF WASHINGTON, D. C.

EXHIBIT J

He himself neither seeks nor desires publicity for himself. He prefers to remain anonymous.

FINANCIAL GOAL TO BE REACHED:

$5,000.00 (Five thousand dollars.)

AMOUNT NOW AVAILABLE:

$4,619.17—contributed entirely by Mr. Wigmore. The balance of $380.83 will be raised by other admirers of Stephen Foster—or will be given by Mr. Wigmore, if there are no other contributors.

PROBABLE DATE OF START OF CREATION OF MEMORIAL:

February, 1950

PROBABLE LENGTH OF TIME REQUIRED TO COMPLETE IT:

Minimum of six months

COORDINATING AGENT IN ARRANGEMENTS:

Fletcher Hodges, Jr., Curator, Foster Hall Collection,
University of Pittsburgh

TO BE DETERMINED:

1) Regulations of Commission applying to memorials of this kind.
2) Possible locations
   a) Potomac water front? What about Water Gate?
   b) Rock Creek Park or similar park?
3) Details of dedication
   a) Is there any Washington agency which handles such programs?
   b) If not, what individuals could advise about making arrangements, informing about protocol, official etiquette, etc.?

COPY

COPY

THE COMMISSION OF FINE ARTS
Washington

145 East 32nd Street
New York 16, New York
June 23, 1949

Mr. Fletcher Hodges, Jr.
Curator
Foster Hall Collection
University of Pittsburgh

Dear Mr. Hodges:

The Commission of Fine Arts were very much impressed with your presentation of the idea to erect a memorial in Washington to STEPHEN COLLINS FOSTER, American composer. I presume you will discuss the question of a draft of the necessary legislation, which must be enacted by the Congress, as the next step in accomplishing this worthy enterprise.

I would suggest that nothing be done about the design of the plaque - which form the Memorial is proposed to take - until the legislation has been passed by Congress and the Commission of Fine Arts are authorized to take up with you formally the question of a suitable site. Of course there is no objection whatsoever to anticipating favorable action by the Congress by arranging to have Mr. Walker Hancock, your sculptor, meet with me, or another representative of this Commission, in Washington, to look at sites that may be suitable. I should add here that Mr. Hancock is an eminent sculptor and the Commission favor your choice of him to undertake this Commission.

It was a pleasure to listen to your very well prepared presentation, and on behalf of the Commission I wish to thank you for letting us have the publications of the University of Pittsburgh.

I hope you may have the opportunity to convey my best wishes to Chancellor Fitzgerald.

Sincerely yours,

Gilmore D. Clarke
Chairman

EXHIBIT K

COPY

THE COMMISSION OF FINE ARTS

Washington

June 22, 1949.

Dear Mr. Reynolds:

The Commission of Fine Arts, during their meeting on June 21, 1949, inspected the mural paintings, which you submitted, that were painted for the post office at Salina, Kansas.

The paintings received the particular attention of the Honorable Maurice Sterne, painter member of the Commission.

Mr. Sterne stated that, inasmuch as these paintings are not acceptable to the people of Salina, Kansas, the Commission recommend that they be not hung in the Salina post office; and, being Government property, they should be disposed of in a manner deemed appropriate by your Office.

The Commission of Fine Arts concur in this report by Mr. Sterne.

For the Commission of Fine Arts:

Sincerely yours,

Gilmore D. Clarke,
Chairman.

Honorable W. E. Reynolds,
Commissioner of Public Buildings,
Federal Works Agency,
Washington, D. C.

EXHIBIT L

COPY

THE COMMISSION OF FINE ARTS

WASHINGTON

June 22, 1942.

Dear Mr. Reynolds:

The Commission of Fine Arts, during their meeting on June 21, 1942, inspected the mural paintings, which you submitted, that were painted for the post office at Malden, Missouri.

The painting product, the particular attention of the Honorable Harrie Chelius, another member of the Commission, Mr. Oberne which, however as these paintings are not responsible to the people of Malden, Missouri, the Commission recommends that they be not hung in the Malden post office, but being government property, they should be disposed of in a manner deemed appropriate by your office.

The Commission of Fine Arts notes in this report to Mr. Ickes.

For the Commission of Fine Arts:

Sincerely yours,

Edward B. Delaney,
Secretary.

Honorable E. R. Reynolds,
Commissioner of Public Buildings,
Federal Works Agency,
Washington, D. C.

Copies:

COPY
THE COMMISSION OF FINE ARTS
WASHINGTON

June 22, 1949

ıjor General H. Feldman, U.S.A.
ıe Quartermaster General
ɔpartment of the Army
ıshington, D. C.

ɜar General Feldman:

At their meeting on June 21, 1949, the Commission of Fine Arts were pleased ɔ consider with Colonel Freeman, and other representatives of your office, a ɔeliminary model and sketches for the proposed "Tomb of the Unknown Serviceman, ɔrld War II" in Arlington National Cemetery.

Following a review of the studies prepared by your architect, Mr. Lorimer ıch, in consultation with members of your staff, the Commission recommend the ɔllowing:

1. The Tomb will take the general form, be of approximately the same dimensions, and of the same material as the Tomb for the Unknown Soldier, World War I. The design of the Tomb will be the subject of detailed study by the Architect in collaboration with a sculptor of national reputation.
2. The new tomb will be placed on the same axis and be oriented in the same manner as obtains in the case of the Unknown Soldier, World War I.
3. The steps in front of the east portico of the Memorial Hall will be removed to provide a plaza adequate in size.
4. There shall be a continuous marble base under the columns of the portico which shall extend beyond each side of the building to include the width of two new flights of steps which will be added at each end of the building.
5. Four (4) windows on the east front of the Memorial Hall will be closed, the marble frame, mouldings, etc. removed, and marble ashler masonry, to match the existing ashler, substituted in the walls.
6. Bronze railings will be placed between the columns but not attached to them.
7. The windows on the north and on the south ends of the Memorial Hall will be removed and door openings substituted. Interior vestibules in bronze and glass will be provided.
8. Enlarge the Plaza east of Memorial Hall, more or less in accordance with the sketch submitted by the Architect (dated 6-21-49), and provide for the necessary additional granite paving and appropriate planting.
9. Provide appropriately designed sentry boxes.
10. The suggestion has been made that, within the seating space of the Amphitheatre, provision be made for a continuous central aisle, so as to improve conditions during ceremonials.

FOR THE COMMISSION OF FINE ARTS:

Sincerely yours,

Gilmore D. Clarke
Chairman

EXHIBIT M

COPY FOR THE COMMISSION OF FINE ARTS

The Regents of the Smithsonian Institution, The Commission of Fine Arts, and Miss Katharine N. Rhoades, or Mrs. Eugene Meyer, as provided in Paragraph 4 of the Codicil to the Will of the late Charles L. Freer, have examined the following objects:

1 Bronze ceremonial vessel of the type ko, inlaid with turquoise. Chinese, An Yang.

1 Bronze vessel. Chinese, Shang dynasty.

2. Gilt bronze finials, inlaid with gold and silver. Chinese, late Chou dynasty. From Ch' ang Sha, Kunan Province.

1 Bronze statuette of man with animal. Chinese, Loyang.

1 Porcelain bowl. Chinese, Ting yao,

which have been recommended for purchase for the Freer Gallery of Art by Mr. A. G. Wenley, Director, and they hereby approve the purchase.

For the Regents of the Smithsonian Institution

June 21, 1949

David E. Finley
For the Commission of Fine Arts

EXHIBIT N

COPY FOR THE COMMISSION OF FINE ARTS

The Regents of the Smithsonian Institution, The Commission of Fine Arts, and Miss Katherine N. Rhoades, or Mrs. Eugene Meyer, as provided in Paragraph 4 of the Codicil to the Will of the late Charles L. Freer, have examined the following objects:

Two nio figures. Japanese,
Kamakura period, 13th century,

which have been recommended for purchase for the Freer Gallery of Art by Mr. A. G. Wenley, Director, and they hereby approve the purchase.

May 17, 1949 — A. Wetmore, Secretary,
For the Regents of the Smithsonian Institution.

June 21, 1949 — David E. Finley
for the Commission of Fine Arts.

May 25, 1949 — Katherine N. Rhoades
Katharine N. Rhoades

EXHIBIT N