REPORT TO

THE SECRETARY OF THE INTERIOR

on

THE PRESERVATION

of

HISTORIC SITES *and* BUILDINGS

by

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UNITED STATES
DEPARTMENT OF THE INTERIOR
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PREFACE

The accompanying Report on the Preservation of Historic Sites and Buildings was submitted to the Department of the Interior in the fall of 1935 by Mr. J. Thomas Schneider, covering a survey of the subject made in this country and abroad during the course of the preceding year.

Part I of the Report reviews Federal, State, local and private progress in this field in the United States. Part II discusses the legislative history and adminstrative organization for the preservation of historic sites and buildings in Great Britain, France, Germany, Italy, Sweden and other foreign countries. In Part III Mr. Schneider gives a detailed analysis of the Historic Sites legislation enacted August 21, 1935, and sets forth certain conclusions and recommendations for the administration of our national program.

As the Report indicates, the Department of the Interior adopted a plan following the lines of those conclusions and recommendations prior to formal submission of the Report. This plan was incorporated in the Historic Sites legislation. In conformity with authority contained in that act, an Advisory Board on National Parks, Historic Sites, Buildings and Monuments has been appointed. This Board has assembled on several occasions and is rendering valuable service to the Department.

In addition, a National Park Trust Fund Board, the purposes and composition of which are referred to in the Report, was created by a companion Act. Funds have been received by the Board from private sources interested in the activities of the National Park Service.

The Branch of Historic Sites of the National Park Service has been organized and is functioning actively.

The Report has been especially useful to the National Park Service and the Advisory Board and it is now felt that it should be published for limited distribution among interested agencies of the Federal and the State Governments, as well as to the more active of historical societies and other organizations interested in the subject. No attempt has been made to include current data in the Report, which is published as of date submitted by Mr. Schneider, October, 1935.

The Department is indebted to certain individuals who wish to remain anonymous for providing the funds which have made pos-

sible this study and the publication of this report; it also records its grateful appreciation of the wholehearted assistance and cooperation rendered to its representative, Mr. Schneider, by officials of the several foreign governments which were visited, as well as by the numerous agencies and private individuals who were consulted both abroad and in the United States.

HAROLD L. ICKES,
Secretary of the Interior.

July 14, 1938.

REPORT TO
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THIS REPORT covers a survey, made pursuant to a request of the Secretary of the Interior, Honorable Harold L. Ickes, for the preservation, restoration and/or reconstruction of historic shrines in this country. His instructions, transmitted in November 1934, indicated that it was particularly desired to investigate what had been done along these lines by the Governments of France, Great Britain and other countries, as well as to study all available source materials in order to formulate a Federal policy and to ascertain appropriate measures for effectuating that policy.

The question presents itself as to whether the emphasis should be based primarily upon the means rather than upon the end; whether it should look merely to an efficient method for saving certain old buildings from decay and destruction, or whether it should have for its premise development of a greater national appreciation of the cultural values inherent in historic sites and buildings. The two basic ideas are closely connected; both are important and neither should be neglected.

Historic sites and buildings supply, in truth, important materials for the reconstruction of historic reality. But they have been badly neglected source materials, too little used even by the historical profession itself. No amount of reading can ever supplant the poignant imagery which one contact with the site itself will evoke, despite the subtle changes which time brings. The physical site must be treated like the written source, in the presentation of as accurate an historical concept as it is possible to produce.

We, as Americans, are proud of our modern culture and of our institutions, our economic development and high standards of living; but we do not always realize in how large a measure the greatness of our country today is due to the fact that it has studied the past so deeply and drawn from it so much of experience, inspiration and warning. Social and political progress derives new power from the

consideration of the exemplary deeds of great men and women. Areas and structures closely interwoven with outstanding events and characters of our national history stand as silent teachers of these principles and precepts by virtue of which this nation has emerged among the greatest of modern civilization.

The historic approach has been applied to the greatest diversity of subjects simply because the desire is well nigh universal to survey the human relations of, and the human achievements in, every field of mental, religious, political, social and artistic activity, both past and present; and because the abstract principles of science, art, ethics or politics, religion or economics assume a living interest in the light of their practical applications in life and history. Modern man needs imaginative contiguity with the past and its spiritual and aesthetic values.

Purpose of Survey

The preservation of historic sites and buildings in the United States is a subject which has engaged the attention of numerous agencies and individuals for many years. The value to the country of such preservation has long been recognized, not only by the private individuals, but by the officials of our State and Federal Governments. A number of States have adopted planned and efficient methods and set up administrative machinery for carrying on programs of preservation. Numerous individuals, privately and through many nonprofit making associations formed for such purposes, have acquired and preserved a large number of outstanding historic buildings, including many possessing national significance. Congress has, from time to time, provided for the acquisition by the Federal Government of historic properties, more particularly of battlefield sites, and about two years ago a specific executive department, namely, the Department of the Interior, through the National Park Service, was charged with a general responsibility in this field by the transfer to it of all such sites and monuments. The Federal Government, however, has not heretofore adopted a general legislative policy covering its direct responsibilities nor has it attempted to stimulate and coordinate private and State initiative in the subject. The National Park Service has accomplished much within the narrow limits of existing law and as a result of allotments of emergency funds, but it has been hampered seriously by the lack of comprehensive legislative authority. Its activities necessarily have been confined or directed largely to historic *areas* upon specific authorizations by Congress. It has not been possible to give enough attention to historic *buildings*.

If the best interests of the country as a whole are to be served, the Federal Government must assume a position of leadership in planning and coordinating all such efforts and promoting close cooperation among interested agencies. There are buildings and areas of such superlative quality because of their historic, archaeological,

architectural or scientific importance, or because of some combination of these factors, that they are objects of national significance. It is the responsibility of the Federal Government to insure their preservation and in many cases to acquire and administer them.

During the past twelve months or more the Federal Government has given this problem particular attention. At the beginning of 1934, the Historic American Buildings Survey (more specifically described hereinafter) was initiated by the National Park Service in cooperation with the American Institute of Architects. Finances for the Survey were obtained by an allotment from Federal relief funds for the primary purpose of giving work to unemployed architects. Measured drawings of about 1400 buildings and about 6500 photographs of 1600 subjects were made. These are now on file, by arrangement, in the Library of Congress.

It is also significant to note that the National Resources Board included in its Report on the Development of the Nation's Recreational Resources, submitted on December 1, 1934, specific recommendations covering the responsibility of the Federal Government with respect to the preservation and the administration of scenic, historical, archaeological and scientific areas of national significance. The report contains the following statement and recommendations:

> That the Federal Government's responsibility is chiefly to preserve superlative examples of scenery, historical and archeological sites of national importance and primeval areas.

The report also recommends:

> That the United States Government should interest itself directly in preserving a relatively limited number of sites of historic nature. The majority of historic sites, like the majority of scenic and other scientific areas, should be preserved by the various States and other local units of government, as well as through private and semi-public organizations. In this connection more comprehensive legislation, both State and Federal, looking toward a better working program of conservation, is needed.
>
> The determining factor in the preservation of an historic site by the National Government, as in the case of any area of great scenic or scientific qualities, is that it possess certain matchless or unique qualities which entitle it to a position of first rank among historic sites. The quality of uniqueness exists:
>
> 1. In such sites as are naturally the points or bases from which the broad aspects of prehistoric and historic American life can best be presented, and from which the student of the history of the United States can sketch the large patterns of the American story. Such

areas are significant because of their relationship to other areas, each contributing its part to the complete story of American history.

2. In such sites as are associated with the life of some great American and which may not necessarily have any outstanding qualities other than that association.
3. In such sites as are associated with some sudden or dramatic incident in American history, which, though possessing no great intrinsic qualities, are unique and symbolical of some great idea or ideal for the American people.

In addition to such manifestations of interest, the Federal Government has acquired a few important sites and monuments during the past few years. This activity, together with a recent marked increase of interest on the part of the general public, has made it more apparent and vital than ever before that the Federal Government should formulate a general policy covering the subject and should enact proper legislation and should set up proper administrative machinery for carrying out such a policy. It was toward this end that the Secretary of the Interior ordered this survey to be made, to include a study not only of the existing problems in the United States, but also of the legislation and accomplishments of European countries in preserving their historic monuments in the expectation that useful lessons might be derived therefrom.

Scope of Survey

A study of the subject in the United States first was made, including preservation work accomplished by both State and private organizations. Such information was obtained through the courtesy and cooperation of the American Association of Museums, the American Council of Learned Societies, the Association for the Preservation of New England Antiquities and other agencies, as well as numerous individuals in official and private life. A study also was made of the statutory laws of all the States and of the administration by the National Park Service of existing national historic sites and buildings, with particular attention being given to problems relating to the latter. Upon the conclusion of this phase of the survey, studies were made in Europe. These included an inquiry into the legislative history of Great Britain, France, Germany, Sweden and Italy, and their administrative organizations. Numerous historic buildings and sites in these countries were inspected with two primary purposes in view, namely, the observation of the classes of buildings and objects of historic interest which engage their attention and, wherever possible, the study of the technical methods employed in preservation and restoration work. Additional information was obtained from other foreign countries through correspondence.

PART I. PRESENT INTEREST AND ACTIVITIES

1. PUBLIC INTEREST

The growth of public interest in our historic background is primarily evidenced by the eager curiosity evinced each year by millions of persons who visit historic houses and places which have been preserved and opened for public inspection in all sections of the country. When we read of the early days of the colonies, of their welding into a young republic, of the evolution, often amidst bitter controversies, of those political, social and economic principles which have made us a great and free nation, and when we become acquainted through the pages of history with stalwart leaders, imbued with vision, high courage, and great intellect, there arises the desire to see the places where those inspiring events occurred and to learn how those hardy forefathers of ours lived. We want to see the physical evidences of the growth and development of American life and culture. That such is the desire of a considerable mass of the general public today is shown by the fact that in 1934 (when preliminary work only had been completed) approximately 60,000 visitors registered at Colonial National Monument in Virginia (not including restored Colonial Williamsburg); at Morristown National Historical Park 30,343; at Gettysburg National Military Park 298,629. Visitors in 1934 registering at all the national monuments under the jurisdiction of the National Park Service totalled 1,170,418; at the national military parks 662,631; at Antietam Battlefield Site (Maryland) 35,973 (figures not available for other battlefield sites); and visitors to the national parks numbered approximately 4,000,000. Figures are not available as to the number of annual visitors to historic areas alone, but interest in them is constantly growing and untold thousands visit them yearly.

The interest and extent of the preservation of historic houses in America, and the agencies by which such work is fostered, are well illustrated in a comprehensive book on the subject published in 1933, entitled "Historic House Museums",[1] by Lawrence Vail Coleman, Director of the American Association of Museums. It contains a short history of American houses and is an excellent manual for people concerned with establishing or administering historic house-museums. (A copy of this book accompanies this report as an exhibit.) In the appendices is contained a directory, which, Mr. Coleman states, charac-

[1] See Exhibit C-401.

NOTE: Exhibits and appendix are included in original but not printed report.

terizes four hundred historic house-museums—places that have ceased their original function as homes, government buildings or whatever they were originally and have been opened as exhibition houses to the general public. It is stated that this list does not include historic houses in private ownership that are rarely, if ever, shown; nor does it include patriotic society chapter houses that are not definitely open for public inspection, nor historic churches, public buildings, college buildings and libraries that are still in use as such, nor historic buildings extensively remodeled for museum occupancy, nor historic taverns and tearooms, save for a few that are more museum houses than hostelries; neither does it list antique shops nor temporary restorations. We find that about one-half of these historic houses now open to the public are owned by societies, and of these about one-half are owned by historical societies. Patriotic societies, notably chapters or State societies of The Daughters of the American Revolution and of the Colonial Dames of America own about forty houses, widely scattered. Special societies, existing for the one purpose, are responsible for more than fifty historic houses. Public museums own about forty houses in a dozen States from Maine to California. A number of houses are administered by boards of trustees, and a few houses are owned by industrial corporations, railroads, hotels, churches, schools, colleges and universities. About sixty are owned by the States and about forty by cities. A few house-museums are owned by the Federal Government, in addition to a number of forts and other structures possessing historical significance.

Mr. Coleman advises that since the publication of "Historic House Museums" he has collected data covering about one hundred additional historic houses which will be published in a revised edition.

It would be impossible to include in this report a summary of the purposes and accomplishments of the many societies and organizations which have been active in arousing and developing public interest in the subject. A few, however, should be mentioned briefly as an indication of this widespread interest.

The American Association of Museums, with headquarters in Washington, is an important clearing house for cooperative study and planning with respect to the preservation and management of historic houses, as it is also with respect to other types of museums. The Association, under the leadership of Mr. Lawrence Vail Coleman, is credited with meritorious accomplishments.

The American Council of Learned Societies (composed of eighteen of the principal learned societies of America, including the American Historical Association) has also displayed great interest in the subject of historic house preservation. Dr. Waldo G. Leland, the permanent secretary, is outstanding in his active contributions.

The American Historical Association has a standing committee for the purpose of studying and promoting interest and activity among all agencies.

The American Institute of Architects likewise has a permanent committee on the subject, of which Dr. Leicester B. Holland, Chief of the Fine Arts Division, Library of Congress, is chairman. Its cooperation in connection with the Government's (National Park Service) Historic American Buildings Survey initiated in 1933 has been invaluable. Dr. Holland is chairman of the Survey, and the Institute's nation-wide organization was placed at the disposal of the Government.

The Carnegie Institution of Washington has made notable contributions in arousing and developing an interest in the subject. Dr. Merriam, its president, and Dr. Kidder, of the Institution, have actively supported and forwarded the creation and development of a preservation program. The work of the Institution in the field of archeology is too well-known to require further mention here.

Prominent mention should also be made of the *American Scenic and Historic Preservation Society,* of 287 Convent Avenue (Home of Alexander Hamilton), New York, of which Mr. Raymond Torrey is secretary. Organized in 1895, it is a pioneer and is outstanding in its accomplishments in promoting a nation-wide interest in the preservation of American scenic and historic treasures. Notable results, also are accredited to the *Society for the Preservation of New England Antiquities,* the *Association for the Preservation of Virginia Antiquities,* and to the several prominent patriotic societies, as well as to other sectional, State, and private organizations.

These comments serve to indicate the active interest already shown by the general public and the popular support which has already been given preservation work. It assuredly justifies the Federal Government in its proposal to coordinate these efforts and to develop a program for its more active participation and cooperation.

2. PRIVATE INTEREST

A. Williamsburg Restoration

The most extensive project in this country is that undertaken at Williamsburg, Virginia, by Mr. John D. Rockefeller, Jr., in fulfillment, it is understood, of a plan proposed to him by Dr. W. A. R. Goodwin, Rector of Bruton Parish Church. No survey of the subject of the restoration of historic sites and buildings in America would be complete which did not include a study of what has been accomplished at Williamsburg. The plan was almost prohibitively ambitious, including not only the repair and restoration of existing and partially existing colonial homes and buildings, but the removal of all homes and buildings of modern construction, the reconstruction of certain buildings and outbuildings which had disappeared, and the decoration and furnishing of the buildings thus restored and reconstructed. To accomplish this end necessitated the purchase of the entire area which formerly comprised the colonial city and the employment of a vast number of experts: historians, architects, landscape architects, archaeologists, zoning and engineering specialists, tree surgeons and others. Only qualified personnel directed the work. Neither expense nor effort was spared in assuring the detailed accuracy and authenticity of the reconstruction work and in the search for and study of documentary and archaeological evidence on which it is based. Any other method of approach assuredly would have defeated the ultimate purpose of the project.

Williamsburg was peculiarly suited to this work both because of its exceptional historic interest and because of the fact that in 1926 it was still a small college town of about two thousand inhabitants. The town is associated with great names and dramatic incidents in the history of our country. It was founded in 1633 as a fortified retreat from the Indians after the Jamestown massacre and became known as the "Middle Plantation" because of its location between the York and James Rivers. One of the foremost rebellions in the colonies was instigated here by Nathaniel Bacon against the tyranny of the King's Governor, William Berkeley, in 1676. In 1693 a charter for the College of William and Mary was granted, the buildings of which, it is said, were planned by Sir Christopher Wren. The college soon became one of the foremost centers of learning and by attracting the great men of the day gave to Williamsburg a greater prestige. So that when in 1698 the new state house in Jamestown was destroyed by fire, Williamsburg was chosen for the capital of the Colony and under such Governors as Nicholson, Spotswood, Gooch, and Botetourt became a populated and prosperous city, one of the principal seats of

education, society, and fashion of the New World. From here the first exploratory expedition to cross the Blue Ridge Mountains to the Shenandoah Valley was led by Governor Spotswood; here also George Washington received his first military training and prominence in the preliminary skirmishes preceding the French and Indian Wars. Because of its key position in the activities of the time, Williamsburg also became one of the chief sponsors of the revolution, and it was here that Patrick Henry offered the series of resolutions against the Stamp Act in the House of Burgesses. In 1778 the seat of the Virginian Government was moved to Richmond, after which Williamsburg gradually lost its prominent position and at length "subsided into a state of dignified decline."

The restoration brings back the city's former glory, showing the sophisticated and highly angliform influence of the colonial period in the South. Restorations of the Governor's Palace, the Capitol and Raleigh Tavern show the luxury and refinement of the architecture and furnishings of the colony at that time. It was decided that the restoration should cover the period from 1699-1840, so that although the atmosphere is essentially colonial, interesting examples of the "Early Republic" have not been precluded. At this time practically the entire area which comprised the colonial city has been purchased (either outright or subject to the life tenure of individuals whose age or associations with such property make such procedure desirable) and turned over to two corporations (1) THE WILLIAMSBURG HOLDING CORPORATION, the executive and business organization in charge of the project and (2) THE COLONIAL WILLIAMSBURG, INCORPORATED, formed to hold title to properties presented to the restoration by the City of Williamsburg, the Association for the Preservation of Virginian Antiquities, and individual donors, or acquired by purchase.

The outstanding architectural firm of Perry, Shaw, and Hepburn, of Boston, has been in charge of the architectural development of the restoration plan; Arthur A. Shurcliff, Landscape Architect, carefully and sympathetically directed the work of landscape restoration and city planning; and the firm of Todd and Brown, Inc., Engineer Contractors, carried out the construction. The architectural organization also includes a Department of Interior Decoration, and a Department of Research and Record. The research organization has been exhaustive in collecting material relating to the architectural, landscape, and decorative problems of the restoration. A comprehensive investigation of authoritative sources of colonial Americana, not only in this country, but in England and France was made and studied, including documents in libraries, governmental archives, military records, historical societies, museums, family records, and private and official correspondence. Also advisory boards composed of eminent authorities in the various fields connected with restoration work were estab-

lished for consultation purposes. There is an Advisory Committee of Architects, an Advisory Committee of Landscape Architects, an Advisory Committee of Historians, and the like, while specialists in numerous fields were and are frequently invited to aid in the solution of specific problems. Step by step the work has progressed as research and archaeological investigations have brought to light new evidences upon which to proceed. Over three hundred and fifty buildings of modern construction have been torn down, fifty-seven colonial buildings have been restored, sixty-five colonial buildings have been reconstructed and two business blocks containing twenty-five shops and stores have been reproduced.

This work is outstanding as an historic, archaeological and artistic achievement. Its exactness and faithfulness to the documents of the past are important not only from an educational standpoint, but because it is a satisfying stimulus to the imagination. It has encouraged the training of experts in restoration problems and provided invaluable data on technical methods and procedure. The project is also important because it has been accomplished through the interest and efforts of some of the best minds in this country and is an inspiration and guide for other work of this kind.

B. "Greenfield Village": Dearborn, Michigan

In contrast to the restoration at Williamsburg of a complete historic village on its original site, an entirely different but noteworthy achievement has been the development by Mr. Henry Ford of "Greenfield Village" in Dearborn, Michigan. The village is an open-air museum, comprising in the main, type historic houses moved from their original sites in different sections of the United States. The project is the first extensive development of its kind in America and is analogous to the open-air museums in the Scandinavian countries. It was opened to the public in 1933 and is now owned by the Edison Institute. The museum contains the American houses listed below and also two English houses—the only foreign museum houses in the country, which are the Cotswold Cottage from Chedsworth, Gloucestershire, and a reproduction of Sir John Bennett's Jewelry Shop, Cheapside, London.

Armington and Sims Shop: Reproduction of plant in Providence, R. I.
Burbank's Office: From Santa Rosa, California.
Carding Mill: From Plymouth, Mass.
Chapel of Martha-Mary.
Clark House: From Michigan. Built 1868.
Clinton Inn: From Clinton, Michigan. Built 1832.
Currier Shoe Shop: From Newton, N. H. Built about 1880.

Edison's Fort Myers Laboratory: From Fort Myers, Fla. Built 1885.

First Power Silk Mill: From Mansfield, Conn. Built 1880.

Ford's Shop: From Detroit. Built before 1893.

Gardiner House: Built about 1830.

Kingston Cooper Shop: From Kingston, N. H. Built about 1785.

Lampeer Foundry: From Lampeer, Mich. Built about 1860.

Lincoln Court House: From Logan County, Ill. Built 1840.

Livery Stable: Built about 1875.

Loranger Grist Mill: From Monroe, Mich. Built 1832.

Menlo Park Group: From Menlo Park, N. J. Built 1870-1880.

Edison's Laboratory
Edison's Office-Library (Reproduction)
Carbon Shed
Carpenter Shop
Glass House
Machine Shop

Mrs. Jordan's Boarding House: From Menlo Park, N. J.

Pioneer Log Cabin: From Michigan.

Pipe Engine House: From Newton, N. H.

Plymouth House: From Plymouth, Mich. Built about 1845.

Post Office: From Phoenixville, Conn. Built 1803. Includes apothecary shops.

Sandwich Glass Plant: Reproduction of a typical 19th century plant.

Sawmill: From Monroe, Mich. Built before 1850.

Scotch Settlement School: From Michigan. Built 1861.

Secretary House: From Exeter, N. H. Built 1751.

Smith's Creek Depot: On original site. Built 1858.

Steinmetz Cottage: From Schenectady, N. Y.

Tintype Studio: Built about 1880.

Toll House and Cobbler's Shop: From East Haverhill, Mass. Built 1828.

Town Hall.

Village Blacksmith Shop.

Waterford Country Store: From Waterford, Michigan. Built 1854.

C. Other Preservation and Restoration Projects

Other interesting and valuable preservation and restoration projects on a group or collective scale are:

Group of Log Cabins: Decorah, Iowa.

Owned by Luther College—Norwegian American Historical Museum. Opened 1925. Contains the following cabins:

Egge Cabin. Built 1851.

Little Iowa Cabin. Built 1853.
Parochial Schoolhouse. Built 1880.
Tasa Drying House. Built 1855.

Pioneer Village: Salem, Massachusetts.

Reproduction of village of 1630. Owned by the City. Village includes the Governor's "Fayre House," thatched and weather-boarded houses, wigwams, dugouts, etc., illustrating various methods of construction of the period. Opened 1930. (Also called Puritan Village.)

Colonial Chain: Philadelphia, Pennsylvania.

The houses are in Fairmount Park and are owned by the City.

Cedar Grove: Built about 1721. In custody of Pennsylvania Museum of Art. Opened 1927.

Hatfield House: Built before 1800. Not yet open.

Letitia Street House: Built after 1700. In custody of Pennsylvania Museum of Art. Opened 1932.

Mount Pleasant: Built 1762. In custody of Pennsylvania Museum of Art. Opened 1925.

Solitude: Built 1785. Occupied by Philadelphia Zoological Society.

Strawberry: Built about 1798. In custody of Women's Committee of 1926. Opened 1930.

Sweetbrier: Built 1797. In custody of Junior League of Philadelphia. Opened 1928.

Woodford: Built about 1734. In custody of estate of Naomi Wood. Opened 1929.

3. STATE AND LOCAL GOVERNMENTAL ACTIVITIES

States and local municipalities have interested themselves in recent years in historic matters and a number have been active in preservation and restoration undertakings. More than sixty historic houses have been acquired and preserved or restored by the States and cities and are maintained for the benefit of the public.

Among these will be found such houses as the Lincoln homestead in Illinois, the boyhood home of Mark Twain in Missouri, Walt Whitman house, and a Continental Army Hospital Hut in New Jersey, Knox Headquarters, Poe Cottage, Washington's Headquarters at Newburgh, John Brown Cottage, Governor George Clinton House and others in New York, Roosevelt Cabin in North Dakota, Hayes and Grant Memorials and the Rufus Putnam house in Ohio. Others of equal interest are General Varnum's and Washington's headquarters in Pennsylvania, Woodrow Wilson House in South Carolina and Andrew Johnson Tailor Shop in Tennessee, the Alamo and Spanish Governor's Palace in Texas, George Washington's Grist Mill and his Headquarters at Winchester in Virginia, and Lindbergh's home in Minnesota. In addition, a number of reconstruction and reproduction projects have been undertaken by several of the States. A very interesting project will be found in Indiana, known as the "Spring Mill Village," consisting of a number of restored houses of the early 19th century. (Another undertaking of a similar nature is in Massachusetts, at "Storrowton," West Springfield, composed of a number of New England houses assembled on the exposition grounds. This is not owned by the State but by the Eastern States Exposition.) Another State activity of a similar kind is "Schoenbrunn" in New Philadelphia, Ohio, consisting of reproductions of fourteen cabins, including a church and a school, of a Moravian Indian Village built in 1772-1777. (For a comprehensive, but incomplete, list of historic houses owned by States, see exhibit "Historic House Museums.")[1]

It is of especial interest to note that while a number of houses are owned by the several States, yet their custody is in semi-public or private historical or other societies. About forty historic houses are owned by cities and operated for the public. (See exhibit "Historic House Museums.") In addition, in many instances, cities extend aid and cooperation to patriotic and other societies for the preservation of such houses.

The extent of the activities of the States is further evidenced by a reference to the number and subject-matter of numerous laws relating to archaeological and historical matters enacted during the period

[1] **Exhibit C-401.**

1919-1933, an index of which has been compiled and which will be found in the appendix of this Report.

Every State has either an official or some form of a semi-official society or department which concerns itself with historic subjects. A list of these societies and departments has been compiled and is as follows:

Dept. of Archives and History,
Montgomery, Alabama.

Arizona State Historian,
Phoenix, Arizona.

Dept. of Archives and History,
Little Rock, Arkansas.

California State Historical Assoc.
3551 University Avenue,
Los Angeles, California.

Colorado Historical Society,
Denver, Colorado.

Connecticut Historical Society,
Hartford, Connecticut.

Historical Society of Delaware,
Old Town Hall,
Wilmington, Delaware.

Florida State Historical Society,
7 West Forsyth Street,
Jacksonville, Florida.

Dept. of Archives and History,
Atlanta, Georgia.

State Historical Society of Idaho,
Boise, Idaho.

Illinois Historical Society,
426 Lincoln Hall,
Urbana, Illinois.

Indiana Historical Society,
State House, Indianapolis, Ind.

State Historical Society of Iowa,
Iowa City, Iowa.

State Historical Society,
Topeka, Kansas.

Kentucky State Historical Society,
Frankfort, Kentucky.

The Louisiana Historical Society,
New Orleans, Louisiana.

Maine Historical Society,
Portland, Maine.

Maryland Historical Society,
Baltimore, Maryland.

Massachusetts Historical Society,
Boston, Massachusetts.

Michigan Historical Commission,
State Office Building,
Lansing, Michigan.

Minnesota Historical Society,
St. Paul, Minnesota.

Dept. of Archives and History,
State Capitol,
Jackson, Mississippi.

The State Historical Society of
Missouri,
Columbia, Missouri.

Historical Society of Montana,
Helena, Montana.

Nebraska State Historical Society
Lincoln, Nebraska.

New Jersey Historical Society,
c/o Sunday Call,
Newark, New Jersey.

Historical Society of New Mexico
Santa Fe, New Mexico.

New York Historical Association,
Ticonderoga, New York.

State Historian,
Albany, New York.

New Hampshire Historical
Society,
Concord, New Hampshire.

Director,
Nevada Historical Society,
Reno, Nevada.

North Carolina Historical Comm.
Raleigh, North Carolina.

State Historical Society,
Bismarck, North Dakota.

Ohio State Archaeological and
Historical Society,
15th Avenue and High Street,
Columbus, Ohio.

Oklahoma Historical Society,
Oklahoma City, Oklahoma.

Oregon Historical Society,
253 Market Street,
Portland, Oregon.

The Historical Society of
Pennsylvania.
1300 Locust Street,
Philadelphia, Pennsylvania.

Western Penn. Historical Society,
Historical Building,
Pittsburgh, Pennsylvania.

Rhode Island Historical Society,
68 Waterman Street,
Providence, Rhode Island.

South Dakota Historical Society,
Pierre, South Dakota.

Tennessee Historical Society,
Nashville, Tennessee.

Utah State Historical Society,
131 State Capitol,
Salt Lake City, Utah.

Vermont Historical Society,
Montpelier, Vermont.

State Historian,
State Office Building,
Richmond, Virginia.

Wash. State Historical Society,
Tacoma, Washington.

Dept. of Archives and History,
Charleston, West Virginia.

State Historical Society,
Madison, Wisconsin.

State Librarian and Historian,
Cheyenne, Wyoming.

4. FEDERAL ACTIVITIES

A. Legislation

In contrast to the growth of private interest and activity in the preservation of historic sites and buildings, the Federal Government has assumed very little responsibility. Existing Federal legislation dealing with the reconstruction and restoration of historic and archaeological sites and monuments is inadequate. Prior to 1935 no broad national policy had been formulated or expressed by Congress. The Federal Government has been unable to plan, promote and develop a well-rounded program for the preservation of American antiquities within legislative limitations heretofore existing.

The Antiquities Act of 1906[1] authorizes the President of the United States to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest situated upon lands owned or controlled by the United States to be National Monuments, with a proviso that when such objects are located upon a tract held in private ownership the same may be relinquished to the Government and accepted by the Secretary of the Interior. It further permits excavations, when such excavations are undertaken for the benefit of reputable museums, universities, colleges or other recognized scientific or educational institutions, provided the collections therefrom are made for permanent preservation in public museums. It further provides a penalty for unauthorized excavations or destruction of any historic or prehistoric ruin, monument or any other object of antiquity situated on land owned or controlled by the United States. This Act has been the only general authorization for such governmental activity.

From time to time particular sites and buildings have been designated as National Historic ones and placed, until recently, under the administrative direction of either the Interior, War or Agriculture Departments. In 1933, however, those under the War and Agriculture Departments were transferred by Executive Order to the Department of the Interior and united under a single bureau, the National Park Service.

A brief resumé of pertinent legislation from which the National Park Service derives its existing powers and authorizations relative to historic sites and buildings follows. General legislation creating the National Park Service was enacted in 1916 containing the following definition of its purposes:

[1] See Exhibit B-240.

"The Service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of said parks, monuments and reservations which purpose is to conserve the scenery and the natural and historic objects and the wild-life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

By this Federal statute, the office of a Director of the Service is also created and, under the direction of the Secretary of the Interior, is given the supervision, management, and control of the existing national parks and monuments "and of such other national parks and reservations of like character as may be hereafter created by Congress." The Secretary is empowered to make and publish rules and regulations for the use and management of the parks, monuments and reservations.

Although this general Act has been amended from time to time, these amendments have not broadened substantially the jurisdiction and activities of the Service pertaining to the preservation, restoration and/or reconstruction of historic sites and monuments. The limitations of these amendments may be seen from the following excerpts:

1. An excerpt from sundry appropriations Act of June, 1920, authorized the Secretary of the Interior in his administration of the National Park Service, to accept in his discretion patented lands, rights of way over patented lands or other lands, buildings or other property within the various national parks and national monuments, and moneys which may be donated for the purposes of the National Park and Monument system. (While this authorization could be used in many cases, it has definite limitations in its application to historic subjects; it is not sufficiently broad to ensure the maximum of development of a national historic sites and monuments program.)

2. An excerpt from the Interior Appropriations Act of 1923 provided that:

"The purchase of supplies or the procurement of services by the National Park Service outside the District of Columbia may be made in the open market without compliance with Section 3709 and 3744 of the Revised Statutes of the United States in the manner common among business men, when the aggregate amount of the purchase does not not exceed $50." (The limit has been increased to $100.)

3. An excerpt from an Act of 1924, authorized the Secretary to construct and improve roads and trails in the national parks and monuments, and to designate approach roads.

4. An Act of 1928 provided for cooperation by the Smithsonian Institution with State, educational and scientific organizations in the United States for continuing the ethnological researches among the American Indians, provided, however, that the Secretary of the Interior should prescribe regulations covering such lands which are under the National Park Service.

5. In 1930 a bill was enacted authorizing the maintenance of central warehouses at National Parks and National Monuments and authorized appropriations for the purchase of supplies and materials to be kept in said warehouses.

6. In 1930 an Act was passed for the purpose of facilitating the administration of the national parks and monuments (which should be of great value in the development of a historic monument program), Section 3 thereof provides as follows:

> "That the Secretary of the Interior is hereby authorized to contract for services or other accommodations provided in the national parks and national monuments for the public under contract with the Department of the Interior, as may be required in the administration of the National Park Service, at rates approved by him for the furnishing of such services or accommodations to the Government and without compliance with the provisions of section 3709 of the Revised Statutes of the United States. (U. S. C., 6th supp., title 16, sec. 17b)"

There are certain other statutory provisions pertaining more or less to the necessary routine administrative details of the National Park Service, which facilitate to some extent but do not permit a broad development of an historic sites and buildings program.

Specific legislation, in each case, for the authorization and creation of particular national parks and monuments has also been enacted, beginning with the establishment of the Yellowstone National Park in 1872. Subsequent to the passage of these various specific acts, numerous amendments thereto have been enacted. Such supplementary legislation is applicable, however, only to the particular park or monument created by the act to which it relates.

It is clear that this legislation does not authorize the Federal Government either through the Department of the Interior or the National Park Service to formulate and put into operation a broad program for the preservation, restoration and/or reconstruction of historic sites and monuments. For example, there is no existing authority by which the National Park Service or any other Federal agency can take appropriate steps to prohibit or prevent the threatened destruction of a building not in Federal ownership which possesses historic

interest, nor means by which the Federal Government can effectively cooperate with States, private organizations and individuals toward such an end. Legislative deficiencies have heretofore hampered the National Park Service in forwarding and stimulating preservation work and prevented the broadening of the scope of its present activities so as to encourage public and private initiative to work with the national Government toward a coordinated and effective nation-wide program.

It must be borne in mind that the impetus given preservation work within the past year in the extension of Federal activities in this field has been made possible only as a result of emergency relief appropriations and are in no sense established on a permanent basis. At present there is no authority for a continued nation-wide survey of sites and buildings of historic interest and value. The Historic American Buildings Survey covering the subject was made possible only by Civil Works Administration and Federal Emergency Relief Administration funds. There is no assurance that subsequent funds will be obtained for its completion and to keep it current. Provisions for a permanent research staff and the establishment and maintenance of a research and reference library for both American and foreign works and publications in this field would seem to be essential. There are no statutory authorizations for research work. At present historic research on a limited scale has been conducted by reason of Public Works Administration and Emergency Conservation Work allotments. As the ultimate purpose of a preservation program is for the benefit of the public, legislative authority should be conferred to develop a more extensive educational and information program regarding American historic sites and buildings. This should include a research staff of historians and architects to investigate all sources of information on early American building design, materials, tools, craftsmanship and interior furnishings. Other deficiencies in existing legislation which limit the development of an adequate national program will be discussed in comments hereinafter to be made touching upon the drafting of proposed legislation.

B. National Park Service

(1) Administrative Organization.

The National Park Service was vested by the Executive Orders of June 10 and July 28, 1933, with the administration of all historic sites and buildings owned or controlled by the Federal Government. This action made possible a unified administrative policy and brought attention to the necessity of changing the existing organization of the Service for facilitating this work. The planning of historic sites and monuments has been a collaborative undertaking including the Branch of Plans and Design, the Branch of Engineering, and the Historical

Division of the Branch of Research and Education.[1] Shortly after the survey covered by this report was initiated, however, the subject was given greater prominence by the authorization (in the Appropriation Act for the fiscal year 1936) of an Assistant Director to be in charge of a new coordinate Branch to be known as the Branch of Historic Sites and Buildings.[2] The effect of this provision was to place the subject of historic sites and monuments under the jurisdiction of a separate Branch of equal dignity and authority with the existing five Branches of the Service. This Branch will, within limitations of existing and future legislative authority, supervise and coordinate administrative policy and planning, educational and research matters pertaining to historic and archaeologic sites, including the survey, classification and preservation of historic and archaeologic sites and buildings and the remains thereof; supervise and collect drawings, photographs, sketches and other data relating to prehistoric and historic American sites and buildings; and collect and preserve historical and archaeological records. It is understood that this form of administrative organization was adopted subject to such revision as might be found to be desirable as a result of further experience and study.

The achievements of the National Park Service in developing and administering scenic parks are outstanding. This is likewise true with respect to monuments under its jurisdiction. As pointed out, however, its major activities in the past necessarily have been devoted to the former. Its organization, therefore, has been developed primarily in relation to the adminstration of the scenic parks. As a result it may be found advisable to make some changes as the historic program develops. An administrative organization chart of 1935 of the Service is included here, and appended in the Exhibit Book[3] will be found a set of available organization charts, showing the functional basis governing the subject activities of the National Park Service, as follows:

1. *National Park Service*

   This shows the Branch of Operations, Branch of Planning, Branch of Buildings, Branch of Lands and Use and Branch of Research and Education (of which the Historical Division is set up as a subordinate division, but which is now a coordinate Branch of Historic Sites and Buildings.)
2. *Branch of Operations*
3. *Branch of Planning*

   Organization of the State Park Division.
4. *Branch of Buildings*

[1] See Organization Chart, Exhibit B-247.
[2] See Organization Chart, Exhibit B-257.
[3] See Exhibit B-247-257.

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

DIRECTOR
Arno B. Cammerer.
ASSOCIATE DIRECTOR
Arthur E. Demaray.

Under the direction of the Secretary of the Interior, administer the National Park System in accordance with the Act of August 25, 1916, as amended; the Act of June 8, 1906; the Executive Order of August 10, 1933; and the Act of August 21, 1935; formulate policies and direct protective work from standpoint of preservation and utilization and enjoyment of visitors; direct construction from engineering, architectural and landscape viewpoints, including sanitation facilities; direct public educational service in natural sciences, history and archeology, and provide for museum developments; and are responsible for creation and organization of new national parks, monuments, historic sites and buildings, and other areas. The Director is charged with direct supervision of the Emergency Conservation Work on Federal and State park lands.

Ex-officio Member, Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park Commission.
Ex-officio Member, Petersburg National Military Park Commission.
Commissioner, Washington-Lincoln Memorial Gettysburg Boulevard Commission.
Member, Advisory Board on E. C. W.

Executive Officer, National Capital Park and Planning Commission.
Maintenance of Executive Mansion and Grounds.
Trustee, Welfare and Recreational Association.
Member, D. C. Zoning Commission.
Member, Alley Dwelling Authority.

BRANCH OF OPERATIONS
Hillory A. Tolson, Assistant Director.

Functions: Supervision over all fiscal matters and personnel, including the preparation and presentation of the annual budget, justification and defense of estimates before Budget Bureau officials and appropriation committees of Congress; allotment of appropriations, control of expenditures, receipt of revenues, determination of accounting requirements; custody of general records; and coordination of administrative work in the field units and in the Washington Office.

- CONTROL DIVISION
- ACCOUNTS DIVISION
- PARK OPERATORS DIVISION
- OFFICE OF CHIEF CLERK
- STATISTICAL DIVISION

BRANCH OF PLANNING AND STATE COOPERATION
Conrad L. Wirth, Assistant Director.

Functions: Supervision over the compilation of data covering advance planning for the national park system; coordination with the State park and recreation-al authorities and State planning commissions and other agencies; supervision over Federal participation in State park and recreational activities, including Emergency Conservation Work; and the conducting of a continuing recreational survey in cooperation with National Resources Committee.

- NATIONAL PARK SYSTEM PLANNING DIVISION
- NATIONAL RECREATIONAL SURVEY DIVISION
- STATE PARK DIVISION
- NATIONAL RECREATIONAL DEMONSTRATION PROJECTS DIVISION

BRANCH OF BUILDINGS
Charles A. Peters, Acting Assistant Director.

Functions: Supervision over the operation, maintenance, and protection of Government buildings within and outside of the District of Columbia, except those employed as a facility of a particular agency; also over Washington National Monument, Lincoln Memorial, District of Columbia War Memorial, Columbus Fountain, and the new Central Heating Plant.

- TECHNICAL DIVISION
- ADMINISTRATIVE DIVISION
- MAINTENANCE DIVISION
- GOVERNMENT SPACE CONTROL DIVISION

BRANCH OF HISTORIC SITES AND BUILDINGS
Verne E. Chatelain, Acting Assistant Director.

Functions: Coordination of administrative matters and supervision of the educational and research programs pertaining to historic and archeologic sites; collection and preservation of historical and archeological records; and coordination of the preparation and collection of drawings and other data relating to prehistoric and historic American sites and buildings.

- EASTERN DIVISION
- RESEARCH DIVISION
- WESTERN DIVISION

BRANCH OF RESEARCH AND EDUCATION
Harold C. Bryant, Assistant Director.

Functions: Coordination of administrative matters and supervision of the educational and research programs pertaining to scenic and scientific areas; collection and preservation of records pertaining to interpretation of natural phenomena; coordination of wildlife and fish protection management; compilation of educational and scientific data; and preparation of scientific manuscripts.

- NATURALIST DIVISION
- PUBLIC RELATIONS DIVISION
- EDUCATION DIVISION
- WILDLIFE DIVISION

BRANCH OF LANDS AND USE
George A. Moskey, Assistant Director.

Functions: Supervision over all matters pertaining to land, legislation, regulation and use, including emergency land purchase program (E.C.W.) and right-of-way matters for emergency construction national park-ways (P.W.).

- LEGAL DIVISION
- CONTRACTS DIVISION
- LEGISLATIVE DIVISION
- LANDS DIVISION
- PARKWAY RIGHT-OF-WAY DIVISION

FIELD

Supervision of the annual estimates and expenditures of the following commissions:

- COMMISSION OF FINE ARTS, Washington, D. C.
- GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION, Vincennes, Indiana
- MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION, South Dakota

24 NATIONAL PARKS
Abraham Lincoln, Ky.
Acadia, Me.
Bryce Canyon, Utah
Carlsbad Caverns, New Mex.
Crater Lake, Ore.
Fort McHenry, Md.
General Grant, Calif.
Glacier, Mont.
Grand Canyon, Ariz.
Grand Teton, Wyo.
Great Smoky Mtns., N. C. & Tenn.
Hawaii, Hawaii
Hot Springs, Ark.
Lassen Volcanic, Calif.
Mesa Verde, Colo.
Mt. McKinley, Alaska
Mt. Rainier, Wash.
Platt, Okla.
Rocky Mountain, Colo.
Sequoia, Calif.
Wind Cave, S. Dak.
Yellowstone, Wyo.
Yosemite, Calif.
Zion, Utah

NATIONAL HISTORICAL PARK
Morristown, N. J.

NATIONAL CAPITAL PARKS
Washington, D. C.

17 NATIONAL MILITARY PARKS
Chickamauga and Chattanooga, Ga.-Tenn.
Fort Donelson, Tenn.
Fredericksburg & Spotsylvania, Va.
Gettysburg, Pa.
Guilford Courthouse, N. C.
Kings Mountain, S. C.
Moores Creek, N. C.
Petersburg, Va.
Shiloh, Tenn.
Stones River, Tenn.
Vicksburg, Miss.

10 BATTLEFIELD SITES
Antietam, Md.
Appomattox, Va.
Brices Cross Roads, Miss.
Chalmette, La.
Cowpens, S. C.
Fort Necessity, Pa.
Kennesaw Mountain, Ga.
Monocacy, Md.
Tupelo, Miss.
White Plains, N. Y.

11 NATIONAL CEMETERIES
Antietam, Md.
Battleground, District of Columbia
Chattanooga, Tenn.
Fort Donelson, Tenn.
Fredericksburg, Va.
Gettysburg, Pa.
Poplar Grove, Va.
Shiloh, Tenn.
Stones River, Tenn.
Vicksburg, Miss.
Yorktown, Va.

8 MEMORIAL PROJECTS
District of Columbia War Memorial.
Geo. Washington Memorial Building.
House where President Lincoln died.
Lincoln Memorial.
Lincoln Museum.
Mount Vernon Highway.
Navy Marine Memorial.
Washington National Monument.

4 MISCELLANEOUS MEMORIALS
Camp Blount Tablets, Tenn.
Kill Devil Hill Monument, N. C.
Lee Mansion, Va.
New Echota Marker, Ga.

BRANCH OF ENGINEERING
Frank A. Kittredge, Chief Engineer

Functions: Supervision of engineering design and planning; all maintenance and minor road construction projects; and of centralized purchasing for road construction and maintenance equipment.

- EASTERN DIVISION BRANCH OF ENGINEERING, O. G. Taylor, Deputy Chief Engineer

BRANCH OF FORESTRY
John D. Coffman, Chief Forester

Functions: Supervision and protection of park forests from fire, injurious insects, and tree diseases; compilation of fire statistics; study of fire protection problems; type mapping; forest studies; and general supervision of Emergency Conservation Work program within the national park system.

- FIELD DIVISION OF FORESTRY

BRANCH OF PLANS AND DESIGN
Thomas C. Vint, Chief Architect

Functions: Supervision of architectural and landscape design and planning; preparation of master plan for the control of physical development in each area administered by the Service; preparation of architectural plans and drawings, specifications and estimates for buildings, and planting, grading, and other landscape plans; collaborates with Bureau of Public Roads on road locations and reviews and approves development plans for park operators.

- EASTERN DIVISION BRANCH OF PLANS AND DESIGN, Chas. E. Peterson, Deputy Chief Architect
- WESTERN DIVISION BRANCH OF PLANS AND DESIGN, W. G. Carnes, Deputy Chief Architect

68 NATIONAL MONUMENTS

Arches, Utah.
Aztec Ruins, New Mex.
Bandelier, New Mex.
Big Hole Battlefield, Mont.
Black Canyon of the Gunnison, Colo.
Cabrillo Monument, Calif.
Canyon De Chelly, Ariz.
Capulin Mountain, New Mex.
Casa Grande, Ariz.
Castle Pinckney, S. C.
Cedar Breaks, Utah
Chaco Canyon, N. Mex.
Chiricahua, Ariz.
Colonial, Va.
Colorado, Colo.
Craters of the Moon, Idaho
Death Valley, Calif.
Devil Postpile, Calif.
Devils Tower, Wyo.
Dinosaur, Utah.
El Morro, New Mex.
Father Millet Cross, N. Y.
Fort Jefferson, Fla.
Fort Marion, Fla.
Fort Matanzas, Fla.
Fort Pulaski, Ga.
Fossil Cycad, S. Dak.
Gen. Washington Birthplace, Va.
Gila Cliff Dwellings, New Mex.
Glacier Bay, Alaska
Gran Quivira, New Mex.
Grand Canyon, Ariz.
Great Sand Dunes, Colo.
Holy Cross, Colo.
Hovenweep, Utah-Colo.
Jewel Cave, S. Dak.
Katmai, Alaska
Lava Beds, Calif.
Lehman Caves, Nev.
Lewis and Clark Cavern, Mont.
Meriwether Lewis, Tenn.
Montezuma Castle, Ariz.
Mound City Group, Ohio
Mount Olympus, Wash.
Muir Woods, Calif.
Natural Bridges, Utah
Navajo, Ariz.
Old Kasaan, Alaska
Oregon Caves, Ore.
Petrified Forest, Ariz.
Pinnacles, Calif.
Pipe Spring, Ariz.
Rainbow Bridge, Utah
Saguaro, Ariz.
Scotts Bluff, Nebr.
Shoshone Cavern, Wyo.
Sitka, Alaska
Statue of Liberty, N. Y.
Sunset Crater, Ariz.
Timpanogos Cave, Utah
Tonto, Ariz.
Tumacacori, Ariz.
Verendrye, N. Dak.
Walnut Canyon, Ariz.
Wheeler, Colo.
White Sands, New Mex.
Wupatki, Ariz.
Yucca House, Colo.

Approved: A. E. Demaray, Acting Director. Date: 10/10/35.

5. *Branch of Lands and Use*
6. *Branch of Research and Education*
   Organization of the Wildlife Division
7. *Branch of Plans and Design*
   Organization of the Eastern Division
8. *Branch of Historic Sites and Buildings* (tentative)

And, as illustrative of a field organization:

9. *Colonial National Monument Organization Chart*

(2) Areas Administered by the National Park Service

At the present time there are under the jurisdiction and administration of the National Park Service (in accordance with its classification) twenty-four national parks, one national historical park, eleven national military parks, sixty-seven national monuments, ten national battlefield sites, eleven national cemeteries and four miscellaneous memorials. These comprise a total area of fifteen million two hundred fifty-five acres. In addition to these parks and monuments, others, by direction of Congress, are being studied with a view to their possible inclusion in the system. A statistical table compiled in September, 1934, shows the areas now administered by the National Park Service.

This table clearly illustrates the wide range of activities of the National Park Service and it indicates, as well, the obvious necessity for a responsible, efficient, and well-balanced administrative organization, composed of highly trained personnel in the specialized fields which these activities embrace, such as the natural sciences, archaeology, architecture, history, engineering, and the like.

(3) Historic Buildings Administered by the National Park Service.

Although there are a great many *sites* of historic interest administered by the National Park Service, the number of *buildings* of historic interest are few. These are as follows:

1. Ford Theatre, Washington, D. C. (Administered by the Branch of Buildings). Contains the Oldroyd collection of Lincolniana. Open to the public.
2. House Where Lincoln Died, Washington, D. C. (Administered by the Branch of Buildings). Furnished. Open to the public.
3. Pierce Mill, Washington D. C. (National Capital Parks). Under restoration, to be opened to the public as a working exhibit.
4. Moore House, Yorktown, Virginia (Colonial National Monument). Restored by the National Park Service. Here were drawn up the terms of Cornwallis' surrender. Open to the public; to be furnished.

5. The Swan Tavern and Outbuildings, Yorktown, Virginia (Colonial National Monument). Reconstructed by the National Park Service. Now used as an administrative office. First floor of Tavern will be used as a museum, together with the stable and the first floor of the kitchen.
6. The Lightfoot House, Yorktown, Virginia (Colonial National Monument) is being restored by the National Park Service.
7. Lee Mansion, Arlington, Virginia (Branch of Buildings). Restored and furnished by the War Department. Open to the public.
8. George Washington Birthplace ("Wakefield"), Westmoreland County, Virginia. Conjectural reconstruction by the Wakefield Memorial Association in cooperation with the National Park Service. Furnished in the period; interesting grounds. Open to the public.
9. Fort McHenry, Baltimore, Maryland. Restored by the War Department and the National Park Service. E. Berkley Bowie collection of antique firearms loaned for exhibit. The heroic defense of this Fort in the War of 1812 inspired Francis Scott Key to write the "Star Spangled Banner." Open to the public.
10. Washington's Headquarters (Ford Mansion), Morristown National Historical Park, N. J. In unusually good condition. Contains household furnishings and an interesting collection of Washingtoniana and revolutionary relics. Open to the public.
11. Tempe Wick House, Morristown National Historical Park, N. J. Restored by the National Park Service. Not yet furnished. Open to especially interested parties by appointment.
12. Meade's Headquarters, Gettysburg National Military Park, Pa. Partly restored. Not open to the public.
13. Castle Pinckney, Charleston, South Carolina. Transferred from the War Department. Not restored. Open to the public, without guide service.
14. Fort Pulaski, Savannah, Georgia. Restored by the National Park Service. Open to the public.
15. Fort Marion, St. Augustine, Florida. Transferred from War Department. Contains loan collection of historic relics and curiosities. Open to the public.
16. Fort Matanzas, Anastasia Island, Florida. Repaired by the War Department. Open to the public; without guide service.
17. Fort Jefferson, Monroe County, Florida. Transferred from Navy Department. A project of the National Park Service. Not restored. Open to the public.
18. Lincoln Cabin (Abraham Lincoln National Park), Kentucky. Transferred from War Department. Restoration by an

Association. Claimed to be cabin in which Lincoln was born. Open to the public.

19. Cabrillo Lighthouse, San Diego, California. Transferred from War Department. Now being restored.
20. Tumacacori Mission, Nogales, Arizona. Partly restored and open to the public. Designated pursuant to "Antiquities Act."
21. Pipe Springs, Mohave County, Arizona. Early Mormon fort containing collection of historic relics. Open to the public.
22. Gran Quivera, Torrance County, New Mexico. Mission ruins. Open to the public. Designated pursuant to "Antiquities Act."
23. Shirley House, Vicksburg National Military Park. This house, damaged by shell fire during the siege, is now used as park headquarters.

In addition to the above-mentioned historic buildings there are quite a number of prehistoric structures such as Cliff Palace in Mesa Verde National Park, Casa Grande and the Bandelier ruins. It will be noted that Fort Sumter and a few other military sites of historic value still remain under the jurisdiction of the War Department.

Several of the above buildings possess exceptional value as commemorating or illustrating the history of the United States. A number of them, however, can hardly be classed among the first rank of historic houses of national significance.

C. Historic American Buildings Survey

ORIGIN OF THE PLAN.

A very notable undertaking, made possible by the use of Federal relief funds, was inaugurated by the Branch of Plans and Design of the National Park Service in the latter part of 1933 to secure by measured drawings and photographs as complete a graphic record as possible of the rapidly disappearing historic buildings and examples of early architecture throughout the country. This marked the first major step upon the part of the Federal Government toward the cataloguing and preservation of historic buildings. Technically this project was really a means toward a primary end, the latter being to provide work for unemployed architects and draftsmen with funds then available from the Civil Works Administration. Actually it was a tremendous step forward in any plan looking toward the preservation of historic treasures.

CIVIL WORKS PHASE.

The original proposal, including a justification, administrative outline and estimate, was submitted to the Secretary of the Interior

on November 15, 1933. It was approved by the Secretary on November 17 and by the Federal Relief Administration on December 1. The appointment of facilitating personnel in Washington and in the field was immediately begun. A National Advisory Board was also designated.

Field activities include all but six States of the Northwest which were left out because of winter climate conditions and because of the relatively few architects there who might be unemployed. The balance of the country was divided into 39 districts with a District Officer nominated by the local American Institute of Architects Chapter and appointed by the Secretary of the Interior. Immediately upon appointment these officers established contact with the local CWA offices to secure architects and draftsmen for the field parties. Supplies and detailed instructions were furnished from Washington through the District Office. Office space was furnished gratis by private citizens and public organizations.

Working parties in general began operations about the first week in January in spite of unusually severe winter weather. The personnel was built up day by day until the general CWA order of January 18 stopped new employment. At the height of activity 772 persons were employed. Beginning February 15 came the gradual closedown with reductions of 10 per cent weekly. On May 1 the CWA program officially ended. A considerable number of the men contributed their services after this date to complete certain unfinished projects.

The approved Civil Works budget of the Survey amounted to a total of $448,000. Actual expenditures for the full campaign came to $196,267.63.

Development of National Plan.

The undertaking was so successful that an agreement was entered into by the National Park Service, the American Institute of Architects and the Library of Congress to insure that all future enterprises of the same nature should form a continuous development of the Historic American Buildings Survey already begun. A copy of this agreement is in the Exhibit Book appended to the Report.[1]

Upon ratification of the Agreement and confirmation of the "voluntary collaborators" who were to serve as district officers negotiations commenced in every section of the country for the completion of the National Record through private cooperation, school and University activities, and local emergency relief projects.

[1] **Exhibit B-260. See also Exhibit B-259-263.**

Emergency Relief Phase.

To continue the valuable work relief and research program of the Survey a number of States have made use of emergency relief funds since the close of the first national program. General supervision and material supplies have been given these local programs by the National Park Service. During 1934 and 1935 ERA projects of the Survey have been set up by Massachusetts, New Jersey, New York, New Hampshire, Pennsylvania, Ohio, Illinois, Wisconsin, Alabama, Florida, Louisiana, Washington, and California. An average of 300 persons was maintained under these State and county organizations. While these local efforts are making valuable additions to the growing collection of Historic Americana, much important work is every day being postponed against the resumption of a more thorough national program.

Public Works Phase.

To provide for continuation of a separate administrative group the Secretary of the Interior has approved several special allotments of Public Works funds during 1934 and 1935. These total $29,200.

In addition, a Public Works allotment of $4,900 was made in 1934 to provide for the completion of the architectural survey of the prehistoric Pueblo of Acoma, in New Mexico, which had been started with Civil Works funds.

University and School Phase.

Universities and schools of architecture have quickly grasped the educative value of the Survey work, both to the men who measure and make the drawings of historic structures, as well as to future students of the documents. For more than a year these institutions have been building up a system of collaborative student thesis work on the Survey; and have contributed administrative services, drafting space, and supplies.

A member of the National Advisory Committee of the Survey, viewing the work already done, has recently suggested that special facilities of the Survey be used by local educators to plant in student minds the seeds of a strong national consciousness of our early historical and architectural culture, and the desire for its preservation.

Private Contribution Phase.

Many early American structures have been and are being measured as a part of private architectural practice, both for research and for restoration purposes. From the first, the Survey administration has considered these activities as potential, collaborative projects. As a

result, loans and contributions of notes, photographs and drawings have been accepted. Especially in the case of structures partially or completely destroyed since the original private measurement these contributions and loans have been of inestimable value. From time to time agreements are made with individual architects and draftsmen which provide for the contribution to the Survey collection of records made upon the standard drawing sheets and forms.

ADVISORY STAFFS.

The policies of the Survey, from the beginning, have been generated and guided by an imposing advisory personnel, working in collaboration with the appointed administrators. A national advisory committee, so composed as to be representative of the several geographic divisions of cultural development, consults with the Chief Architect and the Washington Staff. The members of this board, on honorary appointment in the Department of the Interior, are as follows:

Dr. Leicester B. Holland, Chairman of the American Institute of Architects Committee on Preservation of Historic Buildings, and Chief, Fine Arts Division, Library of Congress, Washington, D. C.

John Gaw Meem, Architect, Santa Fe, New Mexico.

William G. Perry, Architect, Boston, Massachuetts.

Albert Simons, Architect, Charleston, South Carolina.

Thomas E. Tallmadge, Architect, Chicago, Illinois.

Dr. Herbert E. Bolton, Professor of History, University of California, Past President of the American Historical Association, Berkeley, California.

Miss Harlean James, Executive Secretary, American Civic Association, Washington, D. C.

Dr. Waldo G. Leland, Executive Secretary, American Council of Learned Societies, Washington, D. C.

I. T. Frary, Cleveland Museum of Arts, Cleveland, Ohio.

Each district officer is assisted by an advisory committee made up of prominent local architectural and historical authorities, serving without compensation. These local boards select and rate the structures which are to be proposed for recording.

PRODUCT OF THE SURVEY.

Approved structures of historical and architectural importance are carefully measured by Survey workers, on permission granted by the owners. Field notes are transformed by the draftsmen into permanent measured drawings in ink, easily duplicated and suitable for use by architects, historians and the general public. Supplementary photographs and written data are also prepared and filed with the graphic records.

Since the inauguration of Survey field work in January, 1934, complete measurements have been made of over 1400 structures. Of these, 1255 have already been recorded in formal measured drawings, making a total of 7860 sheets. Photographic records have been made of nearly 1600 subjects, with a total of 6560 photographs. In addition, index cards, listing and describing over 2000 subjects not yet recorded, have been prepared and filed.

Survey documents have found use as data for restoration and research by the National Park Service and other branches of Federal and State Governments, as well as by private architects, historical associations, and libraries. Survey records are constantly being reprinted by architectural publishing companies for use by architects as reference material. Thousands of copies of the original documents have been made and deposited with local governments, libraries, and associations.

The indirect product of the Survey takes several significant forms:

Training and rehabilitation of a needy professional class.

Education of owners in the community value of their property, with resultant care for preservation of historic monuments.

A more accurate and wider appreciation of American architecture and its historical implications than has ever been possible before.

MARKING SURVEYED STRUCTURES.

When the records of an historic structure are completed and approved for deposit in the Library of Congress, a certificate is given to the owner. This document bears a statement of the action taken by the Survey and calls attention to the importance of the structure and the desirability of its preservation. The facsimile signature of the Secretary of the Interior and the Department Seal are affixed. The document is completed and signed by the district officer. These certificates are framed and displayed in the building, wherever practicable.

D. Surveys of National, State, and Local Archives in the United States.

During the past two years great interest has been shown in the initiation of National, State, and local archival programs. In 1934 the National Archives was established and the first Archivist of the United States was appointed. The archives of the various Government Departments are now being surveyed, as a preliminary step to the removal of certain of them to the Archives Building, now nearly completed. Independent surveys of State and local archives have been made recently by the Public Archives Commission of the Ameri-

can Historical Association and by various libraries and historical societies, as, for example, by the Illinois State Library, the University of Virginia Library, the Oklahoma Historical Society, the South Dakota Historical Society, as well as by several others. Federal emergency relief funds have contributed to the furtherance and completion of State and local archival projects. From the middle of November, 1933, until the end of March, 1934, under the Civil Works Administration and temporarily under the Federal Emergency Relief Administration, survey projects were initiated in Pennsylvania, Alabama, Minnesota, New York, Wyoming and, for brief periods, in Arkansas, Indiana, Kansas, Nebraska, North Carolina, and Ohio. The modification of the relief policy, however, under the Emergency Relief Administration, whereby work relief was provided only for those in actual need as determined by case workers, and the disallowance of Federal projects, hampered further work of this kind. The number and extent of State archival relief surveys were very small, partly because of the tardiness of State agencies in learning of the possibilities of archival relief surveys and because of the prior absorption of available funds by other projects to which the Emergency Relief Administrations in the States appeared to be more receptive.

Two nation-wide projects have been proposed recently, however, as a part of the relief program of the Works Progress Administration. One of these concerns the inventorying of Federal archives located outside the District of Columbia and is sponsored by the National Archives. The second calls for a nation-wide survey of State and local records and manuscript materials in the hands of Government agencies, semi-public bodies, private individuals and others.

The most important objectives of this program are:

1. A master inventory of the records of State, county, municipal, and other local units.

2. A union list of manuscripts in public and private collections in the United States.

3. The photographing of selected items in archival and manuscript collections for purposes of preservation and of making important items more widely available.

The results of such archival surveys, if consummated, will be of material assistance in carrying on research in connection with programs for the preservation and restoration of historic sites and buildings. They will insure in many instances greater authenticity in the development and preservation of such sites and buildings.

E. The Smithsonian Institution

Any agency, and particularly that of the Federal Government, interested in historic subjects, will find much in common and of value

in the Smithsonian Institution. Mutual cooperation, as well as coordination of efforts, should be established.

The Institution was created by act of Congress in 1846 under the terms of the will of James Smithson, an Englishman, who in 1826 bequeathed his fortune to the United States to found, at Washington, under the name of "Smithsonian Institution" an establishment for the "increase and diffusion of knowledge among men." The Institution is legally an establishment, having as its members the President of the United States, the Vice President, the Chief Justice and the President's Cabinet. It is governed by a Board of Regents, consisting of the Vice President, Chief Justice, three members of the Senate, three members of the House, and six citizens of the United States appointed by joint resolution of Congress. The Secretary of the Smithsonian Institution is its executive officer and the director of its activities.

Its notable accomplishments in archaeological undertakings and in its study of American ethnology and the development of the National Museum are of especial significance in relation to the subject of this Survey.

The library of the Smithsonian (of which the Smithsonian Deposit in the Library of Congress and the libraries of the United States National Museum and the Bureau of American Ethnology are the chief units) consists mainly of scientific publications, including especially the reports, proceedings, and transactions of the learned societies and institutions of the world, and numbers over 800,000 volumes, pamphlets, and charts.

Government Bureaus under the Direction of the Smithsonian Institution are the

(1) INTERNATIONAL EXCHANGE SERVICE:

Agency of the United States for the exchange of scientific, literary, and governmental publications with foreign governments, institutions, and investigators. It receives and dispatches about 700,000 pounds of printed matter annually.

(2) BUREAU OF AMERICAN ETHNOLOGY;

Collection and publication of information relating to the American Indians and the natives of Hawaii.

(3) UNITED STATES NATIONAL MUSEUM;

Depository of the national collections. It is especially rich in the natural science of America, including zoology, entomology, botany, geology, paleontology, archaeology, ethnology, and physical anthropology and has extensive series relating to the arts and industries, the

fine arts and history. The collections in the field of history comprise art, antiquarian, military, naval, numismatic, and philatelic materials and include many historic objects relating to the period of the World War.

(4) NATIONAL GALLERY OF ART;

Depository of the national collections relating to the fine arts, including principally paintings and sculpture.

(5) ASTROPHYSICAL OBSERVATORY;

(6) NATIONAL ZOOLOGICAL PARK;

(7) DIVISION OF RADIATION AND ORGANISMS.

F. American Battle Monuments Commission

One of the most outstanding accomplishments of the Federal Government in the historic field has been undertaken by the American Battle Monuments Commission, created by act of Congress on March 4, 1923, of which General Pershing is chairman. It derives its authority from this and subsequent acts and Executive Orders.

The principal duties of the Commission are: (1) To commemorate the services of the American forces in Europe during the World War by the erection of suitable memorials, by the preparation and publication of historical information, and in other ways; (2) to administer and maintain the American national cemeteries and memorials in Europe; and (3) to exercise control over the erection of memorials in Europe by American citizens, States, municipalities, or associations.

The Commission's construction program, which is now practically complete, includes the following: (a) The erection of a memorial chapel in each of the eight American cemeteries in Europe and the construction of service buildings, caretakers' houses, and masonry walls at the cemeteries where needed; (b) the improvement of the landscaping in these cemeteries; (c) the erection of eleven memorials outside of the cemeteries; (d) the placing of two bronze memorial tablets; and (e) the erection of a limited number of road signs showing directions to the American cemeteries and memorials in Europe.

The Commission is responsible for the administration, supervision, and maintenance of the national cemeteries in Europe, containing the graves of 30,890 American dead, and of the chapels and other memorial features referred to above.

The Commission has prepared and published *A Guide to the American Battlefields in Europe*. This book, profusely illustrated, and containing numerous maps and charts, gives an account of America's part in the World War and includes detailed itineraries of battlefield tours. The first edition of the book, 20,000 copies, printed at the Government Printing Office, was exhausted within nine months

of publication. A new edition is being prepared for publication during 1935. Other historical data, covering operations of American divisions during the World War, have been prepared by the Commission and will be published during 1935. The Commission has taken numerous photographs showing the terrain of the various battlefields where American forces were engaged during the World War. These photographs, when assembled, will be of wide interest and of great value to historians.

Under agreements with the French and Belgian Governments, no World War memorials may be erected in those countries by Americans without the advance approval of the American Battle Monuments Commission. Although many reasons make it apparent that the number of such memorials should be restricted, the Commission's policy does not prevent it from approving such memorials if they are utilitarian in nature and meet other required standards.

In all its work the Commission has been animated by the most scrupulous regard for accuracy as to historic facts and details and its personnel could not have been better qualified. Its methods and policies, where applicable, can certainly be followed with profit by those engaged in the preservation and restoration of historic sites and monuments.

G. Pan-American Treaty for the Protection of Artistic and Scientific Institutions and Historic Monuments

A forward step of Pan-American as well as of international importance was consummated with the signing on April 15, 1935, of a Treaty, popularly known as the "Roerich Pact," initiated by the Roerich Museum of New York in the United States, for the protection of artistic and scientific institutions and historic monuments. Its purpose is "that the treasures of culture be respected and protected in time of war and in peace." The universal adoption of a flag is urged in order thereby to preserve in any time of danger "all nationally and privately owned immovable monuments which form the cultural treasures of peoples." It is hoped that this treaty will be broadened so as to include all nations as signatory parties.

The provisions of the Treaty are as follows:

ARTICLE I

> The historic monuments, museums, scientific, educational and cultural institutions shall be considered as neutral and as such respected and protected by belligerents.
>
> The same respect and protection shall be due to the personnel of the instituitons mentioned above.

The same respect and protection shall be accorded to the historic monuments, museums, scientific, educational and cultural institutions in time of peace as well as in war.

ARTICLE II

The neutrality of, and protection and respect due to, the monuments and institutions mentioned in the preceding article, shall be recognized in the entire expanse of territories subject to the sovereignty of each of the signatory and acceding States, without any discrimination as to the State allegiance of said monuments and institutions. The respective Governments agree to adopt the measures of internal legislation necessary to insure said protection and respect.

ARTICLE III

In order to identify the monuments and institutions mentioned in Article I, use may be made of a distinctive flag (red circle with a triple red sphere in the circle on a white background) in accordance with the model attached to this treaty.

ARTICLE IV

The signatory Governments and those who accede to this treaty, shall send to the Pan American Union, at the time of signature or accession, or at any time thereafter, a list of the monuments and institutions for which they desire the protection agreed to in this treaty.

The Pan American Union, when notifying the Governments of signatories or accessions, shall also send the list of monuments and institutions mentioned in this article and shall inform the other Governments of any changes in said list.

ARTICLE V

The monuments and institutions mentioned in Article I shall cease to enjoy the privileges recognized in the present treaty in case they are made use of for military purpose.

ARTICLE VI

The States which do not sign the present treaty on the date it is opened for signature, may sign or adhere to it at any time.

ARTICLE VII

The instruments of accession, as well as those of ratification and denunciation of the present treaty, shall be deposited

with the Pan American Union, which shall communicate notice of the act of deposit to the other signatory or acceding States.

ARTICLE VIII

The present treaty may be denounced at any time by any of the signatory or acceding States, and the denunciation shall go into effect three months after notice of it has been given to the other signatory or acceding States.

PART II. EUROPEAN SURVEY

1. LEGISLATION

This survey was greatly facilitated through the cooperation and courtesies of Dr. E. Foundoukidis, Secretary General of the International Museums Office (with headquarters in Paris), and its publications were availed of freely. Much of the material in this Report relating to foreign legislation and activities was obtained from these sources.

A. Development of Foreign Legislation

A cursory examination reveals that practically every nation, excepting the United States, with any substantial background of history has long before this interested itself in preserving the best and most significant products of man's handiwork. In Western Europe the initiation of these efforts dates as far back as the Renaissance, if not earlier. Before undertaking to record the more important features of the laws in effect today in the principal foreign countries, it will be pertinent and of interest to trace briefly the evolution and development of those laws.

Italy may be mentioned first because it has been truthfully said that the historic antecedents of measures for the protection of monuments today in force throughout the civilized world are to be found in the edicts and ordinances of the former Italian States, particularly in those of Rome, Florence, and Naples. Available records show that Pope Martin V issued an order in 1425 for the protection of ancient monuments, which order was followed in 1534 by the institution of the Commissariat of Antiquities with the fullest powers for the preservation of ancient buildings. In 1624 an ordinance was promulgated imposing the obligation of making known within twenty-four hours the discovery of any ancient construction. These principles were reaffirmed in 1724 upon the basis that edifices and works of art or antiquity should be preserved, not only for civic adornment, but also for their educational value—with a scientific aim—inasmuch as they confirmed and illustrated the teaching of history, sacred and profane. An edict of 1820 emphatically prohibited the demolition of the whole or any part of the remains of ancient edifices and provided that in case of the discovery of the ruins of monuments worthy of being preserved, the government was to assume responsibility for the work necessary for their protection and accessibility, indemnifying the owner for the loss of the land. Passing over a number of other edicts and ordinances which were passed subsequent to the one of 1820, we come to the decree of the Commissariat

des Marches of 1860 which added three new principles: the classification of monuments, the distinction between public and private monuments, and the adoption, with respect to the latter, of the system of friendly conference to effect their restoration. Following this, we come to the law of 1909, as amended and supplemented, which is the law now in force. This law will be summarized, together with the present laws of several other nations, after brief references have been made to the earlier development of those laws.

In Great Britain the problem of State control of national monuments became a legislative question for the first time in 1882; thereafter came the laws of 1900, 1910, and 1913, the latter reenacting the provisions contained in the preceding laws. A special commission was appointed in 1921 to determine whether the laws in question should be amended or supplemented. As a result an "Ancient Monuments Act" was enacted in 1931, containing amendments to the law of 1913, and reconciling this same law with contemporary needs.

In France the subject received the attention of the Government long before the enactment of the present law in 1913. It is not surprising that the French, endowed as they are with artistic culture, issued a decree as early as 1790, on the eve of the Revolution, establishing a commission to be entrusted with the care of historic buildings and antiquities. Its activities were somewhat checked by the troubles of the Revolution, although it is demonstrated that Napoleon, by his liberal encouragement of Egyptian research, was not unmindful of the value of ancient monuments. The movement was revitalized in 1837 when the historian, Guizot, as Minister of Public Instruction, provided for systematizing the care of National Monuments, a list of those more especially worthy of supervision having already been prepared in 1834. It was not until 1887, however, that a law was enacted empowering the Government to acquire historic buildings in certain cases, by condemnation or otherwise, and to control effectively all buildings registered as Historic Monuments. The fundamental principle on which the present law of 1913 is based is that it is in a "veritable co-ownership of ideal character" that the State, representative of the nation, assumes the right of intervening, upon occasion, either by dispossession, or by agreement with the owner which guarantees the preservation of her artistic and historic patrimony. The present law, later to be referred to, decrees that buildings, the "preservation of which is of public interest from the standpoint of history or art, shall be placed under the care of the Minister of Beaux-Arts."

Belgium has been concerned with the preservation of its historic monuments since the first year of its independence in 1835. A royal resolution of January 7, 1835, established a Royal Commission of Monuments for this purpose. In 1860, this Commission was completed by the appointment of corresponding members whose duty it

was to cooperate with the work of the Commission in each province. Finally, in 1912, a section of Sites was added to it and it took the title of "Royal Commission of Monuments and Sites." It is only since 1931, however, that Belgium has had complete legislation which looks toward the realization of an effective protection of monuments, sites, and movable objects whose preservation is of national interest, and which, at the same time, guarantees the rights of the owner and other parties concerned.

Until recently in Germany, due undoubtedly to its previous political organization, there has not existed any specific national (as opposed to State and local) legislation regulating the preservation of historic sites and monuments. Legislation has been of a general character, to appropriate administrative measures and to subsidies granted by the State for the upkeep of certain monuments. For example, the Penal Code of the old regime provided imprisonment and fine for intentional damage to or destruction of objects of worship, public monuments, or objects preserved in public collections and having artistic, scientific, or industrial value. But in the individual States there has existed for many years stringent provisions concerning the preservation of monuments. In Prussia, superannuated administrative provisions dating from 1844 were supplemented by the amendments of 1903, 1905, and 1906, "against the disfigurement of localities." Also, in Prussia, there were the laws of 1875 and 1876 concerning the supervision of church buildings by the State, which laws were superseded in the new laws of 1924 by supplementary provisions. In 1914, Prussia adopted a law governing excavations. As for the other German States, Hesse as early as 1902, Oldenburg in 1911, and Lubeck in 1925, promulgated a complete special set of regulations on the preservation of monuments.

In Poland, before the World War, the protection of historic monuments was subject to the legislation in force in Russia, Austria and in Prussia, that is to say, in the three States which divided the government of Poland. Until recently, these three States did not have legislation governing the protection of works of art in that there was no general law on the subject. The state of the laws in Prussia has been noted above. In Austria, the Central Commission for the protection of historic monuments, created in 1853 at Vienna, did not succeed in enforcing the law on historic monuments, the Commission not having been approved by Parliament (1911). The same was true in Russia where the plan of the Imperial Archaeological Commission of Petersburg was not put before the Duma of the Empire until 1914. In Prussian Poland, the protection of historic monuments dates from a relatively early period, as far back as 1843 when the office of curator-general was created in conjunction with the Ministry of Public Instruction of Prussia in Berlin, the incumbent of which was invested with the rank of official expert to the Ministry in having

supreme jurisdiction in matters pertaining to art. The protection of monuments of art and history has evolved directly, in the first and second instances, from administrative authorities. The President de la Regence, who had the right to render decisions based on the advice of the honorary provincial curator named by the Minister, possessed administrative powers. The consultant bodies in the provinces were the provincial commissions (composed of officials and private individuals). In the case of monuments not belonging to the State or maintained by it by virtue of ownership, the Government was careful to avoid, as far as possible, the direct assumption of responsibility for the work of restoration; it allocated for the work private offerings by which the Prussian administration also profited to a large extent. In the case of a province under the Prussian rule, the monuments were listed at the expense of the Government, but in a more or less incomplete manner. In Russian Poland legislative protection of monuments, in the strict sense, did not exist before the War. A Central Commission "for the study and protection of works of art and historic monuments" had been functioning since 1853 in conjunction with the Ministere des Cultes et de l'Instruction Publique at Vienna, but this organization proved to be not an active force, giving its attention mainly to scientific research and to the preparation of lists. Various cultural and artistic groups in Cracow and Leopol contributed to the successful organization for the protection of monuments in Austrian Poland.

Due to the absence of State protection, the Poles themselves took a hand in the question which so deeply affected their national culture, but it was not until 1905 that their effort was effective. The "Society for the Protection of Historic Monuments," founded in 1906 at Warsaw, had to limit itself to occasional action since it was restricted to the territory of Poland as formerly defined by the Congress and then only to its western part. This Society fostered an appreciation of antiquities and the preservation of monuments according to judicious and scientific principles neglected up to that time. It also sponsored exhibitions of ancient art and assembled various catalogues. Its collection of photographs and architectural plans were among the richest of the kind in Poland. This movement, due to private initiative, prepared the way for State action. It is owing to this that the State, from the beginning of its independence in 1918, under the Conseil de Regence, was able to establish the legal basis and the framework of an organization for the judicious and systematic protection of historic monuments. The result was the promulgation of a law under date of October 31, 1918, for the protection of works of art and historic monuments.

B. Current Legislation

Current legislation in effect today in the principal European countries, Canada, Mexico, and Japan has been studied and analyzed, both

in connection with foreign undertakings in the preservation and restoration of historic monuments and for precedents which might be of value and assistance in formulating a legislative and administrative program for governing Federal activities in this field in the United States. In Exhibit Book B can be found copies of the following Acts:

Belgium:	January 7, 1835 May 31, 1860 May 29 and June 15, 1912 August 7, 1931
Canada:	National Parks Act of May 30, 1930
France:	Historic Monuments Law—December 31, 1913 Law for the Protection of Natural Monuments and Sites—May 4, 1930
Great Britain:	Ancient Monuments Consolidation and Amendment Act—1913 Ancient Monuments Act—1931 (Also, National Trust Act, August 21, 1907)
Italy:	June 20, 1909 June 23, 1912 January 30, 1913 June 11, 1922 November 24, 1927
Mexico:	January 19, 1934
Sweden:	November 29, 1867 May 30, 1873 April 21, 1886 October 17, 1890 December 1, 1920 November 12, 1921 September 13, 1928 September 26, 1933 March 26, 1934

(1) Belgium

LAW OF AUGUST 7, 1931[1]

It is only since 1931 that Belgium has had comprehensive legislation which provides an effective program for the protection of monuments, sites, and movable objects the preservation of which is of national

[1] **Exhibit B-201, 202, 203.**

interest, and which at the same time guarantees certain rights to the owners and other parties concerned.

Monuments and edifices, the preservation of which are of national interest from the historic, artistic or scientific point of view, are declared objects of legal protection regardless of ownership, whether they be owned by a governmental agency, a public institution, or a private individual.

In order to insure the preservation of monumental treasures, the Belgian legislation not only prevents the owner from changing any detail of his building without the approval of the Commission, but also provides for maintenance, preservation, and restoration, even against the will of the owner. It also includes effective measures for enjoining all work which might endanger the preservation of a classified building, and for preventing, during the instigation of classification proceedings, any malicious act which might rob the building in question of its artistic or historic value.

In addition, legislation is concerned with guaranteeing to owners certain safeguards with respect to their property: namely, due notice that proceedings for classification have been instigated and the right to contest such proceedings.

(a) Procedure for Classification

A building can be proposed for classification either by the Royal Commission of Monuments and Sites or by the College of Burgomasters and Aldermen, a communal authority which has charge of local interests of all kinds. If the Government, in the person of the Minister of Sciences and Arts, apprised of this proposal, decides that the subject is of sufficient interest, an investigation is begun. First the owners are advised of these intentions, then the College of Aldermen of the commune in which the building is located is notified. This agency is allowed two months in which to submit its findings to the provincial authority, which is a permanent agency. The provincial agency then submits its report to the Royal Commission of Monuments and Sites. The latter, it is true, may originate the initial proposal to classify, but it is only after these various proceedings that a final decision can be made. Even then the matter must be passed on by a representative of the Ministry of Finance, because of the financial questions involved.

If classification is approved, the Royal Proclamation to this effect must still be referred to the Council of Ministers. This is a further guarantee against any abusive application of the law, which was introduced into the original text during the course of parliamentary discussions and which somewhat retards its machinery.

The final decree is announced to the owners and to other interested parties and is copied in the office of the recorder of mortgages.

(b) Effects of Classification

When a building has been classified by Royal Decree, the owner will be responsible for the upkeep, consolidation or restoration work which is recommended by the Royal Commission of Monuments and Sites—for the artistic, historic, or scientific preservation of the particular edifice. The public agencies, on the other hand, are bound to share the expense of this work, according to the conditions and in the proportion decided upon.

If the owner continues to ignore the requests made of him, either through indifference or obstinacy, the Governor can have the necessary work done officially and demand reimbursement from the owner, by recourse to law if necessary, in proportion to its benefit to the owner; that is to say, the amount representing the increased value of the property. But the owner does not profit by this action; for he is thereafter deprived of the right provided by law of demanding pecuniary aid from the public authorities to defray the expenses of further work.

However, in cases where the owner is unable to pay his share of the work due to justifiable reasons, notably to the lack of resources, the law gives him the right to demand that the State instigate dispossession proceedings. This is the case, however, only where private individuals are concerned and not where the owner in question is a public institution or agency.

The Government can go even further, not only taking over the property on demand by the owner, but also imposing dispossession in its own right where it deemed that the monument or edifice in question was in danger of being destroyed or seriously defaced if it remained in present ownership. Proceedings can be instigated by the State or by the Commune only after the Royal Commission of Monuments and Sites has given its approval and it has been officially authorized by a Royal Decree. In these two cases, dispossession includes not only the building itself, even when only a part of this building is classified, but also the grounds which constitute an essential part of it.

Classification not only entails measures for upkeep and restoration, but also carries with it regulations governing any change which would alter its appearance. Changes of a purely provisional nature can be permitted without formal approval, but any radical change that would permanently alter the appearance of the monument must be authorized by Royal Decree and such decree is not issued until after opinions of the Royal Commission of Monuments and Sites and the College of

Burgomasters and Aldermen have been received. The latter must give an opinion in a comparatively short period of time (one month) so as not to keep the rights of the owner too long in abeyance.

(c) Preservation Measures

It was necessary to provide for cases in which the owner, without proper authorization, begins work of such a nature as to endanger the preservation of a classified monument or to modify its appearance. Where urgent measures are necessary, the Burgomaster, or, if he fails to act, the Governor of the province, can stop the work by force.

Another provision relating to measures for the preservation appears in this law; from the moment that the government makes known to the interested parties that the question of classification is under consideration, all the incidents of classification apply with regard to the building in question for a period of six months. The owner is then prevented from forestalling classification of his property by making changes which would detract from its artistic or archaeological interest with the intention of obviating the impending burden.

(d) Penalties

In order to render the law fully effective, it was necessary to provide penalties for those who violated its provisions. In this regard we have already seen that a recalcitrant owner is no longer able to obtain a subsidy from the State for the expense of preservation and restoration work.

Although parliament refused to sanction the provision of the law for heavy imprisonment which had been approved by the plan of the governing body, it increased the fine. This fine varied from 1,000 to 10,000 francs, and applies to anyone who, without authorization, begins work of such a nature as to endanger the preservation of a classified monument or edifice, or to change its appearance.

Any judgment of condemnation will include the restoration of the Monument so far as possible to original condition to be carried out at the expense of the offender, in addition to the damages which he may be called upon to pay.

If it is only a case of negligence or inadvertence and if no serious damage has resulted therefrom, the judge can give the offender the benefit of extenuating circumstances and lighten the penalty; or he can suspend the sentence.

Also to prevent political graft the Belgian legislature decided that the State—just as it can assume the duties of the owner in the execution of work which the latter refuses to do—can likewise assume the functions of the provinces, communes, and public agencies when

these do not perform their duties or can intervene in the legal proceedings entered into by them.

(Due credit should be given to Mr. M. Nyns, Secretary General of the Ministry of Arts and Sciences of Belgium, for the above explanation of the Belgian law and its administration.)

(2) France

Legislation in France for the preservation of historic monuments derives its existing powers from the law on historic monuments of December 31, 1913. Subsequent legislation has since then increased these powers. Provisions for the classification of buildings of secondary importance were supplemented by the Law of July 23, 1927, and further attention was paid to the surroundings, approach and environs of the classified building. On April 20, 1919, legislation was enacted prohibiting bill-posting either on historic monuments or within a specified radius of the classified building. The laws of March 14, 1919, and July 19, 1924, relative to city planning for a population of 10,000 or more inhabitants, established zones of protection around certain historic monuments, which provisions were extended and more adequately defined by the Law of May 2, 1930.

LAW OF DECEMBER 31, 1913.

The Law of 1913 decrees that "buildings whose preservation is of public interest from the standpoint of history or of art shall be placed under the care of the Minister of Beaux-Arts." The Minister is given complete administrative powers to order, with the consent of the owner, the classification of a building, to indemnify the owner for losses sustained and to order the restoration, repair and maintenance of the classified building with the supervision of the work thereof. In cases of opposition on the part of the owner, final decision rests with the Council of State (Supreme Court). If the amount of the indemnity cannot be agreed upon, the matter is settled in court.

(a) CLASSIFICATION: The classification of both stationary and movable articles is provided for, parallel measures applying wherever possible to both. Classification may apply to the entire property or to a certain part of that property. Listed property may also include the grounds surrounding the building and contiguous properties, the classification of which is considered necessary in order to "isolate, detach or render sanitary the property classified." Areas of prehistoric interest or the excavation of which has revealed ruins, inscriptions or objects of archaeological importance are likewise subject to classification. Provisions are made for a supplementary list to include those edifices which do not justify immediate classification, but the future classification of which is considered desirable. Movable objects such as furniture, paintings and other personal property

are also subject to certain restrictions. Public property is classified if an agreement can be made with the Minister under whose jurisdiction the property belongs. The rights of the interested Department, Commune, or other public agency are qualified thereby.

All the effects of classification apply from the time notice is given of the intention to classify. It ceases to apply only if the order of classification does not take place within a period of six months. Provisions are also made for the removal of an object from the classified list when such proceedings have been investigated either at the demand of the Minister of Beaux-Arts or at the instance of the owner and have the approval of the Council of State.

(b) PROCEDURE OF CLASSIFICATION: The procedure of classification is the same for both private and public property. After a thorough examination of the case by the Commission of Historic Monuments, the Minister of Beaux-Arts may issue the order of classification. If the owner contests the decision, the matter is referred to the Council of State for its final judgment. If classification is pronounced by this body without the previous consent of the owner, the owner has the right to demand compensation commensurate with the loss sustained. If the amount of the indemnity cannot be agreed upon for the depreciation of the property which the act of classification has caused, the dispute is settled in court and judged, in the first instance, by the Justice of the Peace where the property is located, and, in case of appeal, by the Civil Court of the District. The classification of all property must be registered at the Office of the Recorder of Mortgages and the interested parties notified thereof.

(c) RESULTS OF CLASSIFICATION: Classification imposes certain restrictions limiting the rights of the owner. Classified buildings and objects cannot be restored, repaired, changed in any respect or transported from one place to another without the previous consent of the Beaux-Arts Ministry. From this is inferred negative restrictions on the execution of mural paintings, of plastering, of stained glass windows, of sculpture, the installation of central heating and lighting arrangements. The Beaux-Arts must be notified within fifteen days when the title to a classified subject has been transferred by gift or sale, as the effects of classification persist no matter in whose hands the property falls. Although the private individual can sell his property to whomsoever he pleases, the various provincial agencies and municipalities cannot proceed without previously submitting their project for the consideration of the Beaux-Arts and the sale is even then subejct to nullification for a period of five years. Also no mortgages or other forms of obligations can be incurred without the consent of the Ministry and the exportation of classified objects is strictly forbidden. Any infraction of these injunctions can give rise to penal action and to a suit for damages by the State. The Council

of State has also the right to demand the dispossession of a given property, if after an investigation of the case brought to its attention by either the Beaux-Arts, Department or Commune, it finds due cause for such proceedings.

On the other hand, every owner—notably a private property owner—can have full use and enjoyment of buildings on the classified list, as long as he conforms to the restrictions prescribed to assure its preservation. He is not committed to any obligation for the upkeep of the monument. He is not required to admit visitors to it, and when of his own accord he permits entrance to the public, he himself regulates the details of the visit and can exact an entrance fee for his own profit.

To compensate for the restrictions which curtail his rights, the owner can benefit by subsidies from the State for the maintenance of the building. Although the necessary expense is, in principle, shared equally by the State and the owner, the former's contribution is usually larger, dependent according to the terms of the law on "the interest of the edifice, its present condition, the nature of the projected work, and the sacrifices agreed to by the owner." On the other hand, these terms can exonerate the State from making any expenditures at all. When the State, in turn, seeks the owner's financial cooperation, he is likewise free to grant or to refuse it. In practice, however, owners are usually anxious to cooperate and receive the benefits derived. They are assured that the work will be performed with care and precision, as all preservation work authorized by the Government is carried out under the supervision of the Minister of Beaux-Arts with the assistance of his highly trained technical staff. The frequent inspections made by the Architectural Service of Historic Monuments for recommending whatever consolidation work conditions demand, also relieve the owner of worry and responsibility.

Law of April 20, 1919

Special legislation was inaugurated by the law of April 20, 1919, which absolutely prohibits for all time bill-posting either on historic monuments or within a specified radius of these monuments by order of the Prefect of the Department, made in conformity with the Departmental Commission of Sites and Natural Monuments.

Laws of March 14, 1919, and July 19, 1924

The Law of December 31, 1913, proved insufficient fully to safeguard the approach and setting of monuments. In the precise terms of this law, the Minister of Beaux-Arts, by dispossession or classification, actually could only "render sanitary, isolate or detach" classified buildings. Other legislative measures were therefore subsequently introduced in order to preserve to a greater extent the setting of

ancient edifices and to insure the protection of groups of art and of monumental perspectives.

The laws of March 14, 1919, and July 19, 1924, relative to city planning, obligate every community having a population of 10,000 or more, or having some picturesque, artistic or historic characteristic, whatever its importance, to establish some plan of development for beautifying and extending the city This plan demands that a city must not only consider the hygienic features, but also its "archaeological and esthetic aspects." A kind of protective architectural zone is declared, within which the Minister can, when the case demands, regulate the height, the projection and the color of existing or proposed edifices, determine the features to be observed as to the facade, decide the materials to be used, etc., and even prohibit within a certain radius, buildings of a purely commercial nature. An indemnity to the owner, when a direct and definite loss as a result of these restrictions is sustained, can be granted. These laws also insure the preservation, as far as the exterior aspect and general harmony is concerned, either of ancient sections of a city, or of entire towns which have kept their original character and have a unique and characteristic appearance.

Law of July 23, 1927

Along with the buildings, whose preservation is of public interest and which are classified, there are other ancient edifices which "without justifying immediate demand for classification" nevertheless are of sufficient archaeological interest to make their preservation desirable and which would be a loss to the public if transformed or destroyed. The law of December 31, 1913, was modified and made complete by that of July 23, 1927, conferring on the Minister of Beaux-Arts the right of supervising these edifices by inscribing them on a special list called the "Supplementary Inventory of Historic Monuments."

The owner is obligated by this inscription under penalty of legal action "not to undertake any modification of the building or part thereof without having notified the Minister of Beaux-Arts of his intention two months in advance." The law is particularly directed against the dismemberment of ancient buildings, sculpture and such architectural ornaments as woodwork, mantelpieces, capitals, portals, balconies, etc. This enables the Minister to decide whether a proposed work is of such nature as to deprive the building of its archaeological interest and oppose its execution by instituting the procedure of classification. Final classification can be postponed for a period of five years, if funds for the payment of the indemnity are not immediately available.

Law of May 2, 1930

The provisions of the Law of May 2, 1930, permit the establish-

ment of a zone of protection around *all* historic monuments, and not only, as was the case under the laws of March 14, 1919, and July 19, 1924, around those situated in cities of 10,000 or more inhabitants, or in localities having certain artistic and picturesque features. The protection of this zone was declared of general public interest by a decree of the Council of State, and the restrictions thereafter to be imposed on the owners of the buildings within the said zone were confirmed. A year's time is allowed the owners in which to present their complaints against the effect of the proposed restriction before the court, and to receive compensation for the damage sustained.

By resorting to the provisions of the law of December 31, 1913, and to those of May 2, 1930, by obtaining the classification of neighboring lands and by the establishment of a zone of protection either separately or in a single proceeding, according to the nature of the case, the Minister of Beaux-Arts now possesses the legal means necessary to preserve or to restore the setting in which the ancient edifices were constructed, to harmonize opposing elements and to set off to the best advantage the great monuments which are the heritage of France.

(3) Germany

It was found that the situation and past experiences in Germany rather parallel those of the United States. Until rather recently the subject has been largely assumed as the responsibility of the individual States and even several of these have relied mainly upon penal and other laws. Due to this and to the fact that a reorganization is now in process to centralize and broaden Federal activities in this field, it has been difficult to obtain definite information regarding German legislation. It is understood that legislation has been drafted to accomplish this end, but has not been enacted as yet into law. A copy of such proposed legislation is not available. The Reich Ministry for Education has recently absorbed the Prussian Kultus Ministry and officials are not quite clear what the results of this fusion will be. The subject was discussed with Dr. Hildebrand, Director of the Hohenzollern Museums, Dr. Conrades of the Reich Ministry for Education, and Dr. Robert Hiecke, Chief of the Bureau for the Conservation of Land. Dr. Hiecke referred to an article prepared by him for the "Mouseion," a publication of the International Museums Office (1933), which was found to be an excellent interpretation of the fundamental laws governing the preservation of monuments in Germany. It has, therefore, seemed desirable to include herewith a translation of this article, as follows:

"Whenever one has to do with the preservation of monuments, one should always bear in mind that wise maxim: 'Leges sine moribus vanae.' The best and strictest instructions will remain fruitless (or

at least they will only be useful in a few cases where a purely negative instruction would have been sufficient), unless their justification is understood by the general public. But if, on the contrary, such is the case and if a clever and intelligent action on the part of the authorities, of the custodians of the monuments, of benevolent collaborators and of interested organizations is assured, the absence of fundamental legislation may often be more or less compensated. This applies more particularly to Germany where, very often even now, special provisions are lacking to insure the preservation of monuments. And yet, that country succeeds, on the whole, in accomplishing a wonderfully profitable result by resorting to legal provisions of a general character, to appropriate administrative measures and to subsidies granted by the State for the upkeep of certain monuments, either because the State owns them or because it is officially pledged to do so. We shall only recall the numerous fiscal obligations borne by congregations in the case of Church buildings in Prussia and the regular upkeep of similar buildings by the State of Bavaria.

"If the respect for national, religious, historical and artistic values, as well as an intelligent and practical labor remain of primordial importance for the future heirs, it should not be overlooked that complete special legislative provisions constitute an all-important protection which, in certain cases, is indispensable.

"If one wished to assemble all the regulations existing in the various sections of Germany, regulations which often concern but indirectly the preservation of monuments and the abundance of which is due to the varied physical and historical aspects of Germany and of its many ancient cultural centers, one would merely obtain a tabulated synopsis which would only confuse the student. And yet, it is perfectly legitimate to hope that, in the near future, the various fundamental laws concerning the preservation of monuments shall be amply completed. The esteem for the national cultural patrimony and for the living strength which springs from it increases ceaselessly among all classes of the German people.

"A preliminary explanation is necessary for those who are not sufficiently familiar with certain peculiarities of Germany—one should make a distinction between the "Heimatshutz" and the preservation of monuments (Denkmalpflege). Although these two ideas are similar and are frequently linked with each other, a certain distinction between them is possible and even necessary. By the term "Heimatshutz" one designates cultural efforts of a general nature which aim at the preservation and the rational development of the natural and historical aspect of the country; on the other hand one designates by conservation of monuments (Denkmalpflege) the particular care taken of a more or less restricted number of isolated objects. In this sense, the regulation against architectural defacements encroach in part upon the jurisdiction of the Heimatschutz. However, we must

consider here only the preservation of monuments in its more restricted sense.

"The following distinctions must be made:

1. Instructions which merely provide for the upkeep of monuments in their present state. In order to set a definition of the term "monument," it is best to refer to the one given up to now in the Prussian commercial legislation. That definition is more precisely worded in a legislative Bill on monuments which was introduced before the Prussian Diet in 1927 but which has never been enacted into law. According to the terms of this Bill, one must consider as monuments "objects the preservation of which is for the public benefit by reason of their historical, scientific or artistic value." That definition includes cultural property, either movable or stationary, and generally, all sorts of valuables, often connected with one another, which come up for consideration in special cases. Thus one avoids an arbitrary division of the time element; no limits are set and that is most desirable. Collections, archives, libraries, are also included under this definition. It should be noted that the "historic" character is mentioned first. Consequently, that definition of a monument designates solely objects created by man in historical times: in specific cases, parks and historical gardens of particular importance may naturally also be classified in that category.

2. Instructions which govern archaeological excavations and the treatment of objects recovered, as well as the proper preservation of prehistoric objects or of objects pertaining to primitive eras (fossils).

3. Instructions which deal solely with the preservation of architectural monuments against defacement and against all damages caused by surrounding buildings, as well as the preservation of characteristic streets and of entire cities and the prohibition against erecting bill-boards—all of which is taken care of by police regulations on buildings.

"Two essential questions are involved in the legal definition of monuments—how to set a limit in determining the total of the objects to be described and how to obtain from the proprietors or owners the right to dispose of them (question of compensations).

"According to the prevailing opinion in Germany, the whole of the monuments, either movable or stationary, considered as public property, must be without question and as a matter of principle entrusted to the care of the State. With few exceptions, no 'classification' is being considered. This means that all the monuments are provided

for in the preservation regulations even if they are not recorded on a list. The justification of this principle is found in the definition of the term 'monument' as an object the preservation of which is for the benefit of the general public. To the legally recognized status of religious and political associations and to the privileges granted to them by the State as well as to other public organizations, corresponds naturally a duty to preserve—within the bounds of their facilities—the cultural wealth entrusted to their care. Limiting the preservation to objects recorded on a list would lead to great difficulties in the case of monuments pertaining to public property and that on account of the lack or incompleteness of inventories.

"According to the prevailing opinion in Germany, such a selection of a variety of inherent values which are the very essence of the monument would be unjust. Should one adopt the point of view of intrinsic ethical values, it may often happen that, for example an ancient piece of work of secondary importance either from an esthetic point of view or in the history of fine arts, such as a simple village church, an altar-screen, a painting or a sacred image, may be of such great importance for a whole community that the preservation of that work of art becomes essential on account of the manifold influence emanating from it. Limiting the selection to a set number of objects would furthermore involve the risk that those left out would be unjustly neglected or be prematurely doomed to ruin. The selection, however unavoidable, would be far better made through natural means—effectively, as the case may be, custodians of monuments shall exert more or less care in the preservation of these monuments, or else, in case the monument should be of minor importance, outside influences may themselves lead to its ultimate neglect. It is easily understood that, in this respect, the question of the possibility and of the justification of a financial aid levied upon the resources of a community or of a higher authority in the hierarchy (religious congregation or civil authorities of the district, province or State) may have its importance.

"Circumstances are naturally different where private property is concerned. It is evident here that preservation must be limited to a fixed number of objects, as the proprietor or owner must know the extent of his obligations towards the community. It can be only for the general interest that provisions are made for safeguarding the most valuable objects, whose loss would be irremediable. Finally, one should be careful not to spoil the pleasure which works of art afford to their rightful owners by encroaching too much upon the rights of the latter. Besides, the recording of a monument upon a list may also increase its value in the estimation of the owners as well as the prestige of the owner himself. Through a consideration of these facts, the Prussian legislative Bill of 1927 on monuments provides, as a matter of principle, for optional registration and limits

the compulsory registration to certain very specific cases. As regards the nature of the objects to be recorded, that Bill provides for both movable and stationary objects; but it would seem advisable to limit classification to stationary objects in the proposed re-drafting of the Bill and to include therein, among movable objects, only collections, archives, and libraries.

"An additional legislative instrument is the Reich decree on exports which protects works of art of great national value from export, by having them recorded on an official list.

"The second fundamental question is that of compensation for restrictions placed on private property. It does not seem that, in accordance with what was stated regarding the first question, neither the obligation to exert diligent care, nor the expenditures incurred by Civil authorities, can in any way confer a right to compensation. On the other hand, it is evident that compensation is due, in accordance with the principles of the law in force, in the case of final dispossession. In such cases it is important that the monument retains its public character.

"According to the law now in force in Prussia, there can be no question of compensation for the protection of monuments in the custody of public organizations.

"The question of compensation for the preservation of privately-owned monuments, presents considerable difficulties, and it is particularly on this point that the Prussian Bill fails. Since 1900, public opinion has constantly progressed along the lines of restricting the rights of ownership with regard to the preservation of monuments. One finds an ever-increasing tendency to impose the principle that monuments of great importance to national culture are a national patrimony which can not be entirely subject to the absolute power of disposal by private individuals. In juridical literature certain urgent warnings have been given against the legislation now in force; it is to be hoped that the latter shall take them into account. At any rate, a law of the Reich is essential in order to solve this problem of compensation: limitations on the right of disposal and on the revenue, which could be derived from an object, can not justify compensation. It is justified only where exceptional expenditures have been incurred obligatorily: this by virtue of the principle contained in the third paragraph of Article 153 of the Constitution of the Reich: ownership entails obligations; the exercise of ownership must serve the public good.

"Brief consideration should be given the principal legal instructions in force throughout the entire Reich. From the old regime, paragraphs 304-305 of the Penal Code of the Reich are pertinent:

> Par. 304. He who damages or destroys intentionally and in violation of the law objects of worship belonging to a

religious order established within the State, or objects used in religious ceremonies, or else funeral monuments, public monuments, objects preserved in public collections and having an artistic, scientific, or industrial value, or else objects for public use, or destined for the embellishment of public highways, squares or parks, shall be punished by imprisonment up to three years or by a fine up to 1500 R.M.

The deprivation of civic rights may be ordered simultaneously with the prison sentence.

An attempt is punishable.

Par. 305. He who destroys willfully and in violation of the law all or any part of a building, boat, bridge, dam, road, railroad track or any other engineering work which is not his property, shall be punished by imprisonment of not less than one month.

An attempt shall be punishable.

"In the new legislation, Article 150 of the Constitution of the Reich deals with the question in the following terms:

Monuments pertaining to art, history and nature, as well as to the landscape, are entitled to the protection of the State.

It is the duty of the Reich to prevent the artistic treasures of Germany from being sent out of the country.

"It should be noted that, according to the generally accepted interpretation one must apply the word 'State' in the first paragraph to the Reich as well as to the individual States.

"By virtue of the right conferred upon it by the second paragraph, the Reich has promulgated an *Ordinance on the Exportation of Works of Art*. The purpose of this ordinance has been extended in several instances and has recently been amended. The following text is now in force:

Par. 1. An authorization is required to export any work of art recorded on the list of works the transfer of which abroad would constitute a real loss to the national artistic patrimony.

Par. 2. The list shall be established by the Minister of the Interior of the Reich and the recording shall be notified to the parties interested.

The recording is obligatory when the central authority of one of the States requests it.

Par. 3. The Minister of the Interior of the Reich decides what action to take in regard to the requests for export authorizations.

"Authorizations for exporting works of art can only be granted if a Committee, appointed by the Minister of the Interior of the Reich, gives its approval. This Committee consists of three members; one is appointed by the Minister of Finance of the Reich and one who must be an art expert, is appointed by the central authority of the State in which the Monument is located.

Par. 4. Repealed.

Par. 5. The Minister of the Interior of the Reich is authorized, in view of the establishment of the list and the enforcement of the foregoing decree, to make all necessary arrangements concerning the inspection of works of art and the removal from one place to another or the change of ownership of said works.

Par. 6. Whoever exports without authorization a work of art is liable to a prison sentence and to a fine amounting to three times the value of the work of art. In addition to the penalty, the confiscation of the work of art may be ordered whether or not it is the property of the culprit. Should the indictment and conviction of a certain person be impracticable the confiscation is ordered ipso facto.

"Any violation of the regulations provided by virtue of paragraph 5 shall be punished by a fine up to fifty thousand marks or by imprisonment.

"The above Ordinance can not be considered as a final solution—one may expect that it will be supplemented by additional legislative provisions in the near future. A question has been raised: Should the Government's approval be required for the exportation of any movable monuments pertaining to the public patrimony even if such monuments are not recorded in the 'List of National Works of Art.' This list, established by the Reich in 1920, contains only movable monuments privately owned. Only 'works of art' are considered therein and no account is taken of objects which have merely an historical value. The list—which includes about 700 items—has just been subjected to a particularly careful revision on the advice of experts in the field. The publication of a new edition is expected shortly. The guiding idea in the establishment of that list has been primarily to restrict it to those works which not only present an exceptional artistic importance, but the value of which must also be considered as irreplaceable from a national standpoint. It applies particularly to those works which are representative of a particular phase in the historic development of the country and the national artistic wealth. Once the list is made the number of export authorizations pertaining thereto must be reduced to a strict minimum. The question of compensation, mentioned above, and which is not men-

tioned in the present text, should play a certain part in the new text of these legal regulations, as well as the question of procedure.

"An ordinance of the Reich dated May 6, 1920, which was intended for the protection of movable monuments within the States, has ceased to be in force since 1925. There would be no object, therefore, in quoting it here.

"Legal provisions now in force in Prussia are quoted in Lezius' book published in 1908 and entitled, *The Right to Preserve Monuments in Prussia* (Das Recht der Denkmalpflege in Preussen). One may refer to it with profit. That book is out of date only in two instances. In the first place, the prescriptions contained in the laws of 1875 and 1876 concerning the supervision of church buildings by the State have been superseded in the new laws of 1924 by supplementary provisions, although the former text has been retained. Also, since the publication of Lezius' work, the law of March 23, 1914, on excavations has been promulgated with provisions for its enforcement added in 1920.

"Concerning the legislation now in force in Prussia, and with reference to the distinctions made above, we may again note the following by way of explanation:

"Regarding the first point mentioned at the beginning of this article, a special law on monuments is still lacking. The preservation of monuments is based on clauses of a general order contained in the police laws which govern the administration of civil communities (towns and villages) and the administration of religious communities. Those clauses apply to all the monuments movable and stationary; there is no question of recording them on a list. Those regulations differ from one another only insofar as the sale or alteration of a monument belonging to townships must be subject to an authorization, while the regulations pertaining to churches only mention the term 'sale.' It is clear that, according to the interpretation given by Lezins one can not find in this a fundamental difference. Nevertheless a complete unification of texts is necessary. There exists for private property as yet no special regulations for the preservation of monuments with the exception of police measures for the protection of buildings. Special provisions have been adopted in Prussia for the cooperation of State supervisors with local authorities. The executive power belongs to the Chief of the Government by virtue of the sovereign right of the State; but the Chief of the Government must take into account the opinion of the Provincial Commissioner who is elected by the Provincial Council, with the approval of State officials. The Chief of the Government can not render a decision which would be contrary to a decision made by the Provincial Commissioner. Mediation is effected by the Minister of Public Worship to whom the Commissioner of Monuments is responsible. This organization

has proved its worth; the State leadership and the voluntary cooperation of local authorities supplement each other in a most harmonious way.

"The useful experience gained in the last thirty years through this extensive decentralization of active responsibilities induced the legislators to retain this system when they undertook, in 1927, to draft a Bill on monuments. However, the project elaborated at that time has never been enacted into law.

"The novel features of that text is the attempt to increase the power for immediate action on the part of the custodians of monuments, and to institute in all cases a conference with the owner of the monument concerned. The supervising authority shall act only when an agreement has been reached.

"Such a procedure, free as much as possible from bureaucratic methods, would present great advantages: the important point is, in any case, that a direct contact should be established as rapidly as possible and before any other step is taken between the owners of the monuments and the custodians of the monuments. It should also be noted that the deficiencies of earlier laws have been remedied in this Bill. In effect, all monuments regarded as public property have been taken into consideration and steps taken to record on a preservation list, all monuments, movable or stationary, owned by private citizens. Viewed from a critical standpoint, the old Bill does not appear to be sufficiently simple and clear—on many points it goes further than necessary. The new proposed draft shall probably simplify the old text.

"As for privately-owned monuments, it seems to be sufficient at the present time to classify only private collections, archives and libraries in addition to stationary objects. One might find a solution to the problem of compensation by specifying that neither the fact that a monument is recorded on the preservation list, nor the expenditures incurred by the authorities in view of preserving a monument, give any right to compensation; however, the financial predicament of the owner of the monument must naturally be taken into consideration.

"Among the provisions mentioned in the second paragraph of our enumeration at the beginning of this article, we find the Prussian law of 1914 on excavations with its provisions for enforcement in 1920. These provisions have been found insufficient, primarily because they are intended essentially for the regulation of excavation enterprises and yet contain slight provisions for enforcing the protection and preservation of antiquities or prehistoric and primitive objects which these excavations may uncover.

"Under the third item of our earlier enumeration should be mentioned the law of June 2, 1902, providing against the spoiling of

beautiful landscapes and the law of July 15, 1907, providing against the spoiling of localities and beautiful landscapes.

"Of these two laws which have been used as a model by other States of the Reich, the exclusive aim of the first one is to prevent the spread of advertising displays while the object of the second law is principally to prevent architectural defacements. They are both important additions to the legislative provisions for the preservation of monuments. It is still deplored that the complete demolition of a monument, even protected by local administrative decree and by the law of 1907, can not be prevented. Also, it is evident that in many important cases this preservation measure has fallen short of its objective. The limitation of the preservation to 'beautiful landscapes' is problematical, as this term is very vague. Any typical landscape deserves to be protected against the invasion of advertising displays and against architectural defacement. A suitable completion of these regulations has been considered necessary for a long time.

"We must simply call attention to the fact that when local administrative provisions are drafted in small townships, notably in suburban districts, the advice of specialists are of vital importance, and it is not always easy to secure their services.

"The above remarks concern Prussia. As for the other German States, Hesse (as early as 1902), Oldenburg (in 1911), and Lübeck (the last regulations date from 1925) possess a complete *special* set of regulations on the preservation of monuments. Furthermore, as stated at the beginning of this article, other German States are not lacking in numerous regulations of a general or special order pertaining to the preservation of monuments. A very useful work has been accomplished particularly in Bavaria, in Saxony and in Würtemberg thanks to the intense activity of the Monuments Office. However, for the reasons indicated above, we shall merely consider briefly the Hessian and Oldenburg laws.

"The Hessian law on the preservation of monuments, promulgated in 1902, was the first one of its kind enacted in Germany. This law deals not only with the preservation of monuments, but contains also policy regulations on the protection of buildings, excavations, natural landmarks and archaeological discoveries. It concerns all monuments pertaining to public property, stationary as well as movable, without providing for their registration; as for privately-owned property, only architectural monuments are classified. Very complete regulations are given covering preservation and restoration, as well as the restoration of gardens and other landscape features. A particular feature of this law is that a privately-owned architectural monument may not be demolished in whole or in part without authorization, but, on the other hand, a simple notice sent to the Custodian of Monuments is

required in every case involving the disposal, alteration, improvement or restoration of a monument. The Custodian of Monuments is then free to act as he sees fit on such a request by using his personal authority. Compensation to the owner for his loss is usually very liberal.

"Oldenburg promulgated in 1911 a law on monuments. Protection is accorded architectural monuments (prehistoric or very ancient monuments, such as tumuli, city walls, and the like), natural landmarks, the grounds surrounding architectural or natural monuments, to movable and stationary objects which have been excavated and are of importance, and finally movable objects. In this law the definition of a movable monument is as follows: any object (or a document), the preservation of which is of public interest because of its historic importance, particularly in the artistic, cultural and natural history of the country. A special chapter of the law regulates the operation of excavations and the disposal of subsequent findings. The protection of the law is only applied to classified objects.

"Regarding the regulations contained in the law of Würtemberg of May 25, 1920, concerning the preservation of monuments of the national artistic patrimony, it should be noted that this law refuses to grant compensation to an owner for the loss of property, whenever peremptory reasons are invoked in the interest of the preservation of monuments—however, a clause provides for a thorough examination of the conflicting interests of both parties."

The question of fiscal aid to private owners is important. It should be noted that the law of the Reich regarding the computation of tax assessments, contains special provisions for the preservation of monuments. This law provides reductions in cases where the cost of upkeep exceeds the benefits derived from their use (a distinction has been made between monuments in use and those not in use). The reduction is greater when the building under consideration is made accessible to the public for scientific purposes or for purposes of public education. Similar reduction is granted when the building is open for public inspection and use. Reductions are also allowed in connection with the appraisement of movable objects, a greater reduction being provided for objects which are exhibited for scientific or educational purposes.

Also, there are provisions which favor the preservation of monuments in the Prussian law of February 14, 1923, on the taxation of real estate. Thus, on the approval of the Ministry of Finance, tax reductions may be granted, when the building under consideration is used for science, art, or public education or is preserved as an historic site. The fact that the owner has incurred exceptional expenses or suffered personal inconveniences in order to preserve the character of a particular monument in the public interest is taken into consideration.

(4) Great Britain

Historic monuments of various kinds fall under the care of H.M. Office of Works and Public Buildings, which maintains them in the national interest according to the provisions of the Ancient Monuments Acts. The earliest of these Acts, referred to hereinbefore, became law in 1882, but the work of the Department is at present based upon the Ancient Monuments Consolidation and Amendment Act of 1913, which was further altered by the Ancient Monuments Act of 1931. An ancient monument is any monument which is specified in the Ancient Monuments Protection Act of 1882 or which is of public interest on historic, architectural, traditional, artistic, or archaeological grounds, and whose preservation is considered by the Commissioners on the recommendation of the Ancient Monuments Boards to be of national importance. The Commission of Public Works is a governmental agency, placed under the direction of the "First Commissioner" (commissioner-in-chief), who is generally a member of the cabinet. In England, in Scotland, and in Wales, there is a Director of Ancient Monuments, whose powers consist in: 1. giving advice to the Commission on the subject of National Monuments; 2. designating monuments which are subject to danger for one reason or another; 3. establishing a list of monuments whose protection is of public interest.

The Commissioners of Public Works (or any other local agency authorized by law) have the right: 1. to buy ancient monuments; 2. to accept monuments by gift or legacy; 3. to assume the custody of ancient monuments entrusted to them by the owners of these monuments.

In the cases indicated by numbers 1 and 2 in the preceding paragraph, the authorities which acquire the monuments become the legitimate owners of this monument and of the land upon which it is erected, whereas in the cases indicated by number 3, the owner retains his rights of ownership over the monument or building, its custody and preservation alone being entrusted to competent authorities.

It will now be well to give some account of the acquisition of Ancient Monuments, and of the various degrees of care and maintenance which are provided under the Acts. The Ancient Monuments Boards above-mentioned, appointed by the Commissioners of Works, are three in number, for England, Wales, and Scotland, respectively. They are composed of expert archaeologists and other interested and qualified persons, usually representatives of learned societies, and, in addition, contain always a representative of the Board of Education. Monuments of all kinds, including ruined castles, abbeys, churches, prehistoric earthworks, and stone circles, are recommended by the Ancient Monuments Boards at their meetings, and the De-

partment is bound to accept them to the extent of "scheduling" them. It should be pointed out that these boards can not recommend for scheduling as an ancient monument any ecclesiastical or other building that is at present in permanent and regular use for ecclesiastical purposes or any building still used as a dwelling house. The Commissioners have also the right, subject to notice, of compulsory entry on any ground which they think contains an Ancient Monument.

The procedure mentioned above as "scheduling" involves a notice served upon the owner or occupant of the monument that the Commissioners intend to include it in a list of monuments considered by them to be of national importance. This list is prepared by the Department and published, usually at the end of the year, by the Stationery Office. It is on sale to the public. By the Act of 1931, registration in the local land registeries became compulsory for all monuments subsequently to be scheduled and retrospectively for all that had hitherto been included in the Commissioners' list. An application is sent to the appropriate Registration Authority, usually the Town or Rural District Council, whose clerk returns the certificate of registration with his signature. The notice of scheduling is thus registered as a local land charge.

(1) When any such monument is scheduled, no person served with the notice shall, in the terms of the Act of 1931, "execute or permit to be executed, except in cases of urgent necessity, any work for demolishing, removing, or repairing the whole or any part of the monument" without giving the Commissioners three months' notice in writing of his intention to do so. Infringement may be visited with a fine and a term of imprisonment or with both.

(2) The Commissioners may also be appointed by deed as the Guardians or Owners of a Monument. Guardianship implies not only protection, but also the obligation on the Commissioners of maintaining and repairing the monument at public expense, the owner being under no liability whatever, and otherwise retaining full possession and power of sale. But the Commissioners may receive voluntary contributions from owners or others towards the cost of maintaining monuments so handed over. They also have the power to purchase monuments by agreement.

(3) Where it is impossible to obtain the consent of the owner to a deed or guardianship, and the monument is in extreme need of care or restoration, the Commissioners have then a special power to make a Preservation Order, constituting themselves Guardians of a monument with full powers and obligations as aforesaid. Such an order shall, if objections are made within three months by the owner or any other person having an interest in the monument, cease to have effect after 21 months from the date of issue, unless it is confirmed by Parliament. Otherwise it remains in force until revoked by a

similar order made by the Commissioners. Where the Order is not confirmed by Parliament, no further Preservation Order can be made for the same monument until five years have passed since the expiration of the first.

(4) Where wider powers are needed, as in the case of a monument which is especially dependent on its setting, the Commissioners have power to draw up a preservation scheme for a specified area of the surrounding country, controlling the uses of land in the neighborhood, on the analogy of the Town Planning Scheme carried out by local authorities. By the Act of 1931, the Commissioners define by a map the area of the scheme, called the "controlled area" and apply such restrictions as they consider necessary for the preservation of the amenity of the monument. But they have no power to order the destruction of existing buildings, or buildings under construction according to a contract made before the scheme came into force. Any person who is injuriously affected may claim compensation subject to the provisions of the Act. Before confirming a Preservation Scheme the Commissioners are bound to publish information of its effects and otherwise to make known their intentions to persons affected.

Objections must be lodged within three months of such notice or they will not be considered, and the Ministries of Health and Transport must also be consulted. The Scheme when confirmed by the Commissioners comes into force on the date specified in the confirming order. It may be revoked or varied by a subsequent scheme.

Such is the provision made for objections, but should anyone infringe the scheme while it is in force he is liable to a fine of £20 for every day of infringement. If he continues infringement beyond the date specified by the court which decided against him, the Commissioners have power to remove or adapt all or any part of the building or work in question, recovering their expenses as a civil debt from the convicted person.

The Commissioners are obliged to authorize the public to visit the monuments whose ownership is invested in them; when a monument is simply placed in their custody, admission to this monument may be subject to the consent of the owner; but whoever damages or defaces one of these monuments is liable to a fine of £5, in addition to the cost of repairing the damage, with the alternative of imprisonment. The Commissioners have the power to make all regulations which they deem necessary for the protection and preservation of these monuments.

There are also general provisions for the relations of the Department with the local authorities under the Act of 1913.

(1) Local authorities, as well as the Commissioners may become guardians under the Act.

(2) Both the Commissioners and local authorities have the power of receiving voluntary contributions towards the cost of maintenance and preservation of any monument of which they are owners or guardians.

(3) Local authorities may, if they think fit, at the request of the owner, undertake or contribute towards the cost of preserving any monument which appears to them to be an ancient monument and is situated in or near their areas, whether or not they have purchased it or become guardians under the Act. They are to submit all plans for works to be undertaken to the Ancient Monuments Board who if they object shall report the matter to the Commissioners.

(4) The Commissioners of Works may in respect of any monument of which they are the owners or guardians, transfer from themselves to the local authority or from the local authority to themselves, or from one local authority to another, the whole or any part of the monument or of any estate or interest therein or of the guardianship thereof.

Of the Ancient Monuments of Great Britain, the religious buildings and their appurtenances are indisputably the most important from the historic, architectural and artistic point of view. They are not placed under the control of the state, however, but are accountable to it as an agent or proxy of the Anglican Church. Religious buildings are divided into two categories; cathedrals and parish churches—and the situation is even more complicated by the fact that, although the high authority over all these buildings belongs in principle to the Bishop, it is in reality the Deans and the Cathedral Chapters who have the responsibility of the upkeep of these buildings, whereas the parish churches remain, for the most part, under the direct control of the Bishop. No modification or addition can be made with regard to them without a specialized authorization from the Chancellor of the Diocese who, invested by the Bishop with complete jurisdiction over these matters, acts upon the petitions which are presented to him, basing his conclusions on the reasons shown and the proofs given.

Until comparatively recently, the Chancellors were accustomed to examine the petitions in question more especially from the point of view of Canon Law, a fact which explains the tendency to neglect considerations of an historic, artistic and archaeological nature. In 1914, however, it was decided to take measures for establishing a college of competent persons in each diocese, men well informed about local needs, charged with the duty of fulfilling the functions of an advisory committee to the Chancellor. These committees now exist everywhere, and when it is a question of an important decision, the petition ordinarily is referred, together with the Report of the Committee, to the Chancellor. The Deans and the Cathedral Chap-

ters, although not subject to the jurisdiction of the Chancellor in this respect, ordinarily rely on the advice of their own particular architect and even consult the Committee of the Diocese for questions presenting unusual difficulties.

As to the administrative staff by which the Acts are administered, in London and elsewhere, the following is a brief summary:

The character and duties of the Ancient Monuments Boards have already been described. There are also officers in the Secretariat who control policy in administration, and Inspectors of Ancient Monuments, who report to the Commissioners on the condition of Ancient Monuments and the best method of preserving them. These Inspectors are the advisers of the Commissioners on all archaeological questions and on the manner in which monuments are to be treated. The repairs are carried out by the Architects' Division, who control a body of skilled foremen, leading hands and workmen specially trained in the work.

The Inspectorate consists at present of a Chief Inspector of Ancient Monuments, assisted by Inspectors for England, Wales and Scotland, together with three Assistant Inspectors. The Inspectorate generally is familiar with all the major monuments, and visits at regular intervals every district under their charge, thus acquainting themselves briefly with the minor monuments, most of which are no more than scheduled.

The Inspectors are qualified archaeologists and may, in addition to visiting monuments in the charge of the Department, give information to anyone who may consult them in archaeological matters. They are also in constant communication with local archaeological societies.

The Inspectorate and the Ancient Monuments Boards are assisted by an organization of local correspondents. For each county or other convenient area there is usually a Chief Correspondent who carries on most of the local correspondence in the Department's interest as its representative. The county is often divided into districts, each district being placed in the charge of a local correspondent. It is desired to keep these districts as small as possible, but conditions vary, and this requirement can not always be met. The correspondents are unpaid, and their principal function is to obtain particulars of monuments within their areas, which should be submitted to the Ancient Monuments Board for scheduling, and to keep the Department informed of the condition of monuments from time to time and of any local developments such as building and road-widening, which might be considered by the Commissioners to be injurious to the monuments.

(5) Italy

The basic law now in force in Italy was enacted in 1909, and, although added to and modified since its promulgation by subsequent

provisions in 1912, 1913, 1922 and 1927, it has remained fundamentally the same for the past twenty-two years. This law was the result of careful study and of numerous parliamentary debates. The Chief of the Historic Division stated that a revised new law is in the process of preparation, but that several difficulties still remain to be surmounted, in particular the problem arising from the age-old conflict between private property rights and State intervention on behalf of the public interest.

The Italian law now in force and the principles underlying it as given by Count Francesco Pellati, Inspecteur Superieur des Beaux-Arts of Italy, may be summarized as follows:

The Italian authorities point out that the first of these basic principles is the abolition of the old theory of the national monument, a theory, indeed, which they say is quite outmoded and which, although supported by many laws, is especially dangerous, being full of complications and loopholes. Moreover, they add that it is an ambiguous term, for the word *national* can be taken in the sense of an honorary symbol, and in that sense has no more significance from the legal than from the administrative point of view.

In this connection, there exists in Italy as elsewhere, outside all laws of protection, national monuments, for the most part ancient dwellings or tombs of famous men, to which the simple term "ad solemnitaten" has been applied. The Italians say that if one wishes to attach legal significance to this term, one is faced with the alternative either of limiting the expression to monuments belonging to the State, a restriction which renders it completely unnecessary, or of enlarging its meaning to include privately owned monuments; in the latter case one creates a new legal concept of uncertain meaning and scope, and one wrongly concludes that the State assumes the upkeep of monuments only when they are declared national and that it is indifferent to those not so designated. Their theory is (and it appears sound) that the State can and must intervene so as to exercise her protection on a legal basis, with, however, certain discretionary powers—subject to the respect due to private ownership—whenever it is the question of a building, which, for historic or artistic reasons, deserves to be preserved. It is the stones themselves, and not a law or a decree, which should preserve the dignity of a monument.

Brushing aside the narrow and artificial classification of national monuments, therefore, Italian law has taken into consideration and united under its protection all buildings which have any interest from the standpoint of archaeology, history and art. And furthermore, it is not merely a question of all buildings, but of all property as well which, by nature or by use, presents any such interest; now by property we must understand not only the buildings, but also the different parts of these buildings (ceilings, windows, doors, chapels, ward-

robes, etc.) a group of buildings (squares or sections of cities); or even a garden, a fountain, the remains of an ancient road, despite the fact that these are not buildings in the restricted sense of the word.

Property is divided into two general classes according to whether it belongs (1) to public agencies or to voluntary associations recognized by law, civil or religious, or (2) to private associations or to private individuals. The provisions governing the first class—which includes things destined particularly for public use—are manifestly more restricting than those which apply to the second class. In the first case, indeed, protection extends to everything which presents any interest whatsoever from the standpoint of archaeology, history, or art, whereas in the second case, it includes only things offering an interest designated as "important."

In order to render it impossible to evade the law by transferring from one class to another, the law of 1909 prohibited the transfer of property belonging to public agencies or to voluntary associations into the hands of private individuals; furthermore, this provision aimed not only at the sale, but also at transfer of property from one person to another. This obligation, however rational in principle, often became an intolerable burden for the voluntary association which sometimes possessed practically nothing but the classified building, a building which, although perhaps of limited interest, was nonetheless almost impossible to sell in view of the difficulty of finding a voluntary association as buyer, the law authorizing the sale only under this condition and then with certain reservations. Ownership of a building of this type sometimes ended by being a source of expense rather than of profit to the voluntary association. Such a building often remained unused, being completely neglected and abandoned by the voluntary association which owned it, whereas a private individual who could have turned it to account might have kept it up and properly restored it.

The law of 1909 was modified in 1927, in that property belonging to the public institutions or to voluntary associations, can now, despite the previous law, be transferred to private individuals on condition that the Conseil Superieur des Antiquities et des Beaux-Arts and the Ministere de L'Education declare the sale not injurious to the preservation of the building. (In Italy, "Voluntary Associations" are associations legally recognized by the State. They are analogous to our associations in the United States "organized not for pecuniary profit.") Some doubts might arise in certain classes which are not clearly defined about buildings intended for religious services; but in practice, this classification has never given rise to serious misunderstanding. In the case of buildings belonging to voluntary associations or to private individuals, the State has reserved the right, in a general way, to give preference, the price being equal

and the action of the State being subject to exact provisions of the law.

Reverting to the fundamental difference (decree of January 11, 1860, referred to hereinbefore) between buildings belonging to voluntary associations and those belonging to private individuals, the Italian law recognizes not only a difference in management, but also a difference in the procedure of classification; voluntary associations owning property which is of artistic or historic interest are required to register that fact; when it is a question of private owners, on the other hand, the State itself decides what is of sufficient interest, duly notifying the owner of its decision; but here is to be noted a difference in conception as well as in management which is adopted as a basis for this legislation; only the privately owned building declared of notable interest is subject to the protective vigilance of the State, whereas in the case of property owned by public administrations, the fact of classification does not produce special legal effects, and every building, classified or not, which is of historic or artistic interest, however negligible, is officially placed under the protection and control of the State.

From the foregoing it is seen that the law subjects edifices of public interest to the control of the State. It becomes important to inquire into how this control functions.

In this matter the procedure is necessarily both positive and negative. Negative, not only in prohibiting all work of demolition, or of removal or of change, but also in refusing any restoration not authorized by a competent agency, for, as pointed out by the officials, an untimely restoration, excessive, or badly executed, might have extremely unfortunate consequences. Fearing that the enumeration of authorized work might remain incomplete and that specific examples might present certain dangers, the regulation for the application of this law withholds purely and simply the execution of any work whatsoever; even the plastering and painting of facades and courtyards, even the installation of telephone, radio, or central heat, comes under the prohibitive effects of this act.

Having definitely established the principle that the free use of the thing possessed belongs to the owner, but that this use must be subordinated to its esthetic enjoyment, an enjoyment which belongs to the people as a whole, the Italians wisely hold to the principle that the organs of State must naturally avoid restricting the liberty of private owners more than is actually necessary.

If on the other hand, work is executed arbitrarily, in spite of the provisions enacted by the law, and results in the destruction or the deterioration of the building—if, in other words, the State is confronted by the accomplished act (as is sometimes the case)—the law applies a pecuniary penalty (fine and indemnity equal to the

value of the thing destroyed or to its depreciation in value); but it is evident that this penalty can act only as a restraining influence and not as a full reparation, for no sum of money can replace what has been irredeemably lost to the nation and to the world at large.

But the State has certain positive powers too. If the building belongs to a voluntary association or to a public agency, the State cannot only dictate what preservation work is necessary, but it can also, in case of negligence or refusal, have this work officially executed at the expense of the voluntary association owning the building. This, of course, is within the limits of the financial capacity of the offending organization.

The present Italian law does not extend this power over property belonging to private individuals; in this case, when the owner refuses to perform the work necessary for preservation and which has been formally imposed, the law has recourse to no other remedy than that of dispossession, which, in many cases, they say is absurd, for they conclude that if the State were to dispossess all the private holdings which are in the act of deteriorating, its economic resources would not suffice, and however generous the gesture, it would be quite ineffectual since the State would then find itself in the same condition as the private individual, in that it would not have the means to restore the monuments thus acquired.

To avoid these difficulties, they have adopted a means which the law does not take into consideration but which practice imposes. It consists of entering into negotiations with the voluntary association or private individual, more often with the former, naturally, than with the latter; after examining considerations based on the artistic or historic importance of the building, on the magnitude and urgency of the necessary work, and on the lack of financial ability of the institution or of the individual to execute it, a certain sum is granted from the budget of the State, as a contribution or subsidy, which encourages the owner to undertake the work and which more or less completes the sum which he has at his disposal.

This is a useful and convenient solution, *extra-legem,* but not *contra-legem,* which, they add, unfortunately is rather limited in its application due to the financial difficulties of the present age.

There are other important provisions in the Italian law concerning the protection of the surroundings of monuments, a consideration which is essential to the full realization of public enjoyment; this protection is guaranteed by the provisions relating to the perspective and appearance of monuments, which must be neither injured nor compromised (in this respect) by the construction of new buildings or by the remodeling of neighboring or contiguous buildings, the State having the right to prescribe distances, measures and other considerations, and even to establish a kind of "respect zone." The offi-

cials rightly say that "this is an exigency of the utmost importance if the monuments are to be more than a memory of the past, awakening no echo in the soul, but rather a fresh, permanent, and living source of esthetic feeling." The monuments must therefore be in such condition, that, without making innovations suggested by pre-existent conditions, full appreciation is not lost.

(6) Japan

The preservation of works of antiquity has long been a recognized principle in the orient, where ancestor-worship has been such a dominant factor in the lives of the people. Although museums have made rather slow progress owing to the fact that Japan could not afford them on account of her other more pressing necessities in political, educational, military, economic and industrial fields, public opinion in Japan at present is intensely in favor of the improvement of those which play an important role in the cultural development of the country. According to the result of recent investigations undertaken by the Ministry of Education in Japan, there are about three hundred museums as follows: 40 museums of art and history, 22 archaeological and ethnographical museums, 30 war museums, 39 educational and folk-art museums, 20 scientific and industrial museums, 45 museums relating to commerce and industry, 60 public zoological and botanical gardens and aquariums as well as numerous treasure store-houses belonging to temples, shrines and private individuals. It is these treasure-store-houses which are of particular interest to us here, because they are treated as national treasures and accorded national protection by law.

The National Treasure Preservation Act was promulgated on March 17, 1929. The following articles provided in this law will suffice to indicate its substance:

ARTICLE 1. The Minister of State concerned may designate such buildings, treasures and other objects of historic or artistic importance, as national treasures after having consulted the Committee on the Preservation of National Treasures.

ARTICLE 2. The holder of the national treasure is forced to exhibit his treasures at the Imperial, Governmental or Municipal Museums or Art Galleries for a period of one year, by order of the Minister of State concerned.

ARTICLE 14. In case shrines or temples fail to preserve and repair those treasures which are in their possession, the Minister of State may grant subsidies to them, after consultation with the Committee on the Preservation of National Treasures.

One thousand four hundred and seventy-three buildings are now under national protection and four thousand and thirty-nine objects

have been listed as national treasures (including paintings, sculptures, industrial arts, documents, books, etc.)

Certain measures have been adopted recently with a view to preventing the export of important historical objects of art from Japan. Thus in April, 1933, the Committee on the Prevention of the Export of Important Objects of Art was instituted under the supervision of the Minister of Education.

A law for the preservation of historic sites and areas of natural beauty was inaugurated in 1919 by Ordinance No. 44. The total number of areas which come under the protection of this law amounts to 1,013.

For contemporary art, the Imperial Fine Arts Academy was instituted on September 5, 1919, by the Imperial Ordinance No. 417. The aim of this institution, which is under the supervision of the Minister of Education is to promote the development of painting, sculpturing, and industrial art, by holding annual exhibitions and by the purchase of exceptional works of art. The authorities contemplate building a modern art gallery in which to exhibit permanently the objects thus purchased.

An interesting article on the *Preservation of National Treasures in Japan* has been prepared recently by Mr. T. Akiyama, Curator of the Imperial Household Museum, for the National Committee of Japan on Intellectual Cooperation.

(7) Poland

As previously mentioned, Poland, immediately after the beginning of its independence in 1918, enacted legislation for the judicious and systematic protection of its historic monuments. The first of these acts was the law, promulgated as a decree of the Conseil de Regence under date of October 31, 1919, for the protection of works of art and historic monuments. The decree includes six chapters: general principles, historic monuments and movable objects, objects resulting from excavations, procedure for dispossession of monuments and compensation for such dispossession, and penalties incurred for violations of the provisions of the law. This decree, which played an important part in State protection of monuments, was supplemented by executive provisions relative to the organization of bureaus for preservation, to the classification of monuments, to the creation of regional commissions for preservation and to mixed commissions for the protection of historic monuments to be found in Catholic Churches and religious buildings. By virtue of this decree, the State has been divided into regions of preservation, at the head of which have been placed permanent State curators, assisted by consultant bodies (regional commissions). The establishment of a State inventory has served as a basis for the creation of a general register in

which all monuments have been listed and which, in its turn, has made it possible to catalogue them in a systematic way. Due to the executive powers with which the preservation boards have been invested, the advent of governmental agencies has proved effective in the great majority of cases and, because of it, it has been possible to save many monuments. In spite of these favorable results the decree of the Conseil de Regence was not efficacious as a legislative act. It was drafted at a time when neither the legal nor political régime nor the boundaries of the State were yet defined. Experience has shown that the division of monuments into the category of movable and immovable was not practical. One of the drawbacks of the decree was the so-called system of classification by virtue of which the law extended only to monuments inscribed on the State inventory. Procedure was elaborate and prevented a prompt decision regarding the preservation of a threatened monument.

A new law drawn up by the Ministres des Cultes et de l'Instruction Publique, was put into effect by order of the President of the Republic on March 6, 1928. This order is composed of nine chapters: I. General Provisions; II. Preservatory Services; III. Protection of Monuments; IV. Objects Found in Excavation; V. Dispossession of Monuments; VI. Penal Clauses; VII. Monuments Belonging to the State; VIII. Temporary Provisions; IX. Permanent Provisions.

The following are the principal provisions of the order. Any movable or immovable object possessing value of an artistic, cultural, historic, archeological or paleontological nature, is classified as a monument. The Ministre des Cultes et de l'Instruction Publique exercises the powers of second instance, the powers of first instance being exercised by the provincial boards (offices de voievodie) which assume, by mediation of the curators, the direct protection of the monuments; the boards have the particular duty of authorizing work on these monuments and exercising a general control and supervision over the work in progress; they issue authorizations for exporting historic objects to foreign countries and for archaeological research. The regional commissions for preservation are called upon to collaborate with the provincial boards. If the classified monument is endangered, the owner can be dispossessed. Monuments, movable historic objects, can be transferred only with the consent of the Minister. Monuments belonging to private individuals can be transferred only after previous notice has been given to the Provincial board of preservation. The Public Treasurer has option on the purchase of monuments, movable or immovable, which have been disposed of by the owner. In conformity with Article XIV of the Concordat between Poland and the Holy See, religious buildings are excluded from State control. Mixed commissions, part ecclesiastic, part lay, appointed by the bishop, act in cooperation with the Ministre de l'Instruction Publique, exercising, with regard to these matters, powers equal to those of the boards of preservation of

the first instance. Once the boards of preservation had been incorporated with the provinces (voievodies) in 1920, the functions invested in the governmental agencies provided for in the decree of October 13, 1918, passed to the latter. The sphere of action of the curators was in that way enlarged, the boards of preservation of the first instance, taking cognizance of matters previously entrusted to the central authorities, such as the issuance of permits for export purposes.

With increased jurisdiction, there was a corresponding extension in the activities of the curators. In addition to matters having to do with the protection of monuments, the administrative duties of the provinces included questions on industrial art, popular art and the theater. For lack of funds to call in specialists for consultation, the responsibility for the protection of objects of art had been relegated to the curators. The curators became consultant bodies on questions of art, advisers to the provincial heads and to the Ministry in everything which concerned cultural questions. Much emphasis has been placed on the action of private organizations, and particularly upon collaboration with artistic and cultural associations. Through close contact with the Ministry, the influence of the central powers upon the decisions of the administrative authorities of the second instance was noticeable. The general administration of monuments, the methods of appeal, and the direct protection of monuments, which has been discussed above, belong, therefore, to the administrative boards of the province, and through that same body to the curators.

Thus the problem of the sphere of jurisdiction and the powers of the curators (instructions of June 2, 1930) was finally determined on the question of what body had the right to take the initiative in measures imposed by the provisions relative to the protection of monuments. It has been definitely established that evaluation of a monument from the artistic, cultural and historic viewpoint, the decision as to whether or not the monument should be preserved, and all other matters concerned with the preservation of monuments should come under the jurisdiction of the curator. For the protection of pre-historic monuments, archives, libraries and paleontological remains (coming within the ordinance of March 6, 1928), the instructions provide for special curators with whom the curators of work of art keep in close contact and whose assistance is clearly prescribed. In all that concerns the general protection of works of art, the curator, in his capacity as chief of the Section des Beaux Arts, is charged with all matters relating to the administration of Beaux Arts which come under the jurisdiction of the provincial head (Voievode). This rather large sphere of activity makes allowance for different treatment in particular cases, according to local needs and conditions. Thus the jurisdiction and powers of the curators demand disinterested cooperation, because the curators must, in addition to

their own particular functions, perform those of chiefs of Sections des Beaux Arts.

(Due credit should be given to Jaroslaw Wojciechowski, Chief of the Bureau of Historic Monuments in the Department of Public Education of Poland, for the above explanation of the Polish law and its administration, as obtained in substance from a written report to the International Museum Office in 1933.)

2. COMPARATIVE STUDY OF CURRENT PROBLEMS

In the formulation of a program for the preservation and restoration of historic sites and buildings, certain questions of paramount interest will present themselves concerning the administrative and financial aspects of the subject, as well as questions pertaining to the extent of necessary surveys and the methods of their execution; to a scheme of proper classification of monuments; to policies regarding technical problems; to the scope and nature of an education and information service to be proffered; and to numerous other problems. Particular attention has been given to these questions and their treatment in each of the countries visited in order, by a comparative study, to determine what are the best policies to be pursued by the United States. The report of this phase of the European Survey, therefore, covers a series of general points relating to the above questions with specific inquiries directed to each; it presents a comparative picture showing how these particular problems are dealt with in Belgium, France, England, Germany, Italy and Sweden.

The answers to these several inquiries were obtained by interviews with responsible officials, by questionnaires submitted to appropriate offices, and by personal visits of inspection to various sites and buildings. In Germany, the Prussian Kultus Ministry has been absorbed recently by the Reich Ministry for Education and, because of the reorganization now in process, all of these questions could not be answered. There has been, heretofore, no centralized control of the subject in Germany, but only State jurisdiction and activities. An effort has been made to obtain further information covering subsequent developments, but, apparently the proposed and pending national legislative and adminstrative provisions have not as yet become effective. Failing receipt of this material, it seems of advantage, nevertheless, to include in the Report data based primarily on conditions in Prussia, the largest unit of the Reich, together with such information as was obtained during the survey in Germany. In addition to the countries mentioned, similar information has been obtained from Canada and Mexico, which will be included.

The above method of approach proved interesting and, it is believed, efficacious, particularly in view of the limited time available for making the European investigations. The results of these investigations are as follows:

A. Organization Charts

Following a survey of existing laws, as well as an inquiry into the development of such laws, which have been summarized above, an effort was made to ascertain the form of administrative organizations employed by the several countries in effectuating the policies and programs incorporated in such laws. It was rather surprising that none of the respective bureaus possessed an organization chart such as is found in the various Departments of the United States Government, as well as in the larger commercial business organizations in America. However, as a result of discussions with the respective officials in charge of the historic programs, rather rough diagrams were made illustrating their administrative organizations. These have been reproduced by the Branch of Plans and Design of the National Park Service for this report, and are as follows:

Belgium
France
Great Britain
Italy
Sweden
Canada
Mexico

B. Administration

(1) Government Agencies Responsible For the Administration Of Historic Sites and Buildings Programs

BELGIUM: The preservation and restoration of historic buildings and sites are under the direction of the Ministry of Fine Arts, Letters and Public Libraries in the Department of Public Education. Deeds of gifts, the purchase of historic property and the like are handled by the Department of Finance, acting in cooperation with the Department of Public Works.

FRANCE: Historic sites and monuments come under the Direction General for Fine Arts, a division of the Ministry of National Education.

GERMANY: The Government historic buildings and sites program is administered by a State Konservator who is directly subordinated to the Reich Minister of Education (who has taken over the Prussian Kultus Ministry). In local matters, the State Konservator acts through provincial Konservators. All Government-controlled historical areas are under one administration.

GREAT BRITAIN: All historic buildings and ancient monuments, maintained by imperial funds, are under the Commissioner of Works.

ITALY: All preservation work is under the authority of the Direction General for Antiquities and Fine Arts of the Ministry of

National Education, acting through regional "Superintendencies," which are under the latter's direct supervision.

SWEDEN: The Government's historic buildings and sites are not under a single Department, but are administered by different agencies in different Departments. As a rule a Department which occupies an historic building or has jurisdiction over the land on which the building is erected is responsible for its maintenance and care. The majority of State-owned historic buildings and monuments are, however, administered by the Royal Office of Works, the central authority in the construction of buildings and in town planning in the Royal Ministry of Communications, and by the King's Custodian of Antiquities, a division of the Ecclesiastical Department. These two bureaus are the controlling organs in government preservation work. The former deals with the technical, practical and architectural aspects of the problem, and the latter with questions of a cultural and historical nature.

CANADA: The administration of the historic sites work is under the jurisdiction of the National Parks Branch of the Department of the Interior. There are, in addition, certain historic areas, such as battlefield sites and forts which are controlled by the Department of National Defense.

MEXICO: Historic buildings are administered by the Department of Monuments in the Secretariat of Public Education.

(2) The Relationship of National, Provincial and Municipal Agents in the Preservation of Historic Buildings and Sites

BELGIUM: The Provinces and Communes cooperate with the National Government in the classification of monuments in their districts and in sharing the cost of necessary preservation work according to the conditions and in the proportion agreed to. The State may assume the duties of the Provinces, Communes and Public Agencies when these remain inactive or can intervene in legal actions entered into by them.

FRANCE: The Beaux-Arts have complete jurisdiction over all classified monuments, irrespective of the provincial or municipal unit in which it is located, except in so far as the choice of architect employed is concerned, and in cases where it is necessary to resort to local police action for the enforcement of the decisions of the Historic Monument Service.

Monuments belonging to another Ministry, Department or Commune may be classified by order of the Minister of Beaux-Arts, or in the event of opposition on the part of the owner by decree of the Conseil d'Etat. All the effects of classifica-

tion apply for such monuments, irrespective of the public agency which owns it.

GERMANY: At present the States have jurisdiction; after the proposed reorganization it will be the Reich.

GREAT BRITAIN: The Department can schedule, that is classify, buildings which are in the control of local authorities, but the local authority is responsible for their upkeep, subject to the advice of the Ancient Monuments Department. Ancient buildings (such as a Town Hall) which are still in use, are normally under the local authorities. There are no standards to determine whether ruins are under local or governmental control, as the choice rests with the owner.

Other provisions for the relations of the Department with local authorities under the Act of 1913 are: (1) Local authorities, as well as the Commissioners may become guardians under the Act. (2) Both the Commissioners and local authorities have the power of receiving voluntary contributions towards the cost of maintenance and preservation of any monument of which they are owners or guardians. (3) Any local authorities may, at the request of the owner, undertake, if they think fit, or contribute towards the cost of preserving any monument which appears to them to be an ancient monument and which is situated in or near their area, whether or not they have purchased it or have become guardians under the Act. They are to submit plans for works to be undertaken to the Ancient Monuments Board, the members of which if they object shall report the matter to the Commissioners. (4) The Commissioners of Works may with respect to any monument of which they are the owners or guardians, transfer from themselves to the local authority or from the local authority to themselves, or from one local authority to another, the whole or any part of the monument or of any estate or interest therein or of the guardianship thereof.

ITALY: Monuments which are the property of Communes or Provinces are managed by these Communes and Provinces, but always under the supervision of the Direction General of Antiquities and Fine Arts.

SWEDEN: The Administration of Buildings in the Communication Department and the King's Custodian of Antiquities in the Ecclesiastical Department are the controlling organs in the administration of historic buildings and sites.

CANADA: The Historic Sites and Monuments Board of Canada has only jurisdiction over areas of national significance. Monuments of local or regional interest are maintained and administered by the Provincial or local agents or historical associations. All of these operate independently.

MEXICO: Very few monuments outside the Federal District are under the direct control of the Department of Monuments (such as: Hidalgo's house in Dolores Hidalgo and Moralos home in Morelia). All others are administered by local authorities. Inspections of these local undertakings are made by the central office, however, so that contact can be kept with the preservation work carried out in different parts of the country.

(3) The Relationship of the Administration of Scenic Areas to the Administration of Historic Areas

BELGIUM: In 1912 the powers of the Royal Commission of Monuments were extended to include the administration of scenic areas and its title changed to "The Royal Commission of Monuments and Sites."

FRANCE: The administration of sites is the same as for the administration of historic monuments; some of the personnel are specialists in one branch or the other. Scenic areas are, however, under the jurisdiction of the Eaux and Forets (waterworks and forests) Division of the Agriculture Department.

GERMANY: Scenic and historic areas are administered by different divisions.

GREAT BRITAIN: There are no large areas, either of historic importance or scenic value now under the control of the Government. However, a private body dependent on voluntary contributions, "The National Trust," has been established for the preservation of places of historic interest as well as the preservation of the natural aspect and animal and plant life of scenic areas. The Trust, whenever necessary or desirable, cooperates with the Ancient Monuments Department of the Office of Works.[1]

ITALY: Both historic monuments and scenic areas are under the supervision of the Direction General for Antiquities and Fine Arts.

SWEDEN: Scenic areas, with the exception of parks belonging to historic grounds around certain ancient tombs, are under an entirely different organization from historic areas.

CANADA: Both the National Parks and National Historic Sites are administered by the National Parks Branch. Some of the larger historic areas have created national historic parks, such as Fort Anne[2]-Nova Scotia and Fort Beausejour-New Brunswick.

MEXICO: Scenic areas are under the same administration as historic areas.

[1] See exhibit B-224; C-361, 362, 363.
[2] See exhibit B-208.

(4) The National Museum in Relation to the Administration of Historic Buildings and Sites

BELGIUM: There is no relationship between the administration of historic buildings and sites and the national museum.

FRANCE: The Department of National Museums is, like the Historic Monument Service, a branch of the Beaux-Arts. The Director of the National Museums is also a member of the Historic Monuments Commission.

GERMANY: There is no relationship between the historic buildings and sites administration and the National Museums.

GREAT BRITAIN: There is no official connection between the Department of Ancient Monuments and the National Museums, although the Museums are often requested by the Government to furnish data on objects found on historic sites.

ITALY: The National Museums and the Administration of Historic Buildings and Sites are both under the authority of the Direction General for Antiquities and Fine Arts of the Ministry of Education.

SWEDEN: The State Historical Museum is administered by the Academy of Literature, History and Antiquities and works in close cooperation with the King's Custodian of Antiquities, as the chief of that Bureau is also Secretary of the Academy and Director of the Museum.

CANADA: There is no relationship between the administration of historic buildings and the National Museums of Canada. At some of the larger sites historical museums have been established for the exhibition of objects of local historical interest.

MEXICO: The National Museum is under the Department of Monuments in the Secretariat of Education, although its administration is entirely independent.

(5) Jurisdiction of War Department Over Military Memorials

BELGIUM: The Minister of War is invested with the administration of military memorials, which he guards as his exclusive prerogative. To avoid the possibility of friction the Minister of Public Education has decided not to classify these monuments.

FRANCE: The classification of military monuments is determined by a special commission composed of representatives of all interested Ministries. The Minister of War has authority over all such memorials as are of strategic value, such as the Gouaumont Fort at Verdun (which is still in use). Other War memorials have been turned over to the Eaux and Forets (waterworks and forest) division of the Agriculture Department, although subject

to regular inspection by representatives of the Historic Monument Service.

GERMANY: The Administration of Historic Buildings and Sites retains its advisory capacity over military memorials under the jurisdiction of the War Department. Battlefields are not marked in Germany.

GREAT BRITAIN: Certain buildings of historic value owned by the War Department have been placed in the custody of the Commissioners of Works.

ITALY: Military memorials are under the same supervision as other monuments, with the exception of World War memorials.

SWEDEN: Certain military memorials are under the jurisdiction of the War Department, such as fortresses and the like. There is no uniform system of marking battlefield sites, the initiative in this respect being left almost entirely to local authorities, in whose territory the site is located.

CANADA: There is no direct relationship between the Department of National Defense and the Department of the Interior in the adminstration of military memorials, which are under the former's direct control. There is a specially appointed independent Commission known as the Quebec Battlefields Commission, which administers the battlefields in the Quebec City area and receives a Dominion Government grant for this purpose.

MEXICO: All battlefields, forts and military memorials are under the direct control of the War Department; military detachments are stationed in several of these forts. Admission is free for all areas controlled by the Government.

(6) The Relationship of the Administrative Office to its Technical Personnel in Regard to the Preservation of Historic Buildings and Sites

BELGIUM: The Royal Commission reviews documents (plans and specifications) submitted to it by Corresponding Members, its landscape men and its technical staff and the Commission makes such recommendations as it considers desirable to the Ministry of Arts and Sciences. Although the Minister determines the character and extent of this work, final judgment rests with the administrative staff of the Department of Public Education of which the Ministry is a subordinate division.

FRANCE: All decisions concerning the Historic Monument Service are made by the Minister of National Education, or by special authority delegated by him to the General Director of Fine Arts. Either the Historic Monument Commission or the Superior Commission on sites is consulted according to the case involved. These Commissions include administrators, architects and his-

torians, all technicians in their respective fields. Decisions are reached by a majority vote.

GERMANY: Within the historic buildings and sites administration no conflict is possible between administrative and technical personnel as they are identical persons. Plans and policies are formulated by the directors.

GREAT BRITAIN: The Inspectors and Architects collaborate on the execution of preservation work. The Inspector (archaeologist) decides what work is necessary to preserve the ancient features of the monuments and the architect decides how this work is to be carried out. If there are any disputes, the matter is settled by the Commissioner of Works.

ITALY: The Direction General for Antiquities and Fine Arts decides upon questions submitted to it by the technical officers of the regional superintendencies in matters regarding monuments and scenic areas (their action is limited to calling attention to archaeological discoveries, damages to works of art, unexpected weaknesses in the solidity of monuments and similar matters). In cases of great importance, the advice of the Superior Board for Antiquities and Fine Arts or of the College for Natural Scenic Beauties is obtained. The latter boards are consultative boards with no coercive power.

SWEDEN: Although the Director General of the Office of Works (who must be an architect) has the final decision on technical matters, questions of less importance are, for practical reasons, left to the judgment of the technical bureaus. These are as follows:

The Investigation Bureau: for matters concerning building plans, building statistics, etc.

The Building Construction Bureau: for matters concerning the construction of buildings ordered by the Government.

The Superintendent Bureau: for matters concerning the administration of State-owned buildings under the Office of Works.

The Culture Historical Bureau: for matters concerning the maintenance of historical buildings of cultural and artistic interest and related matters, chiefly churches and State-owned monuments.

The Town Planning Bureau: for matters concerning town planning.

The Heating Engineer Bureau: for matters relating to the heating of buildings, engineering, etc.

CANADA: The marking and maintenance of historic sites selected for action by the Board are under the direct supervision of the Commissioner of National Parks, who relies on the recommenda-

tion of his officers and the members of the Historic Sites and Monuments Board.

MEXICO: Technical questions are decided by the Central Office in Mexico, D.F.

(7) Is There a Traveling Field Organization for Purposes of Inspection of Buildings and Sites?

BELGIUM: Field inspections are made by three Commissioner Inspectors at the request of the Minister or when the Royal Commission considers such inspections imperative. Additional Inspectors are appointed whenever necessary. A report covering their findings is submitted on their return. The Corresponding Members of the Royal Commission aid in the inspection of historic sites in their districts. Recommendations are also made by the College of Burgomasters and Aldermen, a communal authority in charge of local interests of all kinds.

FRANCE: The Historic Monuments Service has a special body of trained inspectors, experts in the fields of archaeology, architecture and related subjects, to survey classified sites and monuments. The principal inspectors are also members of the Historic Monuments Commission and the Superior Commission on Sites. In certain cases, the interested Commission appoints a delegation to study the problem on the spot. Inspectors receive a specified salary for their services; but membership on the Commissions is honorary and without pay.

GERMANY: Field inspections are made by the staff of the Provincial Konservators.

GREAT BRITAIN: Inspections are made through the Inspectorate, which consists, at present, of a Chief Inspector of Ancient Monuments, assisted by Inspectors for England, Wales and Scotland, and their assistants. The members of the Inspectorate have a thorough knowledge of all the major monuments in Great Britain. By visiting at regular intervals every district under their charge, they are also acquainted with the minor monuments in their territory, most of which are no more than scheduled. The Inspectors are qualified archaeologists and may, in addition to visiting monuments in the charge of the Department, give information to any persons who may consult them in archaeological matters. They are also in constant communication with local archaeological societies. The Inspectorate is assisted by an organization of local correspondents. For each county or other convenient area there is usually a Chief Correspondent who carries on most of the local correspondence as a representative of the Department.

ITALY: Local inspections are carried out under the supervision of the regional superintendents. They are assisted by Provincial

Committees (appointed by the Minister) and unpaid honorary inspectors (from five to fifteen in each province). There are regional superintendents for antiquities, mediaeval and modern art.

SWEDEN: The Administration of Buildings, the King's Custodian of Antiquities and other administrations for the care of historic monuments make such inspections through their agents and employees.

CANADA: Inspection of sites under consideration is usually made by a Board Member, but general inspection work of sites already owned or controlled by the Government is carried out by officers of the Department.

MEXICO: There is a regular staff of honorary inspectors serving without pay who make field-trips throughout the country to keep the central office informed on local preservation work.

(8) The Relationship and Extent of Cooperation Between Government Agencies and Private Agencies, Associations and Others for Historic Conservation

BELGIUM: Certain non-profit making associations have interested themselves in the maintenance and restoration of specified monuments. Such associations are generally called "Friends of the Chateau of ...." or "Friends of the Domain of ...". They are private organizations with private budgets of variable amounts which they administer themselves. If, however, they wish any material government assistance for their enterprise, they can apply directly to the Department of Public Education.

FRANCE: All important associations interested in the protection of historic monuments and sites are represented by some of their most qualified members on the Historic Monuments Commission or on the Superior Committee on Sites. Careful consideration is given by the Beaux-Arts Ministry to all suggestions presented by such Associations.

GERMANY: Government and private agencies, associations and the like have formed local and provincial associations for historic conservation which cooperate with the Konservator. About once a year a convention, known as the Deutsche Denkmalspflegung, meets to discuss questions in this field. It is attended by scientists interested in conservation, the assistant Konservators, and representatives of the administration, headed by the State Konservator.

GREAT BRITAIN: Private societies often, when necessary, ask for the technical and archaeological assistance of the Commissioner of Works, but there is no official connection between these private associations and the Government.

ITALY: Although private institutions cooperate with the State in the preservation of historic monuments owned by them or in which they have an interest, and make recommendations and bring matters to the attention of the administration, they have no power of direct action, except in so far as members of the private institutions happen to be members of the Superior Board.

SWEDEN: Propositions can be submitted to the Government authorities by private architects, custodians, private contractors and other interested persons and agencies. If approved, the work is carried out under the Government's direct supervision.

CANADA: The Department cooperates in every way possible with local historical organizations, although it does not render any financial assistance.

MEXICO: All preservation work is carried out under Government supervision; there are no independent or private associations which interest themselves in this field.

(9) The Relationship of Government Agencies for Historic Conservation to Eminent Authorities in that and Related Fields. Is there a National Advisory Committee to Aid in Planning the Government Program?

BELGIUM: The Royal Commission has the advice of the Academy of Belgium, a society composed of eminent authorities in the fields of history, art, archaeology and architecture. A special advisory board known as the "Mixed Committee of Works of Art" has been formed so that members of the Academy may aid and cooperate with the Royal Commission in planning the Government program.

FRANCE: The Superior Council of the Beaux-Arts is an advisory board composed of eminent authorities in the fields of literature, art, archaeology, history, etc., many of whom are members of the Institute of France. There are also numerous advisory commissions connected with the Bureau of Historic Monuments and Sites, positions on the Board being honorary and without pay. There are more requests for membership than there are vacancies.

GERMANY: The advice of eminent authorities is frequently sought in preservation work. There is no national advisory committee beyond the loose one constituted by the Denkmalsplegetag, a convention of local associations for historic conservation united into provincial groups which cooperate with the Konservator.

GREAT BRITAIN: The Commissioners of Works were empowered to constitute an Advisory Board, known as the Ancient Monuments Board, composed of representatives drawn from the Royal Commissions on Historic Monuments, the Society of

Antiquaries of London, the Society of Antiquaries of Scotland, the Royal Academy of Arts, the Royal Institute of British Architects, the Trustees of the British Museum and the Board of Education. There are three divisions of the Board: for England, Wales and Scotland. Their powers consist in (1) giving advice to the Commission on the subject of national monuments, (2) designating monuments which are subject to danger for one reason or another, (3) establishing a list of monuments whose protection is of public interest.

ITAY: Prominent men in the fields of history, architecture, archaeology and art have been elected to the Superior Board for Antiquities and Fine Arts, an advisory board with no coercive powers. Although authorities, who are not connected with the administration directly or through the Superior Board have no power of direct action, the administration considers their recommendations on matters brought to its attention.

SWEDEN: Although there is no standing "National Advisory" committee, eminent authorities, who are members of the Academy of Literature, History and Antiquities, advise the King's Custodian of Antiquities freely on matters relating to the preservation of monuments. As the Chief of the King's Custodian of Antiquities is also the Secretary of the Academy, the two branches of the Royal Ministry of Public Worship and Education work in close cooperation. The Academy itself takes a very active part in the maintenance and care of antiquities and archaeological remains and certain ruins owned by the government have been placed directly under its care.

CANADA: The Department relies to a large extent on the recommendations of the Historic Sites and Monuments Board, an honorary advisory board composed of a number of recognized authorities on Canadian History.

MEXICO: There is an Advisory Board which meets regularly and passes resolutions on all matters concerning the preservation of monuments. It is composed of leading authorities as follows:

Chief of the Department of Monuments.
A representative of the Treasury.
A representative from the Department of Tourism in the Secretariat of National Education.
Two representatives from the University of Mexico, one an expert in the field of architecture, and the other an expert in the field of the plastic arts.
A representative of the Department of Buildings in the Secretariat of Communications and Public Works.
A representative of the Public Works Division.
A representative of the Geographical Society of Mexico.

A representative of the Scientific Academy "Antonio Alzate."

A representative of the Society of Mexican Architecture.

(10) Existence of Administrative Handbooks of Rules and Regulations

BELGIUM: There are no administrative handbooks of rules and regulations. Such information must be obtained from the Laws of January 7, 1835; May 31, 1860; May 29, June 15, 1912; and August 7, 1931.[1]

FRANCE: There are no handbooks of rules and regulations issued by the government. Whenever necessary, cases are referred for the decision of the Commissions established for this purpose.

GERMANY: Government regulations in the premises are contained in *"Das Recht der Denkmalspflege in Preussen,"* by Lezius.

GREAT BRITAIN: There are no handbooks of rules and regulations issued by the government.

ITALY: Laws and regulations on monuments are published in the "Gazetta Ufficiale," official government publication and the official bulletin of the Ministry. These publications can be found in collected form in the two volume edition of the "Codice delle Antichita e degli Oggetti d'Arte," recently published by Luigi Parpagliolo.

SWEDEN: Such a handbook does not exist. Reference must be made to the Royal Statute on public buildings of November 26, 1920, and the Royal Statute of November 29, 1867, on Ancient Monuments.[2]

CANADA: No separate regulations have been issued to cover historic sites and monuments, the National Park Regulations having been made applicable.

MEXICO: An administrative handbook of rules and regulations regarding repairs, publicity, additions to historic buildings, etc., has been prepared for distribution.[3]

(11) Government Handbooks Dealing with Special Technique for Conservation and Maintenance of Historic Buildings and Monuments

BELGIUM: There are no Government handbooks which deal with special technical problems relating to the conservation and maintenance of historic buildings and monuments.

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[1]See Exhibit B-201-203.
[2]See Exhibit B-230-238.
[3]See Exhibit B-228,229.

FRANCE: Circulars are sometimes sent out to the architectural staff of the Historic Monument Service regarding specific technical questions, but these are not made public. Expert work is assured by the employment of a highly trained technical staff and by the close supervision given these projects by the Commissions and by Boards of competent authorities.

GERMANY: There are no government handbooks of this kind.

GREAT BRITAIN: Up to the present no handbooks dealing with this matter have been prepared for distribution, although there are definite circulars of instruction on the subject for use of the personnel within the Department.

ITALY: The Ministry publishes two monthly reviews: "Notizie degli Scavi di Antichita" and "Bollettino d'Arte," which deal with special technique for the conservation and maintenance of historic buildings and monuments.

SWEDEN: Handbooks are published by the Office of Works, such as "The Effects of the Climate on Buildings on the West Coast," "Fungus and the Conservation of Wood against Decay" and "Directions for the Fabrication and Application of Shingles."

CANADA: No handbooks have been issued in connection with the conservation and maintenance of historic buildings and monuments.

MEXICO: There are no Government handbooks dealing with technical questions. Each problem is handled and administered by the technical staff on its own merit.

(12) Concessions

The Handling and Sale of Souvenirs

BELGIUM: The sale of souvenirs is negligible.

FRANCE: In most of the Historic Monuments photographs, postcards and other souvenirs are on sale. In State-owned monuments this business is rented out to a concessionnaire. There is a special office for the sale of official photographs of historic monuments at the Beaux-Arts.

GERMANY: The Government has nothing to do with the handling and sale of souvenirs. These, including picture postcards, are privately manufactured and sold on the site through private arrangements with the caretaker.

GREAT BRITAIN: Books, postcards, photographs and the like are supplied and sold by the Government. Restaurants are permitted on certain sites. These concessions are let out by contract to the highest satisfactory bidder. The wife of the Custodian often

serves tea to visitors, a practice which is permissible, but is in no sense an official arrangement.

ITALY: Photographs and other souvenirs are supplied and sold by the Government.

SWEDEN: Guide books, photographs and the like are published by the Government and sold at the monuments.

CANADA: No concessions are granted private individuals or concerns for the handling and sale of souvenirs at sites controlled by the Government.

MEXICO: Concessions for the handling and sale of souvenirs are granted private persons in historic areas administered by the Government. Guide books are published and sold by the Government.

(13) Combatting Vandalism

BELGIUM: Vandalism is rare in Belgium. In cases where it has been proved, it has been combatted as much by education as by legal intervention, depending upon the circumstances involved.

FRANCE: Vandalism is not a serious problem. It is partly combatted by the extensive police measures in force, and partly by education.

GERMANY: In Germany vandalism is not a serious problem.

GREAT BRITAIN: There is a certain amount of minor vandalism, such as scribbling names on walls, etc. If visitors are apprehended in these acts, they are first warned, then prosecuted.

ITALY: Law and education are both effective against vandalism. Cases of vandalism are infrequent.

SWEDEN: Vandalism does not constitute a problem which necessitates special regulations. The most usual mischief encountered is writing on walls, etc., which is best corrected by education.

CANADA: Very little difficulty has been experienced to date by vandalism, as a special effort is made to educate the public regarding historic sites.

MEXICO: Vandalism is a serious problem in Mexico as it is done by both natives and tourists. It is combatted by police force chiefly, although an attempt has been made to educate the public to the value and importance of preservation work.

(14) Private Excavation Enterprises

BELGIUM: Private excavations are encouraged.

FRANCE: Private excavations are not encouraged. If any discovery on either public or private property has been made, it must be reported immediately to the Mayor and local Prefect, who must

in turn notify the Minister of Beaux-Arts. Dispossession may be demanded if excavation is considered desirable. A provisional preservation order may be issued by the Mayor of the Commune, pending classification of the findings by the Ministry.

GERMANY: Private excavations are encouraged, provided they take place under suitable supervision.

GREAT BRITAIN: Private excavations are encouraged subject to competent supervision and publication.

ITALY: Private excavation is not encouraged, but may be approved if the enterprise is a bona fide one. It is not encouraged, however, because the findings of government excavations belong entirely to the State, whereas only half of the findings from private excavations belong to the State.

SWEDEN: Private excavations are encouraged if undertaken by competent responsible persons and if the necessary precautions for protection and preservation are taken.

CANADA: Private excavations on sites controlled by the Government are prohibited.

MEXICO: Private excavations are not encouraged.

C. Financial

(1) Taxes: Expense of the Historical Program to the Government in Terms of What Has to be Raised From Taxes

BELGIUM: An appropriation of about 1,000,000 francs is allotted to the Department of Public Instruction yearly for the preservation of monuments and sites. This is insufficient to provide for the complete administration of the law and is supplemented by private contributions, fees, trust funds, etc.

FRANCE: Besides the amount collected as entrance fees and apportioned by the Historic Monuments Fund, the State has allotted in the 1935 budget the following amounts to the Historic Monument Service:

State-owned monuments	Fr. 7,000,000
Other monuments	10,000,000

The share of the State in the upkeep of monuments which it does not own is approximately the same as that furnished by the owners.

GERMANY (Prussia): The branch of the Government interested in the preservation of historic buildings and sites does not own any of these buildings or sites. It is an advisory body only. Hence, the cost of actual construction work and the expenses of the preservation program to be met from taxation are comparatively small. Also appropriations in the Prussian budget for the Branch

of Preservation cover tasks only, provincial tasks being financed from provincial funds. Expenditures amount to approximately 3,000,000 marks annually.

GREAT BRITAIN: A sum of money is voted by Parliament each year to the Department for use on ancient monuments and historic buildings. The sum varies slightly from year to year but it approximates about £60,000, not including the cost of maintenance.

ITALY: Approximately ten million lire is assigned in the National Budget for the preservation of monuments, scenic areas, excavations, museums and art galleries. To this is added half of the revenue from admission fees and additional sums appropriated for such works of exceptional importance as the excavations in Rome and the City of Herculaneum, etc., and to cover salaries of the staff. This amounts to about twenty-three million lire in all.

SWEDEN: Appropriations for the maintenance of monuments are included in the annual budget of the various departments for the upkeep of buildings under their administration. For more extensive repair and restoration the necessary appropriations are often granted in the form of installments.

CANADA: The fund to cover the cost of maintenance of historic buildings and sites as voted annually by Parliament is very small, because of limited government activity in this field.

MEXICO: The maintenance of pre-Hispanic and colonial buildings and sites amounts to approximately 519,665 pesos a year.

(2) Fees as a Source of Income for the Support of Historic Buildings and Sites Administered by the Government

BELGIUM: Fees are a source of income for the support of Government administered historic buildings and sites.

FRANCE: For buildings belonging to the Service of Historic Monuments the entrance fees vary from 50 centimes to 2 francs, according to the importance of the monument. Special reductions on these rates are granted to students and there are on sale in certain instances "subscription cards" granting admission to two or more monuments. An additional fee is charged for the right to photograph or to film monuments. Entrance fees are also collected from buildings belonging to towns, Departments and private owners, but the State has nothing whatever to do either with the collection of these fees or their subsequent disposition. The amounts received are usually reserved for the owner's share in the expenses of upkeep and is taken into consideration by the State when determining its own participation in the maintenance of the building.

The various fees collected in the monuments belonging to the State are deposited with the "Caisse Nationale des Monuments Historiques" and divided according to the needs of the various classified monuments. These funds are administered entirely by this Caisse Nationale. No part of this money enters the French treasury or can be appropriated by the French Congress, nor can it be used for any purpose except that of upkeeping, restoring or preserving monuments and sites.

GERMANY: Admission fees to Government-owned castles, gardens, and museums represent one source of income for the support of Government-administered buildings. In some cases, fees are regularly charged, in others, only on stated days. The usual amount of the fee varies from 25 pfennig to one mark. These fees constitute only a minor part of the total cost of preservation. In Prussia, the revenue from admission fees and from the sale of catalogues, postcards, plaster models and like articles amounted to RM 280,000 as compared with total expenditures of 2,943,000 marks.

GREAT BRITAIN: Admission fees are charged at monuments owned by the Government. The amounts received are appropriated in aid of the budget, which includes ancient monuments and public buildings generally. The normal fee is 6d/, although in certain cases it is 1d/ and in others 3d/.

ITALY: Admission fees constitute an important source of income for the support of monuments and museums. The annual income derived from this source was from eight to nine million lire a few years ago. Today, however, the rates are considerably less and the average yield from five to four million lire. Half of the revenue derived from admission fees is included in the National Budget, while the other half is used for exceptional expenditures such as excavations in Rome and Herculaneum.

SWEDEN: Entrance fees are generally used for the maintenance and repair of historic buildings and sites. The amount of revenue derived from this source, however, is negligible in comparison with the total cost of maintenance, the possible exception being the Visby Ruins where it constitutes 25% of the total cost.

CANADA: No fees are charged visitors at any historic sites controlled by the Department of the Interior.

MEXICO: All historic buildings and sites are open to the public free of charge.

(3) Trust Funds as a Source of Income for the Support of Historic Buildings and Sites Administered by the Government

BELGIUM: Trust funds are a relatively unimportant source of income.

FRANCE: Where a classified building is willed or donated to the State by its owner, together with funds to be held in trust for its upkeep, the capital so willed or donated is deposited with the "Caisse des Depots et Consignations" for the sole use of the particular monument designated.

GERMANY: While trust funds are included among the various sources of income, the revenue therefrom is insignificant.

GREAT BRITAIN: Trust funds are not used by this Government.

ITALY: There are no trust funds in Italy.

SWEDEN: There are very few funds for the support of historic buildings and sites. The Gustaf Adolf fund recently founded is under the direction of the King's Custodian of Antiquities.

CANADA: Trust funds are not a source of income for the support of historic sites and buildings controlled by the Department of the Interior.

MEXICO: Trust funds are not provided for by the Government.

(4) Gifts of Properties: Proportion of Government Historic Properties Received as Gifts. Methods of Controlling Such Donations

BELGIUM: The proportion of Government properties received as gifts is very small. Donations belong entirely to the State and are controlled by it (Department of Finance—Division of Domains).

FRANCE: A few monuments have been donated or willed to the State such as the Chateaux of Montal, Castelnau-Bretenoux and Azay-le-Rideau, but in general such gifts are made to towns, the French Institute or to local learned societies. Monuments donated to the State are administered in the same manner as other State property, subject to the classification restrictions imposed by the Ministry of Beaux-Arts.

GERMANY: Gifts of properties seldom occur.

GREAT BRITAIN: A few monuments have come directly under the control of the Department by deed of gift.

ITALY: Works of art and monuments, as well as sums of money to be used for excavations, the preservation of monuments or the purchase of works of art are frequently offered to the State as gifts.

SWEDEN: Government historic properties received as gifts are few. Such properties are administered upon the recommendation of the Office of Works by whatever State authority the King decides is best able, considering the character of the monument, to give it proper attention and care. Of importance is the *Glimming Hus* and *Church of Kalla* under the administration of the King's Custodian of Antiquities.

CANADA: In most cases small plots of land, on which it is desired to erect a memorial, are donated. Where this is not possible a long-term lease of occupation is executed. In compartively few instances has it been found necessary to purchase sites. Most of those on which military fortifications stand have been transferred from other Departments of the Federal Government.

MEXICO: There are comparatively few buildings and sites which have been received as gifts. Such areas are administered in the same way as any other monument or site.

D. Surveys

(1) Buildings and Sites Surveys: Have Surveys Been Carried Out to Cover all Important Historic Buildings and Sites in the Country?

BELGIUM: An exhaustive survey of monuments, works of art and the history of Belgium was ordered in 1931 to include (1) a detailed description of all monuments prior to 1830 of artistic, archaeological or historic interest; (2) a more concise description of the principal monuments since 1830 with special attention to classified monuments; (3) mention or description of movable objects or important fragments, sculpture, painting, inscriptions and the like of artistic, archaeological or historic interest; (4) a list of public and private collections with brief historic summaries, mentioning the class of works and objects to which they belong, and listing the more important ones; (5) ruins, traces and objects of pre-historic, Roman or Frank remains, which are no longer existent; (6) monuments of interest to the History of Art which are no longer existent; (7) principal objects preserved abroad relating to the above-mentioned monuments; (8) historic sites.

FRANCE: A survey which includes most of the historic monuments has been made, and one for historic sites is now under way. A file has been opened for each site and monument to include one or more drawings, photographs, descriptive material, and historical notes. The general inventory of the Historic Monument Service was begun in 1913.

GERMANY: Surveys have been conducted in different sections of Germany. The work is financed by the States and Provinces with occasional subsidies from the Reich.

GREAT BRITAIN: Such a survey is being carried out under the direction of the Royal Commission. Every structure and earthwork earlier than the beginning of the eighteenth century is examined and recorded. Lists are published in book form according to the county in which the subjects are located.

ITALY: Data has been collected with respect to all important historic buildings and sites to which supplementary additions are made from time to time.

SWEDEN: There has been no comprehensive survey made on historic buildings and sites as yet, although data in the form of measuring plans, photographs and descriptive material has been collected on individual monuments of importance. These have been published in such collections as "Svenska Arkitekturminneforingen." A private institution, the Nordiska Museet, has made a systematic study of peasant and manor life and the material collected is available for research purposes.

CANADA: A fairly comprehensive survey of historic sites throughout Canada has been carried out by the Historic Sites and Monuments Board. No special forms are used.

MEXICO: A record has been made of only the more important historic buildings and sites. The field is so extensive in Mexico that officials declare it will be many years before the survey will be completed. The data is gathered in the form of topographical reports, photographs, measured drawings and written reports. There are no standard forms used.

(2) The System of Measurements or Surveys Used to Make a Record of Ruins

BELGIUM: The same system is used as in measuring any other property. There is no official inspection of ruins. The Corresponding Members of the Royal Commission are charged with the supervision of preservation work in their respective districts.

FRANCE: The work is accomplished by trained personnel of the Bureau of Historic Monuments and Sites in accordance with uniform plans of drawings and photographs.

GERMANY: Inventories have been established in this connection for the past 120 years and now cover about 60 per cent of Germany. New prehistoric remains are added as discovered. The remaining 40 per cent of the German area is now being catalogued. For this work sixteen field parties of three men each are available, consisting of two art experts and one architect each. It is planned to raise the number of field parties to 30. This work is financed by the States and provinces with occasional subsidies from the Reich.

GREAT BRITAIN: The Department's architects make surveys of all monuments under the Department's guardianship on a uniform scale. The different periods of construction are indicated by a uniform system of shading.

ITALY: The catalogue of ruins, monuments, works of art and natural scenic beauties is prepared in accordance with very detailed printed forms.

SWEDEN: The King's Custodian of Antiquities makes systematic surveys, maps and detailed examinations of the ruins under its jurisdiction. Aeroplane photography is frequently used.

CANADA: No particular system for measuring ruins or making surveys is used. Plans of ancient structures are generally from historical records and are supplemented by whatever other information is found available. Occasionally aeroplane photography is used to assist in following the outlines of ruins.

MEXICO: Systematic surveys are made of ruins in Mexico in accordance with detailed instructions of the Department of Monuments.

E. Classification

(1) Responsibility for Classifying Buildings and Sites of National Interest.* Procedure of Classification

BELGIUM: The proposal to classify a building can be made to the Government either by the Royal Commission of Monuments and Sites or by the College of Burgomasters and Aldermen (a communal authority which has charge of local interests of all kinds). The Ministry of Beaux-Arts, apprised of this proposal, decides whether or not it should be followed up and an investigation begun. Proceedings are instigated by giving notice of the proposal to classify to the owners of the subject building and to holders of substantial rights. The College of Aldermen of the Commune where the building to be classified is located is also notified. They are allowed two months in which to submit their findings to the provincial authority (which is a permanent agency). The latter renders a decision and the record is then sent to the Royal Commission of Monuments and Sites. The Commission, it is true, may originate the initial proposal to classify, but it is only after these various proceedings that it is in a position to make a final decision. Moreover, the proceedings are not complete in this matter until a delegate of the Minister of Finance has been called into consultation, because of the financial burden which classification entails. If the Minister of Finance advises classification, the case must still be submitted for the approval of the Council of Ministers before the Royal Order of classification becomes effective.

FRANCE: Monuments are classified by decision of the Historic Monuments Commission, if the owner agrees to such classification. If

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*** See above Foreign Legislation for authority to classify buildings and sites.**

objections are raised, the case is referred to the Conseil d'Etat (Supreme Court). There are no set standards for the classification of historic monuments. Some are classified because of their antiquity, some for their historical or architectural importance and others for their literary significance (as the three windmills near Arles, from which Alphonse Daudet wrote his "Letters from my Windmill").

GERMANY: The Konservator is responsible for classifying buildings and sites of national interest. Appeal is possible to the Reich Minister of Education.

GREAT BRITAIN: The Ancient Monuments Board with the advice of the archaeological staff of the Department decides when a monument should be classified as an ancient monument under the Act. Monuments of all kinds, including ruined castles, abbeys, churches, prehistoric earthworks and stone circles may be recommended by the Ancient Monuments Boards at their meetings and the Department is bound to accept them to the extent of "scheduling" them. It should be pointed out that these Boards can not recommend for scheduling as an ancient monument any ecclesiastical or other building that is at present in permanent and regular use for ecclesiastical purposes or any building still used as a dwelling house.

ITALY: In Italy, the Direction General of Antiquities and Fine Arts is responsible for the classification of monuments. Because of the ambiguity of the word "national," the simple term "ad solemnitaten" has been applied to monuments, the classification of which is considered desirable. The Italian law thus accords protection to all buildings of any interest from the standpoint of archaeology, history or art. Property is divided into two classes according to whether it belongs (1) to public, civil or religious voluntary associations, recognized by law or (2) to private associations or private individuals. The provisions governing the first class are manifestly more restrictive than those which apply to the second class. In the first case, protection extends to everything which presents any interest whatsoever from the standpoint of archaeology, history or art, whereas in the second case, it includes only things offering an interest designated as "important."

SWEDEN: Responsibility for the classification of buildings and sites of national interest lies with the Administration of Buildings and the King's Custodian of Antiquities.

CANADA: The Historic Sites and Monuments Board decides the national importance of sites and structures. Only those sites and buildings which have had an important bearing on the development of Canada fall within this category.

MEXICO: The Commission of Monuments, a staff composed of nine authorities representing the various interests involved, is responsible for the classification of monuments and sites.

(2) Historic Buildings Still In Use

BELGIUM: The Commission besides being called upon to give its advice on the repair of monuments of an historical or artistic interest, likewise possesses advisory powers for all matters relating to the construction and repair of public buildings in general, as well as to questions pertaining to the sanitary conditions of their environs.

FRANCE: Historic buildings used by other Departments such as offices of the War Department, prisons used by the Ministry of Justice, schools used by the Department of National Education and the like are administered by the authorities using them. Repairs and inspections, however, are made under the direction of the Beaux-Arts.

GERMANY: Historic buildings still occupied and used by the Government or others, also come under the supervisory control of the Konservator.

GREAT BRITAIN: These buildings are maintained at the expense of the Commissioner of Works.

ITALY: Historic buildings which are publicly owned and still in use are subject to the restrictions imposed on any public classified building, regardless of whether they are owned by a Department of the Government or legally recognized voluntary association. Restrictions on these buildings are, moreover, far more exacting than for classified buildings belonging to private persons or associations.

SWEDEN: A Department which occupies an historic building or has jurisdiction over the land on which the building is erected is responsible for its maintenance and care.

CANADA: The Historic Sites and Monuments Board does not administer any historic buildings which are publicly owned and still occupied.

MEXICO: The Department of Monuments has no authority over publicly owned historic buildings still occupied and used. Usually such buildings are marked by a plaque.

(3) Proposed Areas for National Ownership

BELGIUM: The procedure of proposing areas for national ownership is similar to that of classification. The proposal can be made either by the Royal Commission of Monuments and Sites or by the College of Burgomasters and Aldermen and must be

approved by the Minister of Finance and the Council of Ministers.

FRANCE: Every citizen has the right to propose monuments and sites for Government ownership. As a rule, however, such proposals are originated either by Government employees in the Ministry of Beaux-Arts, by town boards or learned societies.

GERMANY: Areas may be proposed for national control by anybody interested. The decision rests with the Reich Ministry for Education, subject to the legal forms of seizure or purchase.

GREAT BRITAIN: The Commissioners of Public Works have the right (1) to buy ancient monuments; (2) to accept monuments by gift or legacy; (3) to assume the custody of ancient monuments entrusted to them by the owners of these monuments. In the cases indicated by numbers 1 and 2, the authorities which acquire the monument become the legitimate owners of this monument and of the land upon which it is erected, whereas in the cases indicated by number 3, the owner retains his rights or ownership over the monument or building, its custody and preservation alone being entrusted to competent authorities.

Scenic areas do not come under the jurisdiction of the Government, although a private body dependent on voluntary contributions, "The National Trust," has been established for this purpose and now controls large tracts of land of scenic beauty.

ITALY: Areas proposed for national ownership are referred to and must be approved by the Direction General for Antiquities and Fine Arts. The tendency, as far as possible, is to leave classified monuments in the possession of their owners, except where violations of the law necessitate dispossession. Recently the State has returned such places of historic and artistic importance as the Certosa of Pavia and the Badia of Praglia to the religious orders which originally owned them in an attempt to revive the life which made them famous.

SWEDEN: There are no rules for this.

CANADA: Any person or organization may propose areas for national ownership. The Historic Sites and Monuments Board passes upon the proposal and decides whether the site or event is of national historic importance, and makes a recommendation in accordance with their decision.

MEXICO: Areas are proposed for national ownership in the form of a written report sent to the "Commission of Monuments." This report can be presented by any interested person. It should be well illustrated by photographs, drawings, etc. A committee is appointed by the Commission to study the proposition. If approved by the Commission, the property is declared a "monument" and automatically becomes classified and placed under the

protection of the law for the preservation and conservation of monuments.

(4) Are All Historic Buildings and Sites Maintained by the Government Open to the Public?

BELGIUM: All monuments and sites owned by the Government are open to the public. There are certain privately owned classified monuments and sites not open to the public, but these are never maintained entirely at the expense of the State.

FRANCE: The owner of a classified monument or site is absolutely free to fix the conditions under which he will admit the public; he may entirely forbid access to his property. Public buildings (State-owned) are always opened to the public unless they have strategic importance (fortifications still in use) or unless used as a prison (Chateau of Carcassonne until recently) or unless there is a certain danger in visiting them by reason of their age or state of conservation or unless the subject buildings are in the process of repair.

GERMANY: There are a few buildings and sites simply maintained without being open to the public.

GREAT BRITAIN: There are no buildings closed to the public with the exception of Royal Palaces which are in occupation and the buildings which are used by the War Department.

ITALY: In general, all historic buildings and sites are open to the public, with the exception of buildings occupied by Government agencies.

SWEDEN: In general all historic sites and buildings maintained by the Government are open to the public. Some very old military memorials, however, are accessible only with special permission.

CANADA: All historic sites and buildings controlled by the Department of the Interior are open to the public.

MEXICO: There are a few buildings (especially museums containing valuable collections) which by the nature of their exhibits can not be opened to the general public. Admission to them is restricted and can only be granted by obtaining special passes issued by the Federal Government.

(5) Existence of Laws Regulating the Type of Buildings and Grounds which may be Permitted Next to an Historic Monument

BELGIUM: Although there are no specific provisions in the Belgian laws regulating the type of buildings and grounds which may be permitted in juxtaposition to an historic monument, the Commission can exert considerable influence in this connection by its powers to advise the Ministry on the regulation of *all* public

buildings, on bill-posting and sanitary conditions of the environs of a monument.

FRANCE: French law grants the right of acquiring either by public dispossession or by classification unadorned or ordinary buildings within a specified radius of the classified edifice, when such buildings detract from the latter's appearance, destroy its perspective, obstruct its view, constitute a fire-hazard, or endanger the classified building in any way. This law also applies in cases where it is necessary "to isolate, detach or to render sanitary a classified building."

GERMANY: Laws relating to the environs of monuments have been drafted and await implementation.

GREAT BRITAIN: Where a monument is especially dependent on its setting, the Commissioners have power to draw up a preservation scheme for a specified area of the surrounding country, controlling the uses of land in the neighborhood, on the analogy of the Town Planning Schemes carried out by local authorities. By the Act of 1931, the Commissioners define by a map the area of the scheme, called the "controlled area" and apply such restrictions as they consider necessary for the preservation of the amenity of the monument. But they have no power to order the destruction of existing buildings, or buildings under construction according to a contract made before the scheme came into force. Any person who is injuriously affected may claim compensation subject to the provisions of the Act. Before confirming a Preservation Scheme the Commissioners are bound to publish information of its effects and otherwise to make known their intentions to persons affected.

ITALY: The State has prescribed a "zone of respect" around classified monuments by provisions which declare that the perspective to the monument and its general appearance shall neither be injured nor compromised by the construction of new buildings or by the remodeling of neighboring or contiguous buildings.

SWEDEN: According to the statute now coming into force alterations on a building contiguous to an historic monument and the construction of new buildings are subject to the approval of the Administration of Buildings and the King's Custodian of Antiquities.

CANADA: No law regulating the type of buildings and grounds which may be permitted next to an historic site exists at present.

MEXICO: The law for preservation of historic sites and buildings also provides for the regulation of buildings and grounds adjoining the monuments.

F. Technical Policies

(1) Is the Tendency Toward Restoration to Original Condition or a Holding to the Condition of the Ruins when Discovered or Taken over for Preservation?

BELGIUM: The present tendency is to restore ruins to their original condition unless the cost is too great, in which case an attempt is made to preserve them in the condition when discovered.

FRANCE: The tendency is to preserve the ruins in the condition when found or taken over for preservation.

GERMANY: There is a tendency towards restoration to original condition, instead of maintaining the ruin in its present condition. Of course, in some instances, it is preferable to maintain the present condition from a picturesque point of view. The decision is determined by the use to which the building will be put and cost of restoration.

GREAT BRITAIN: Preservation not restoration is the rule in England, except in certain cases where restoration of certain missing details has been accomplished. (Modern additions are, of course, removed.)

ITALY: Instead of restoration a policy of preservation is followed with the addition of appurtenances strictly necessary.

SWEDEN: With a few exceptions, the restoration of ruins to their original condition is not attempted. Ruins are preserved with only the least possible alterations and additions considered necessary for their future maintenance.

CANADA: Generally speaking, the practice is to preserve existing ruins rather than to resort to restoration.

MEXICO: The tendency is to restore the ruin to its original condition, a detailed photographic record being made of the condition of the ruin when discovered.

(2) The Best System of Protection of Ruins—The Museum System or Maintaining in Original Location

BELGIUM: Usually ruins are maintained in their original location.

FRANCE: In general, ruins are maintained in their original location, although in certain cases where decay or disintegration is feared, objects, fragments, etc., are removed to museums.

GERMANY: As the best system for the protection of ruins, maintenance on the original location is usually regarded as the best and cheapest method; but under special circumstances the museum system may be advisable.

GREAT BRITAIN: The Department considers that as far as possible finds or fragments of architectural interest should be preserved

on the site, except in certain instances where the object might be damaged by weather conditions and other causes, in which case removal to a museum is considered necessary.

ITALY: Antique remains are preferably kept where found if they are not of particular importance or if there is no fear of deterioration or theft; otherwise they are placed in national museums.

SWEDEN: The most advisable and customary procedure is to maintain the ruins in their original location.

CANADA: The ruins are protected in their original location. Plaster models are frequently made of the original structure for museum purposes.

MEXICO: Whether ruins are maintained in their original location or transferred to a museum for safekeeping is entirely dependent upon the importance, size, weight, etc., of the subject.

G. Education

(1) Government Educational Activity in Connection with its Historic Buildings and Sites

BELGIUM: There is no Government activity in respect to an educational program in connection with its historic buildings and sites, other than a proper training of guides for imparting accurate information to the visiting public.

FRANCE: The only program for education is the course given for the competitive examination for the position of Chief Architect. There are, however, a great number of lectures on archaeology, history of art, etc., at the Fine Arts School, Charter School and the Louvre Museum School and the Universities.

GERMANY: In connection with buildings and sites, the Government conducts a certain amount of educational activity through its publications. In Germany, no need has been found for a very active Government program.

GREAT BRITAIN: The Government does not have educational lectures on its monuments, but through pertinent literature and properly instructed guides it undertakes to enlighten visitors as to salient and interesting features of the major historic monuments.

ITALY: History of Art is taught in the secondary schools, academies of fine arts and universities, as well as in special courses organized by public and private institutions. There is no special governmental activity.

SWEDEN: The King's Custodian of Antiquities arranges lectures and exhibitions, but these are not given regularly. The Universities and High Schools arrange visits to these monuments in connection with their courses.

CANADA: A fairly active educational system is maintained in connection with the work. A series of booklets have been prepared covering the larger sites, for which there is a constant demand. Press articles are prepared from time to time covering outstanding events being commemorated. Historical material is prepared and printed on the reverse side of highway and tourist maps and numerous requests for historical information from writers are complied with.

MEXICO: The education program is not a very extensive one. It consists chiefly in the publication of monographs which are distributed at a very low price.

(2) Informal or Formal Relationship Between the Historic Buildings and Sites Administration and the Schools

BELGIUM: There is no official relationship between the historic buildings and sites administration and the schools, but the State encourages school visits to historic monuments. A radio program, given by the T. S. F. for school children includes the subject in its course of instruction.

FRANCE: Visits to historic monuments are encouraged and facilitated in every way possible for school children, although there is no special organization for that purpose. Group visits are arranged and conducted at the instance of school principals. An important feature of the Touring Club program is interesting school children in this respect.

GERMANY: There is no formal relationship between the historic buildings and sites administration and the schools, but classes of school children are regularly taken to visit historic sites.

GREAT BRITAIN: School children are allowed a fifty per cent reduction on admission rates and group visits organized to monuments of particular importance.

ITALY: Visits to historic monuments are frequently organized by primary and secondary schools.

SWEDEN: Classes of school children often visit historic buildings and are given reduced entrance fees.

CANADA: There is no direct relationship between the Department and the School Boards, although any information requested by correspondence is supplied teachers and pupils. In certain instances classes of school children are taken to sites and brief lectures on the subject monument given either by their teachers or local authorities.

MEXICO: There is no official connection between the schools and the Department of Monuments, although student classes are often taken to visit these monuments in connection with their school work.

(3) Museum Development in Connection with Historic Buildings and Sites. Is the Museum Important or Relatively Unimportant?

BELGIUM: Important museums have been established in connection with certain historic buildings and sites containing valuable collections pertaining to the locality of the subject monuments or its history.

FRANCE: Almost every city has one or more museums of local history and folklore. These museums are wherever possible established in connection with a historic monument owned by that city. Other monuments often contain interesting collections and exhibitions.

GERMANY: There is frequently some museum development in connection with historic buildings and sites, depending on the nature of the site. Its relative importance depends on local circumstances.

GREAT BRITAIN: Museums containing collections of interesting relics and other objects found within the vicinity of certain historic sites have been erected on those sites. Such museums are of great value from the student's point of view.

ITALY: At some monuments special museums have been established concerning the history of that particular monument. The larger national museums established within certain important monuments are national in scope, having no direct reference to the monument itself.

SWEDEN: Many important monuments contain small museums and collections which include findings and works of art from that particular locality. Local or county museums, such as those connected with the Castles of Orebro, Kalmar and Malmohus, are also often established within these monuments.

CANADA: For several years small museums have been maintained at much frequented sites, such as at Forts Anne, Chambly, Lennox and Wellington.

MEXICO: At all monuments small exhibits concerning the history of the building or site are maintained. These are, however, relatively unimportant.

(4) Research Work Conducted in Connection with the Government Program. How is it Accomplished and Financed?

BELGIUM: Research conducted in connection with the Government program is carried out under the direction of the Royal Commission of Monuments and Sites and is financed by the Government.

FRANCE: Research work on Historic Monuments is made either by Civil Service employees (fonctionnaires) who receive a fixed salary and traveling expenses or by architects who receive a remuneration proportionate to the importance of the work performed. Wherever possible the work is given to Civil Service employees.

GERMANY: Inventories have been established in this connection for the past 120 years which so far cover about 60 per cent of Germany. New prehistoric sites are added as discovered. The remaining 40 per cent of the German area is now being catalogued. For this work sixteen field parties of three men each are available, consisting of two art experts and one architect each. It is planned to raise the number of field parties to thirty. Research in this connection is financed by the States and provinces with occasional subsidies from the Reich.

GREAT BRITAIN: Research work is carried out by the archaeological officers of the Department with the assistance of their clerical staff. This research is considered as a part of their routine and is financed from funds of the Department.

ITALY: Research work in connection with the Government program is carried out by the regional Superintendencies.

SWEDEN: Experts are often called in for technical advice and research in connection with the Government program, and are usually paid by the Government for their work.

CANADA: Most of the research work in connection with sites receiving consideration is carried out by members of the Historic Sites and Monuments Board.

MEXICO: Research work is carried out by a staff composed of members of the Department of Monuments, the National Museum and the National University.

(5) Regularly Appointed Lectures in Connection with the Buildings and Sites

BELGIUM: There are no official lectures in connection with historic buildings and sites.

FRANCE: There are no regularly appointed lectures given under Government direction. However, a series of lectures on historic buildings and sites has been arranged frequently by the Touring Club of France and the French Alpine Club.

GERMANY: There are no regularly appointed lectures in this connection.

GREAT BRITAIN: There are no regularly appointed lectures.

ITALY: There are available at government maintained historic buildings and sites, intelligent guides who are capable of describing

and explaining the authentic history of the subject building or site; there are no regularly appointed lectures.

SWEDEN: The King's Custodian of Antiquities has arranged lectures, but these are not given regularly. There are courses at the Universities and High Schools which include the general subject and visits to the historic buildings and sites are conducted in connection with this study.

CANADA: There are no regularly appointed lectures in connection with the work, but separate lectures are arranged for as requested by the National Parks Branch which furnishes lantern slides and lecture notes.

MEXICO: There are no regularly appointed lectures in connection with the buildings and sites administered by the Government.

(6) Is Literature Available? What Type? How Prepared? Is It For Sale or Is It Free?

BELGIUM: There is no official literature, although guidebooks have been published by independent persons and such associations as "Friends of the Royal Commission" and are on sale at the principal historic monuments and sites.

FRANCE: There is no set rule for the preparation and sale of literature at historic monuments. When a monument is important enough to warrant the granting of concessions, there are generally on sale most of the books on the subject, no matter by whom the books are written or edited.

GERMANY: Literature, such as catalogues, descriptive and historical data, and the like, are usually available and for sale. These are, in general, prepared by independent persons, experts in the fields of history, archaeology and historical architecture.

GREAT BRITAIN: There are guidebooks on the monuments written mainly by the archaeological staff of the Department. A charge of 2d or 6d is made according to the size of the book.

ITALY: There are a great many publications on sale at all historic monuments prepared by the Beaux-Arts Ministry, such as guidebooks, itineraries to the principal museums and monuments; catalogues of important works of art and collections; historical and archaeological maps, etc.

SWEDEN: There are descriptive guide books, many of which are illustrated, for sale at the historic monuments. These are often written by well-known authors and scientists. The King's Custodian of Antiquities publishes such a series.

CANADA: Small booklets are available covering the history of the larger sites. These are prepared in the National Parks Branch

and usually edited by a member of the Historic Sites and Monuments Board and are distributed free of charge.

MEXICO: Guide books are published by the publication office of the Department of Monuments and are distributed at a very low price.

(7) Markers on the Government Monuments and Sites. What is the Nature of the Marking System?

BELGIUM: Markers are placed on all Government monuments and sites. They are generally designed in a style similar to the style of the monument.

FRANCE: There is no uniform system of marking. No plaque, however, can be placed on any historic monument without proper authorization by the Historic Monument Commission.

GERMANY: No marking system appears to be in vogue.

GREAT BRITAIN: Descriptive plaques are placed on the more important buildings. There is no system of marking historic government buildings.

ITALY: All monuments are marked as to their identity.

SWEDEN: There is no real system. Markers are few and placed only on the most significant Government monuments and sites.

CANADA: All sites controlled by the Government are marked by the erection of one of the Department's standard bronze tablets. The inscriptions for these are furnished by the Historic Sites and Monuments Board.

MEXICO: There are no plaques designating historic sites and monuments with the exception of road signs placed on highways and at the entrance to monuments.

(8) Guides Available at the Government Properties. What Type? How Financed? Do They Wear Uniforms? What Type?

BELGIUM: Guides, usually wearing distinctive dress, are available at all historic sites and monuments. They are also the guardians in charge of the collections, for which service they receive a fixed salary.

FRANCE: The custodians in charge of historic monuments owned by the Government act as official guides. They must be War Veterans (the choice being made by the Ministry of Pensions irrespective of qualifications). They receive a fixed salary and visitors' tips and wear a uniform with a military cap bearing the letters M. H. (Historic Monuments).

GERMANY: At important monuments guides are available. In some cases the guide is also watchman and caretaker; in other cases he is engaged and trained for this particular service. He is paid

by the owner of the building or site. Occasionally uniforms are worn.

GREAT BRITAIN: The custodians at each monument (ex-service men of non-commissioned ranks) serve as guides. They wear uniforms.

ITALY: Special guides are licensed, but authorized to conduct foreigners only. They are furnished with their identification cards after passing special examinations for the position. They are not paid by the State, but by the persons employing them, in accordance with a tariff approved by the State. They were found to be of a very high type, courteous, educated and well versed in the subject monument or site.

SWEDEN: Attendants are available to inform visitors about salient and interesting features of the subject monument, but these attendants usually have to do the cleaning and are responsible for the general upkeep of the property, for which services they are paid from Government funds. Sometimes they are given a commission from the entrance fees received. At the Royal Palaces and at certain other monuments they wear uniforms.

CANADA: Caretakers are appointed at all sites controlled by the Department. At the larger sites full-time employees are engaged who act as guides to visitors, and are provided with uniforms consisting of a cap and working suit. At the smaller sites part-time men only are engaged. The salaries of all caretakers are paid by the Department.

MEXICO: There are uniformed guides at all historic monuments, who are on the Government payroll.

(9) Government and Other Tourist Agencies for the Distribution of Information and Literature Concerning Places of Historic Interest

BELGIUM: There are no Government tourist agencies which distribute information and literature concerning the places of historic interest in Belgium. Pamphlets, guidebooks, etc., are available, however, to private tourist agencies, railroad stations, etc.

FRANCE: All information for the tourist (including that concerning places of historic monuments) is furnished by the Office National du Tourisme and the Touring Club of France. These organizations have agencies in a number of large foreign cities, as for example the Office National du Tourisme in New York.

GERMANY: Information and literature concerning places of historic interest are distributed by the Reich Railway and by local tourist bureaus.

GREAT BRITAIN: There are no Government tourist agencies, but publications are available for sale at the Stationery Office in London and its branches in the principal cities of the British Isles.

ITALY: The ENIT (National Institute for Touring Industries) is a government institution, the purpose of which is to furnish tourists with information concerning monuments and natural scenic beauties. The "Touring Club" is a private and not a government institution; it publishes reviews and guide books on both subjects. There is also the Italian Alpine Club and other private tourist companies which issue similar publications.

SWEDEN: The King's Custodian of Antiquities has begun to collaborate with the Swedish Tourist Association in the distribution of literature concerning historic monuments. The Swedish Railway Company and the Swedish Traffic Association also cooperates in the dissemination of pamphlets, itineraries, maps, etc.

CANADA: The Federal Government has recently created a Canadian Travel Bureau. A number of the Provinces also have tourist bureaus, which furnish historical information.

MEXICO: Private tourist agencies distribute information. There are no Government tourist agencies.

H. Advisory Board

Membership, Functions and Relationship to Government Administrative Agency or Bureau

BELGIUM: There is an advisory committee composed of three members of the Royal Commission and three members of the Academy called the "Mixed Committee of Works of Art."

FRANCE: The Superior Council of the Beaux-Arts is an advisory board composed of eminent authorities in the fields of literature, art, archaeology, history, etc., many of whom are members of the Institute of France. There are also numerous advisory commissions connected with the Bureau of Historic Monuments and Sites, positions on the Board being honorary and without pay. There are now more requests for membership than there are vacancies.

GERMANY: There is an Advisory Board for Prussia, composed of eminent authorities in the fields of history, architecture, etc.

GREAT BRITAIN: The Commissioners of Works were empowered to constitute an Advisory Board, known as the Ancient Monuments Board and composed of representatives drawn from the Royal Commissions on Historic Monuments, the Society of Antiquaries of London, the Society of Antiquaries of Scotland, the Royal Academy of Arts, the Royal Institute of British Architects, the Trustees of the British Museum and the Board of Education.

There are three divisions of the Board, for England, Wales and Scotland. Their powers consist in (1) giving advice to the Commission on the subject of national monuments, (2) designating monuments which are subject to danger for one reason or another, (3) establishing a list of monuments whose protection is of public interest.

ITALY: The Superior Board for Antiquities and Fine Arts and the College of Natural Scenic Beauties are advisory boards, composed of prominent persons in the fields of history, art, archaeology, architecture, etc., and the natural sciences. These Boards recommend policies for the consideration of the Ministry, monuments for classification, etc.

SWEDEN: There is no official advisory board or commission relating to the preservation of historic sites and monuments, due to the fact that they come under the supervision of different government authorities. Recommendations made by eminent authorities requiring the approval of the King are sent to the Office of Works which together with the King's Custodian of Antiquities considers the matter and, if favorably, includes it in their separate reports for the King's signature.

CANADA: The Historic Sites and Monuments Board advises the Department of the Interior in the matter of the preservation and marking of historic sites eminently national in character. This Board is composed of a number of recognized authorities on Canadian history and acts in an advisory capacity only. Its members receive no remuneration for their services, but are granted a per diem allowance when attending general meetings of the Board or when carrying out inspections for the Department. The Board's recommendations respecting the marking and development of sites are carried out in so far as existing funds permit.

MEXICO: There is an Advisory Board which meets regularly and passes resolutions on all matters concerning the preservation of monuments. It is composed of leading authorities as follows:

Chief of the Department of Monuments
A representative of the Treasury
A representative from the Department of Tourism in the Secretariat of National Education
A representative from the University of Mexico in the field of architecture
A representative from the University of Mexico in the field of the plastic arts
A representative from the Department of Buildings in the Secretariat of Communications and Public Works
A representative of the Public Works Division

A representative of the Geographical Society of Mexico
A representative of the Scientific Academy "Antonio Alzate"
A representative of the Society of Mexican Architecture.

SYNOPSIS

A. Administration

(1) Government Agents Responsible for the Administration of the Historic Buildings and Sites Program

It will be observed that the subject of the preservation of historic buildings and sites is generally treated as falling within the fields of education and fine arts; the technical problems of conservation and preservation serving only as a means to its basic and ultimate end in promoting and stimulating the cultural arts. The table also shows clearly to what extent the character of the government program is determined by the character of the Department controlling the Service. For instance, the preservation of buildings of an artistic as well as archaeological interest are stressed in Belgium, France, Italy, and Mexico where the program is conducted under the jurisdiction of the Fine Arts Department. In Canada, the National Parks Branch emphasizes historic sites rather than historic buildings. It will be noted that, with the exception of Sweden, all preservation work is under a single administrative head.

(2) The Relationship of National, Provincial and Municipal Agencies in the Preservation of Historic Sites and Monuments

All classified monuments in Europe are subject to certain restrictions imposed by the National Government, which apply irrespective of the provincial or municipal units in which they are located or which may have title to the property. These provincial and municipal units contribute towards the cost of maintenance of historic buildings in their respective districts and in certain administrative features such as inspections, police restrictions and the like. It will be seen that in England, more authority is delegated to the local governing units, which may become guardians of scheduled monuments and have complete responsibility for their maintenance, subject to the advice of the Ancient Monuments Board. The Canadian Government does not attempt to classify its historic monuments nor to assume control over any buildings or sites which are not national property. In Mexico, very few monuments outside the Federal District are under the direct control of the Department of Monuments; the local authorities have complete administrative powers. In Germany, the States, at present, have jurisdiction. After the proposed reorganization it will be the Reich.

(3) The Relationship of the Administration of Scenic Areas with the Administration of Historic Areas

In Belgium, Italy, Canada and Mexico historic sites and monuments are under the same administration as scenic areas; in the other countries noted they are under separate administrations. The consolidation of these services is the result of administrative economy, as a distinct separation in the treatment of these two subjects is usually maintained. England has no large areas either of historical or scenic importance under government control.

(4) The National Museum in Relation to the Administration of Historic Buildings and Sites

In four countries (Belgium, England, Germany and Canada) there is no official connection between the administration of historic buildings and sites and the National Museum; whereas in four other countries (France, Italy, Sweden and Mexico) they are coordinate Services under the same Department.

(5) Jurisdiction of War Department over Military Memorials

The War Department has exclusive jurisdiction over military memorials in Belgium, Canada and Mexico. In other countries military memorials, with the exception of monuments of strategic value, are administered in the same manner as other classified monuments and sites.

(6) The Relationship of the Administrative Office to its Technical Staff in Regard to the Preservation of Historic Buildings and Sites

Although the final decision on all questions rests with the superior administrative official responsible for the preservation work, general authority is delegated the technical staff in regard to technical questions and their judgments and recommendations usually adopted.

(7) Regular Inspections of Historic Buildings and Sites

Classified sites and buildings are inspected regularly by a special body of trained experts in each country. Inspections are also made of sites and buildings proposed for government ownership and classification. The importance of this Inspection Service is paramount, because it relieves private owners from the responsibility of maintenance and care and keeps the Federal Governments in close contact with the subject buildings and preservation work in progress.

(8) The Relationship and Extent of Cooperation Between Government Agencies for Conservation and Private Agencies, Associations, Etc., for Historic Conservation

Although with the exception of Germany, there seems to be no general attempt abroad to coordinate the various activities of private historic and other agencies and associations interested in this field, cooperation between public and private enterprise is maintained by the representation of certain members of these societies on the National Advisory Boards. In Prussia, however, local associations for historic conservation are united into provincial groups, the latter cooperating with the Konservator. About once a year a convention, known as the Deutsche Denkmalsplegung meets to discuss questions in this field. It is attended by scientists interested in preservation, the assistant Konservators and representatives of the administration, headed by the State Konservator. Preservation work in Germany is an excellent example of what can be accomplished through the cooperation and efforts of such associations with Government officials for historic conservation.

(9) The Relationship of Government Agencies for Historic Conservation to Eminent Authorities in that and Related Fields. Is there a National Advisory Committee to aid in Planning the Government Program?

The necessity of obtaining the advice and assistance of the outstanding men in the fields of architecture, history, archaeology, etc., has led to the development of National Advisory Boards. The experience and broad vision of these experts have proved invaluable in the development of a successful program for Government activities in this field. Every country with the exception of Sweden now has a permanent Advisory Board. In Sweden, however, the Academy of Literature, History and Antiquities is a coordinate Branch of the Royal Ministry of Public Worship and Education and takes a very active part in this work.

(10) Existence of Administrative Handbooks of Rules and Regulations

In 1931 the United States War Department published a handbook for the regulation of national military parks (still in force, although, with a few exceptions, all military memorials are now under the jurisdiction of the National Park Service). Attention was called abroad to the publication of an administrative handbook of rules and regulations of this kind, but none were published in any of the countries visited. The Mexican Government is, however, now preparing for distribution a handbook, which will include repairs, publicity, additions to historic buildings and other features pertaining to the preser-

vation program. In Prussia, government regulations are contained in "Das Recht der Denkmalplege in Preussen" by Lezius.

(11) Government Technical Handbooks on the Subject

In none of the countries studied are there handbooks issued by the Government dealing with special technical problems regarding the conservation and maintenance of historic buildings and sites. In France, however, the Historic Monuments Service prepares and distributes circulars on the subject to members of its staff and the Italian Ministry publishes two monthly reviews which discuss specific technical problems in detail.

(12) Concessions

With the exception of Canada, concessions are granted private individuals or concerns for the handling and sale of souvenirs at sites and buildings controlled by the Government.

(13) Combatting Vandalism

With the exception of Mexico, vandalism is infrequent in most countries and does not constitute a serious problem. On the whole, it has been combatted more by educating the public to the value and importance of preservation work than by police restrictions. In Mexico, where more stringent measures seemed to be necessary, vandalism is combatted chiefly by force.

(14) Private Excavation Enterprises

In France, Italy and Mexico private excavations are not encouraged; in Belgium, Germany, Sweden and Canada excavations are encouraged by private persons and institutions only when undertaken by experts for museum and educational purposes with due publication of the findings.

B. Financial

(1) Taxes: Expense of the Historical Program to the Government in Terms of What has to be Raised from Taxes

A fairly large appropriation is allotted to the Government agencies responsible for the maintenance and preservation of historic sites and monuments. In each case this sum is supplemented by entrance fees, donations, trust funds and the like. Approximate annual appropriations are as follows:

Belgium—1 million francs
Great Britain—60,000 pounds
France—17 million francs
Italy—10 million lire
Mexico—519,665 pesos

(2) Admission Fees as a Source of Income for the Support of Historic Buildings and Sites Administered by the Government

With the exception of Canada and Mexico admission fees are charged at historic buildings and sites administered by the Government. Most countries allow group and student rate reductions. In France additional fees are charged for the right to photograph monuments. With the exception of France and Italy, admission fees do not constitute an important source of revenue for the support of these monuments. Of interest is the revolving fund in France used for the maintenance of historic monuments and sites.

(3) Trust Funds as a Source of Income for the Support of Historic Buildings and Sites Administered by the Government

Provisions are made for trust funds in four countries (Belgium, France, Germany and Sweden), but do not constitute an important source of revenue for the support of historic monuments. In France, funds which are held in trust are deposited with the "Caisse des Depots et Consignations" for the sole use of the particular monument designated.

(4) Gifts of Properties

In all countries the proportion of Government historic properties received as gifts is small in comparison with the total owned. Such properties are controlled by the Government agent responsible for all classified monuments.

C. Surveys

(1) Building and Site Surveys: Have Surveys Been Carried out to Cover all Important Historic Buildings and Sites in the Country?

Detailed surveys of historic buildings and sites have been made in all countries. They are perhaps more comprehensive in Belgium, Italy and France than in other countries. In Mexico officials declare the field is so extensive that it will be many years before a complete survey can be made.

(2) The System of Measurements or Surveys Used to Make a Record of Ruins

In all countries systematic surveys, maps and detailed examinations are made of ruins under government control by trained personnel in the administrative office. In England, France and Italy this work is accomplished in accordance with uniform plans of drawings and photographs. Aeroplane photography is frequently used.

D. Classification

(1) Classification: Responsibility for Classifying Buildings and Sites of National Interest. Procedure of Classification

The principle of classification together with its attendant restrictions has been adopted by Belgium, France, Great Britain, Germany, Italy, Mexico and Sweden. In Canada only a limited number of sites and structures of national importance are under Government control.

(2) Historic Buildings Still in Use

Public buildings used by other Departments are, in general, administered by the Department occupying them, although restrictions applying to all classified buildings regarding repairs, modifications, etc., apply with equal force to these buildings and they are inspected regularly by the administrative staff responsible for the preservation program. Mexico and Sweden are exceptions to this general principle in that their respective administrative offices have no authority whatsoever over publicly owned historic buildings which are still occupied by other Government divisions.

(3) Proposed Areas for National Ownership

The procedure for proposing areas for national ownership usually follows that of classification. The purchase of property, property received as gifts, etc., are handled in most countries by the Division in charge of the Government program of preservation.

(4) Are All Historic Buildings and Sites Maintained by the Government Open to the Public?

In general all buildings and sites maintained by the Government are open to the public. Exception is made only when such monuments are of strategic importance, occupied for Government work, are a danger to public safety or contain rare collections.

(5) Existence of Laws Regulating the Type of Building and Grounds Permitted Next to an Historic Monument

With the exception of Canada, there are statutory provisions in all countries for regulating the type of building and grounds permitted in juxtaposition to an historic monument. The necessity of such regulations is obvious in order to enhance the general appearance of the monument, protect its sanitation and control the construction of buildings which would destroy its approach, obstruct its view or constitute a fire-hazard to the subject monument.

E. Technical Policies

(1) Is the Tendency Toward Restoration to Original Condition or a Holding to the Condition of the Ruins when Discovered or Taken Over for Preservation?

The tendency is to preserve ruins in their present condition with only the least possible alterations and additions considered necessary to their future maintenance. The restoration of ruins to their original condition is only practiced in Mexico (where detailed photographic records are made of the ruin before restoration work is commenced and of the work in progress) and in Germany.

(2) The Best System of Protection of Ruins—The Museum System or Maintaining in Original Location?

Conditions permitting, ruins are maintained in all countries in their original location. In Canada plaster models are made from the original structure for museum purposes.

F. Education

(1) Government Educational Activity in Connection with its Historic Buildings and Sites

It does not appear that any country carries an extensive educational activity. However, all governments appear to realize the value of such work and encourage such activities among schools, private organizations, as well as travel bureaus.

(2) Formal or Informal Relationship Between the Historic Buildings and Sites Administration and the Schools

In all countries an informal relationship is maintained between the historic building and site administration and the schools. School children are encouraged to visit historic buildings and sites and these visits are facilitated by reduced entrance fees, group transportation, etc. Historical lectures on the monument are usually given by school instructors rather than guides so that salient points of interest can be brought out in connection with school work. Class and group visits are arranged at the request of the schools and organized to fit in with the program of school work.

(3) Museum Development in Connection With Historic Buildings and Sites. Is the Museum Important or Relatively Unimportant?

The general tendency is to establish at the more important monuments wherever possible small museums containing collections connected with the history of the monument and the locality in which it is situated. Unfortunately lighting and heating facilities as well as the size and proportions of rooms, etc., present definite limitations for the development of such a program.

(4) Research Work Conducted in Connection With the Government Program. How Is It Accomplished and Financed?

Research work is considered an essential and integral part of the Government preservation program and is carried out in all countries (with the exception of Sweden) by members of the permanent staff particularly qualified for the research in question. Because of the lack of a unified administrative system in Sweden, outside experts are called in for technical advice and research work. In all countries research work is financed by the Government.

(5) Regularly Appointed Lectures in Connection With the Historic Buildings and Sites

There are no official regularly appointed lectures given in any country, although lectures given under the auspices of schools, universities, tourist agencies, etc., are encouraged with visits to the subject monuments and sites facilitated in every possible way.

(6) Literature Available? What Type? How Prepared? Is It for Sale or Is It Free?

In five countries (England, Italy, Sweden, Canada and Mexico) official guidebooks are prepared by the Government. In Belgium, France and Germany guidebooks are available, but published by independent persons or under the auspices of interested associations. Canada is the only country which distributes such literature free of charge.

(7) Markers on the Government Monuments and Sites. What is the Nature of the Marking System?

As a rule descriptive markers are placed on all Government monuments and sites. With the exception of Canada there is no uniform system of marking. In Belgium markers are designed in the same period as the monument. The accuracy of the inscription is assured in most countries by requiring that no plaque can be placed on any monument without Government authorization.

(8) Guides Available at the Government Properties. What Type? How Financed? Do They Wear Uniforms? What Type?

Uniformed guides are available at Government administered historic monuments in each country. They are usually caretakers, who are paid as such, receiving visitors' tips as additional remuneration for services rendered. In Italy only is the position restricted by examination to trained persons. These are not paid by the State, however, but by the persons employing them in accordance with a fixed tariff.

(9) Government and Other Tourist Agencies for the Distribution of Information and Literature Concerning Places of Historic Interest

Where tourist agencies are under Government control (Canada, France, Italy, Germany and Sweden) cooperation is maintained with the Historic Monuments Division in the distribution of pamphlets, guidebooks, maps, itineraries, etc., concerning buildings and sites of historic significance. It has also proved advantageous to private tourist agencies, railroad companies and hotels to advise the general public as to the whereabouts and importance of these historic buildings and sites.

G. Advisory Boards

Membership, Functions and Relationship to Government Administrative Agency or Bureau

The necessity of obtaining the advice and assistance of outstanding men in the fields of architecture, history, archaeology, etc., has led to the development of National Advisory Boards. The experience and broad vision of these experts have proved invaluable in the development of a successful program for government activities. Every country (with the exception of Sweden) now has a permanent Advisory Board. In Sweden, however, the Academy of Literature, History and Antiquities is a coordinate branch of the Royal Ministry of Public Worship and Education and takes a very active part in this work.

3.—TECHNICAL METHODS EMPLOYED IN PRESERVATION WORK.

A. Photographic Records

The various methods and treatments used for the consolidation and preservation of ancient monuments were discussed with members of the technical staff in each country visited and certain monuments examined which had either been recently restored or were in the process of restoration. A review of the general theories and practices employed in these countries is included in this report, together with a number of official photographic records of such work. These will be found in the Exhibit Book, submitted with the original of the Report. These photographs are excellent illustrations of well-planned preservation work carried on under the supervision of highly trained and specialized personnel. They also show the vast scale of preservation work which these European Governments have undertaken and the burdens and responsibilities which they have assumed in order to pass on to future generations their historic and artistic patrimony. By comparison, the extent of necessary preservation work in this country appears to be very much less and the cost, because of the materials used in the construction of the buildings associated with our early history, very little. Among these photographs especial mention should be made of the following:

ENGLAND:

Hampton Court: Photographs showing examples of the restoration work undertaken by the Commissioner of Works during the past five years.

The Royal Chapel: Before restoration (1929) and after restoration (1930).

Henry VIII Building:

Lead-covered cupola (1530-1540).

South side of Tennis Court Lane: showing old repairs carried out many years ago with unsuitable brick.

Detail: Defective stonework and brickwork now restored.

Great Gate House:

Pierced panels over oriel window on east side of Great Gate House, showing shaft of finial in foreground. The defective panel has been taken down, iron cramps and the dowels causing defects have been removed and the stonework refined.

Upper portion of oriel window on east side of Great Gate House, showing some of the defects due to the rusting of iron bars, cramps and dowels. The upper portion of the windows

have been taken down, iron cramps and dowels removed, rusted ends of bars cut off and delta metal ends riveted on. The stonework and iron bars have been refined.

Stone Cupola: Showing defective stonework, now restored.

Window: Showing decay of stonework; this has been cut and replaced by new stone, which has been toned down to match the old work.

Stone finial over oriel window on the east side of Great Gate House. The finial is in a dangerous condition and is being replaced by new stone.

FRANCE:

These photographs are examples of three different types of preservation work undertaken by the French Government: (1) the reconstruction of two churches following the World War; (2) restoration in cooperation with a municipal agency; (3) restoration in cooperation with a private owner.

Eglise d'Ambrieres:

(12th-13th centuries) Near the Marne.

Exterior: Before and after restoration, showing rose-window.

Interior: Before and after reconstruction, showing walls which have been scraped to reveal original stonework.

Eglise Saint Gervais:

Before restoration: Showing damage done by the "Big Bertha" during the bombardment of Paris (March 29, 1918).

After restoration: Showing restored nave and choir.

Hotel De Bisseuil:

Classified as an historic monument May 12, 1924. Its present owner, Colonel Paul Brenot, has been very interested in restoring the Hotel to its original condition and has received the cooperation of the Historic Monuments Bureau of the Beaux-Arts in this work.

Courtyard: Before and after restoration, showing structures which formerly encumbered the courtyard; restored gate with detail of sculpture of "Romulus and Remus" by Shepherd Faustulus.

Reception Room: Restoration to original condition. A convent had previously converted this room into a chapel.

Le Petit Salon: Restored to original condition. Detail of molding shown.

Hotel De Sens:

Acquired by the City of Paris in 1911, designated an historic monument and placed on the classified list on March 12, 1912.

It is the only example of a fifteenth century private home existing at this time in Paris. The Municipal Council is in charge of the work and has appropriated the sum of eight million francs to complete the general plan of restoration in this section of Paris.

Prior to restoration (1933): The buildings adjoining the second turret have been demolished in order to reconstruct its former courtyard.

Photographs showing restoration work in progress.

GERMANY:

These photographs show restoration work in Berlin and Potsdam undertaken by the City of Berlin. This has been accomplished under the able direction of Dr. Arnold Hildebrand, Director of the Hohenzollern Museums. Of particular interest is the restoration of landscape gardening in accordance with original plans, engravings and other documentary evidences. Formal ornamental vegetation and statuary of the ninenteenth century have been removed.

BERLIN:

Berlin Schloss:

Photograph taken in 1895 of the Eosander Portal, showing northern wing which was shortened for the construction of Kaiser William I. bridge, also destruction of buildings along the Spree River.

Photograph taken after the memorial bridge to Kaiser William I had been constructed in 1897.

Courtyard designed by Andreas Schluter in 1700.

St. Erasmus Chapel: With 19th century furnishings, and after these furnishings had been removed.

Hall of Stars: With and without 19th century furnishings (ballroom).

Pillar Hall: As furnished by the Kaiser in 1888, and without these furnishings in 1935.

Writing room of Frederick the Great: Showing bedroom furnishings of the 19th century and after restoration with original furnishings.

Porcelain Gallery.

Grunewald: Hunting lodge of Joachim II of Brandenburg, built in 1440 by Caspar Theisse. Rebuilt in 1700. Photographs show main buildings, buildings for courtiers and servants and stable. As the Kaiser visited Grunewald frequently, modern furniture and modern conveniences were installed.

View from the Grunewald See: The Forest was originally of oak trees, which were gradually cut down by the Princes as a means of financing their wars. It was replanted with fir trees

because of the rapidity of their growth. The "Kahlschlag" or Bald-cut method has been used, in which trees of the same type are planted and grow within thirty years. Dr. Hildebrand explained that this was in contrast to the "Plaenter wald" method, in which a variety of trees and bushes are planted and which is far nearer its natural original appearance. It was impossible to use this system here, because the soil was exhausted by the growth of one type of tree and the humus layer can only be formed gradually.

Courtyard of the Grunewald.

Entrance of Grunewald: Showing antler decoration.

Detail of relief: Showing Joachim II, Caspar Theiss and Kunz Buntschuh. This is an excellent example of preservation work in Germany.

Reception Hall of Queen Louise (1790): Before and after restoration. The first photographs show the Kaiser's furniture, the most interesting pieces of which were taken to the Castle of Doorn.

Frederick the Great Room.

Queen Louise of Prussia's Room.

Collection of Coaches: Includes the sleigh of Frederick the Great, designed by Andreas Schluter (1701) and the famous golden coach, which was used at the wedding ceremonies of the Prussian Princesses (last used by the daughter of the Kaiser).

POTSDAM:

Stadtschloss: Built by the Great Elector of Brandenburg in 1682. Photograph showing the courtyard with a view of the Fortuna Gate, St. Nicholas church dome and Town Hall. The gardens have been restored to original condition after removal of formal vegetation and statuary of the nineteenth century.

Courtyard: Before and after restoration.

Marble Staircase: With gas-candelabras and decoration installed in the nineteenth century and after restoration.

Roman Baths: Erected in 1835 near the villa Charlottenhof.

Charlottenhof: Built by Frederick William IV. Remodeled from a peasant house into a country villa in the Roman style with pergola, etc., by the architect Schinkel. Unfortunately, there were no photographs available of the significant and unique work accomplished at Charlottenhof by Professor Hildebrand, Director of the Hohenzollern Museums. Of particular interest was the restoration of the Concert Hall. On the basis of documentary evidence, Professor Hildebrand had the brown surface of the stucco-marble ground carefully away revealing the original

green color. Italian workmen trained in stucco work, now living in Berlin, were employed. Also the surface covering the oil-gold has been removed and the original gold uncovered. Concerts are given in this room every year.

Sans Souci: The purest and best example of the Rococo style in Germany. It was built from the designs (drawn roughly by pencil on letter paper) of Frederick the Great and executed by the architect, Knobelsdorff. While visiting Sans Souci, the colonnades in the north facade of the palace were being repaired, new material replacing the original sandstone. No attempt is being made to give the new material an antique color, so that the new will be easily distinguishable from the old.

Views of Terrace and South Facade: Showing changes made recently by the landscape architects to restore the grounds and garden to the period of Frederick the Great, removing all the formal ornamental vegetation and statuary which was so popular in the time of Frederick William IV in the 19th century.

Death Chamber: Room in which Frederick the Great died. Photographs taken with and without costly Victorian furnishings of the 19th century.

Music Room: Showing paintings by Pesne formerly concealed behind a wood panel covering the entire surface.

ITALY:

Mantua: Palace of Duke of Mantua:

Courtyard before and after restoration. Showing consolidation and repair of crumbling wall with original decorative design restored; also reconstructed courtyard with fountain and gardens.

Pisa: Church of Saint Francis:

Showing former attempts to stay deterioration of structure with primitive plaster and cement consolidation work and recently completed restoration work.

SWEDEN:

Schloss Lecko: Chapel before restoration (1924) and after restoration (1927). Original mural decorations restored.

Room: Before and after restoration (1928). Restored ceiling and mural paintings.

Skansen: The Open-Air Museum:

Founded by Doctor Hazelius in 1891 as a part of the Nordiska museet, the central institute of Swedish cultural history and ethnography, administered and supported by private persons. In this vast park are exhibited buildings of historic and architectural interest, which have been transported to Skansen from different

parts of Sweden. Among them mention should be made of the following:

Mansion-house of Skogaholm.

The Church of Seglora: Built in 1730, an excellent example of the Swedish peasant's craft in wood-construction.

The Kyrkhult Cottage: From the Province of Blekinge.

The Bollnas House: A typical example of an old north-Swedish farm. The walls and ceilings of the interior have interesting and rather beautiful paintings, executed by a village artist, Jonas Hertman, in 1786.

The Ravlunda Farm: A remarkable monument to the culture of Skane, the most southern province of Sweden. Photograph shows the thatched roof crowned with the typical row of branches.

The Alvros Farm: Province of Harjedalen in North Sweden. The farm includes fifteen different log-houses, in the typical arrangement of the Swedish peasant in the forest tracts of the 17th century.

Homestead of the Varmland Finns: This is a very remarkable relic of the immigration of the Finns into central Sweden at the end of the 16th century. The Government encouraged these poor but industrious Finns to settle the immense forest tracts of Dalarna, Varmland and Halsingland. A special characteristic of these houses is the absence of chimneys. The interior is very primitive. The big Finnish stove in a cubical construction of rough stone gives the unique character as well as the dark smoke-color of the main and only room. This room was not only used as a general living-room, but also for vapour baths (the steam being formed by throwing water on the heated stove) and as a granary, where corn was dried on long poles under the roof.

The Lapp Camp: Different types of the nomadic Lapp dwellings are on exhibit at Skansen: the log-house with pyramidical roof raised on stilts as a protection from wild beasts; the turf-hut used as a hunting and fishing camp near creeks; and the tent-hut, made of poles and woven cloth used on long migrations.

B. General Discussion of Technical Methods

The present technical methods employed in restoration and preservation work in Europe are the result of many years of experience and have been evolved by trial and error, through the gradual training of a group of skilled artisans and experts, the establishment of specialized workshops, and the development of general doctrines and principles governing procedure.

During the past century, three periods in the development of these basic theories can be distinguished (1) the period of wanton destruc-

tion and ignorant palliatives, (2) the period of the great historical *restorations* of Viollet-le-Duc and his school, and (3) the period of *preservation* initiated by Ruskin and William Morris in England.

At the beginning of the nineteenth century, mediaeval art was considered barbarous in contrast to the principles of classicism in vogue. The epoch of classicism looked down upon the Gothic style and Gothic architecture was consequently neglected and almost forgotten. There were inexcusable destructions, in which portions of a structure too difficult to restore were razed to the ground and architectural vandalism reigned supreme. If restorations were attempted, the incompetence of the architect was manifest. This is exemplified by the collapse of the spire of St. Denis in France, restored by Debret, the official architect. The remedies were far worse than the evils in that they rendered subsequent restorations difficult, if not altogether impossible.

The second period is characterized by the application of the clearly defined principles set forth by Viollet-le-Duc in France. To restore a building, he declared, does not mean to maintain, repair and consolidate it, but to reconstruct it in a complete state, an ideal condition which could never have existed at any given time. Restorations were carried out on the basis of historical and documentary evidences by skilled technicians, but to a point where elements of the troubadour style added in the fourteenth and fifteenth centuries, judged as decadent, were replaced by Gothic reproductions. Viollet-le-Duc's formula was to eliminate the "traces of these bad epochs" and in their place present a type monument of unified style. The work was executed by experts, workshops were established to continue the work of restoration and exhaustive research was conducted to insure the historical accuracy of the restorations. But always these historical restorations were prefaced by the word "romanticism" and, in applying the principle of unity of style, they were not only against the principles of history, but provoked imitations and a pseudo-Gothic style.

Since the end of the last century, the doctrine of *preservation* has replaced that of *restoration* and the principles set forth by Ruskin and William Morris, and incorporated in the Society for the Protection of Ancient Buildings in 1877, are generally acceptable in every country today. The Society urged that these ancient buildings should be treated as "monuments of a bygone art, created by bygone manners, that modern art cannot meddle with without destroying" and that *protection* of these buildings and the repair of only those parts necessary for their maintenance should take the place of *restoration*. By this it is understood that decay should be minimized by daily care, a perilous wall made safe, a leaky roof mended by such means as are obviously meant only for support or covering, without any pretence of other art, and that all tampering with the fabric or ornament of the building as it stands should be steadfastly resisted. It was held

that the living spirit of the original can never be restored, as it is an inseparable part of the religion, thought and manners of an era beyond recall; further that attempts at such restoration are little else than reproduction, justifiable only for educational purposes and properly accomplished only from the foundations up and not by a patchwork of old and new. Every phase in the historical development of a monument should be preserved. The principle is that it is not for this generation to judge between epochs and styles, for we are but the temporary custodians of these monumental archives and must pass them on to future generations in a condition the least offensive to posterity.

Some critics believe that preservation, to the exclusion of any restoration, is now carried too far; and that there will be a reaction to this "purism." They point out the fallacy of modern definition, showing that preservation in its entirety can never be practised except (1) when the subject monument has been maintained in perfect condition or (2) is a ruin; that otherwise the principle of pure preservation is impossible in its practical application and must include a certain amount of restoration, the difference between the two words being quantitative rather than qualitative. It is urged that each monument be treated as a separate entity, and its treatment be dependent upon its state of preservation, its artistic and historic value, the purpose for which it is destined, the materials with which it is constructed and other elements upon which the success of any restoration must necessarily depend. The historic method of preservation, it is contended, is not always and completely justified. Preservation should consist in setting off the more important and most valuable elements of architecture without regard to style and epoch of construction.

An example of this latter type of preservation work is that of the "Alhambra" in Spain, begun in 1923 under the direction of L. Torres Balbas. An attempt was made to respect both the archaeological and artistic interests of the ancient structure; consolidation and repair were accomplished with restoration only as a final resort. The modern is easily distinguished from the original work. Where a part of mural decoration is missing, the wall is left bare; where a section of moulding is missing, it is replaced by a piece of the same dimensions, but without decoration; lines of an ensemble have been retraced whenever there is sufficient documentary evidence, so that although at a distance the structure seems complete, at close inspection the differences between the ancient structure and modern restoration are obvious.

The preservation and restoration of monuments still in use is another and far more difficult problem. For instance, the desirability of keeping historic churches still in use conflicts with modern requirements of adequate lighting, heating, ventilation, comfortable furnishings and sanitation. Modern exigencies demand a compromise. It is generally accepted that the spirit and life of a church depends upon

its use, but there is a difference of opinion as to how far these churches should be reconditioned for present needs. In some countries modern furniture is even replacing worn-out pews and upholstery, with care that the new should be subordinate to and harmonize with the old, on the theory that even this generation should have a part in the continuity and historic development of a building.

In an article published by the International Museums Office by Jean Hendrickx of Belgium, which has been availed of freely, this question of the nature, use and condition of preservation of a monument is admirably discussed and an extremely logical classification of these monuments into groups attempted according to their present condition, the extent of the work to be undertaken and the materials to be used. This classification is as follows:

(1) Buildings whose present state of preservation is almost perfect. Maintenance is limited to the destruction of vegetation, parasitic growths, cleaning, drainage, et cetera, without any renovations, strictly speaking.

(2) Buildings whose stability is endangered by atmospheric agents and organic decomposition for which a certain amount of repair and consolidation is necessary.

(3) Buildings still standing, but which are in danger of collapse. In such instances a frank consolidation is necessary. Buttresses, breastwork, iron braces and other appropriate supports are needed for the support and maintenance of the structure.

(4) Buildings lacking certain ornamental and other elements which form an integral part of the whole are missing and which it is considered desirable to replace.

(5) Buildings whose appearances have been altered by the addition of facade, et cetera. It is considered desirable in such cases to restore the original topography of the monument, replacing secondary and parasitic additions and re-creating as far as possible its original atmosphere.

(6) Ruins. No restoration should be attempted, but preventative measures taken against further destruction and decay.

Unfortunately, space prevents a further discussion here of the general technical methods employed in Europe. However, the following two articles are included, one prepared for this Report by the office of the Commissioner of Works in England, concerning technical methods employed in Great Britain, and, the other, concerning such methods employed in Ireland.

C. Great Britain

The Commissioners of Works aim at preserving in each monument the original work as far as possible in the condition in which it came into their hands, though naturally trees, shrubs, ivy, and other

destructive vegetation are in all cases removed from the fabric. Repairs are limited to consolidation and preservation, rebuilding of missing features being avoided except in special cases. The following is a summary of the technical work carried out by the Department's architects and their staff. Subjoined is a brief account of the organization which has grown up.

Many monuments have, in the course of time, become overgrown and largely concealed by vegetation. It is necessary, therefore, in the majority of cases to remove all harmful and destructive growths, notably trees, shrubs and ivy. Nevertheless there are certain small, harmless plants, such as wallflower, toadflax, ferns, mosses and lichens, which may be retained and even encouraged to increase.

Following such clearance there ensues the process of consolidation. This usually consists of the following operations. Loose stones, found at the wall-heads and elsewhere, are taken up, cleaned and rebedded. Sketch drawings are made, and the stones numbered and replaced. Deep open joints in the surface of the wall are then thoroughly cleaned out and pointed with lime mortar. Thorough cleaning and washing are essential if dirt and dust are to be removed. Voids also are thoroughly cleaned out with water and filled with liquid cement grout. Grouting can be done by hand, the liquid poured into the cavity from a can, or a hand pressure machine can be employed.

Fractures are treated according to circumstances. In some cases it is enough to bond them across with new stone-work, but special precautions may also be required to bond the face-stones to the core of the wall. In other instances it is necessary to employ ties of reinforced concrete, designed and inserted to meet the conditions of each case, as required.

The restoration of missing features, such as doors and windows, is avoided, and rebuilding is confined to places where it is necessary to give support to overhanging or dangerous masonry. Even then it is desirable that rebuilding be confined to the core of the wall, and that new work be made as similar as possible to the original, both in size of stone, and in the manner of laying and pointing.

All works of consolidation are made as inconspicuous as possible. The mortar in pointing or rebuilding is so treated as to match exactly the adjoining old mortar whether in the surface or in the core. Old mortar is usually weather-worn and rough, but the same effect can be obtained in new mortar by stippling the surface with a brush.

The following are the materials employed. A hydraulic lime mortar is used, mixed with clean coarse-grained sand, usually in the proportion of two parts of lime to five of sand. Comparatively little water is added. The mortar is then pressed into the joints with steel tools, is allowed to attain its initial set, and is then given the appropriate surface treatment.

In certain positions, as on wall-tops, where attack by frost is possible, a portion of Portland cement is mixed with the lime mortar (the proportions being two of Portland cement, eight of lime and twenty-three of sand). The same mixture can also be used for filling in deep joints where stones are loose and comparatively rapid setting is required.

Superficial pointing, that is to say, the covering of the joints with thin layers of mortar, is always avoided, and all new mortar is at least 1½ inches deep on the bed.

This work is executed under the direction of a foreman, who is in charge of the workmen. He receives his instructions from the Superintendent of Works. The Superintendent gives directions concerning the technique to be adopted and orders the necessary materials.

Every Superintendent has a number of buildings in his charge, and visits them usually once in three weeks. Above the Superintendent is an Assistant Architect who has a number of Superintendents under his control.

The whole of this organization was created shortly before the Great War and has been continually developed and improved since 1918.

D. Ireland—Saorstat Eireann

The greater number of the monuments in the care of the Commissioners of Public Works are medieval buildings dating from the ninth to the seventeenth century. These include round towers, monasteries, claustral buildings, churches, castles and fortified houses. With few exceptions these are roofless ruins, except that in some stone vaulting still exists. There are also megalithic remains, dolmens, chambered cairns and pillar stones, circles and alignments; stone and earthen forts, earthen mounds and mottes and cloghans (beehive dwellings of dry stone), crosses of the Christian period, both free-standing and inscribed slabs.

The preservation of these remains without alteration or additional construction is the guiding principle of the work undertaken. Restoration in the full sense of the word is not attempted; except where loose fragments of doorways and windows and such are found in quantity with patent indications of their original positions in the monument, no missing pieces are replaced. Where many fragments are found and it is judged that they can best be preserved by replacement, this is done in such a manner as to leave no doubt in the mind of the intelligent observer that they are, as it were, museum exhibits.

Preparation consists in the careful removal of all vegetation which generally consists of ivy, grasses, weeds, bushes and, in some cases, trees. Of these ivy is the most destructive and it obscures the edifice considerably. It grows very rapidly and freely in Ireland. Where the

mortar of the wall was of good quality originally the ivy has not usually extended its roots into the body of the wall and removal is relatively easy, first by releasing its hold upon the tops of the walls and then stripping the growth from the surfaces beneath. Where penetration has taken place, the removal is carried out piecemeal with as little disturbance to the masonry as possible, all loose work being secured beforehand. Vaults, arches or portions of wall in a defective condition are shored up and given whatever temporary support is considered necessary. All loose stuff, weeds, roots, loam and dust are removed with care from the joints of the masonry which is washed out as necessary.

After the cleaning of all open joints and surfaces, the joints are filled with mortar which is forced in as far as possible with shaped iron and wood rammers. The mortar in the majority of buildings built of carboniferous limestone is composed of clean sand and Portland cement not stronger than of three parts of sand to one of cement, and more generally a four to five mixture has been found satisfactory. The joints are pointed in similar mortar, the pointing being finished slightly back from the surface of the stone-work allowing the original stones to show clearly. Where gaps or broken holes in the walls have, for security, to be filled with modern masonry, such work is sent back from one-half to one inch from the old work as an indication of its modern and purely supporting character.

The wall-tops after cleaning are carefully filled and pointed with cement mortar, in such fashion as to direct the flow of rain-water away from the center of the walls for the protection of the body of the wall and so as to be unobtrusive in appearance.

On edifices which cannot be adequately repaired by masonry, Portland cement concrete (either plain or reinforced with steel bars or steel mesh) is used, such as for: the upper sides of exposed stone vaulting (to exclude dampness), foundations, missing steps of staircases, replacement of decayed wooden lintels in openings, supports to internal arches, openings in thick walls where other means would be ineffective, and concealed girdles on the top of walls where there are indications of the walls spreading outward, and occasionally for flying buttresses.

Repair work is carried out under the direct and continuous supervision of specially selected and trained itinerant Clerks of Works, who reside near the monument during this period. These men are under the direction and supervision of the Inspector of National Monuments who visits them at regular intervals to guide their operations and to decide upon the methods and the extent of the repair work in question. He is directly responsible to the Commissioners. The Clerks of Works employ local labor and, as far as possible, buy the necessary materials locally. Where these are not available near the site and where special materials are required, they are obtained

in Dublin and dispatched by the usual routes of train, canal, or motor lorry as circumstances dictate.

Where loose, carved fragments are found in the course of the work and where their original position is not known with any degree of certainty, they are either preserved in a covered and protected part of the ruins in charge of the caretaker or, if considered of sufficient importance, removed to the National Museum for safekeeping.

Megalithic Structures: As a rule these monuments call for very little structural repair. In the interior of certain chambered cairns (Newgrange and Dowth) it has been found necessary to insert reinforced concrete supports in place of timber pillars and beams previously erected, and a certain amount of rough masonry in mortar has been applied to prevent the dislodgment or flow of the lighter and smaller stones forming the body of the cairn. In some dolmens reinforced concrete supports have been likewise used.

Dry Stone Structures: The repair of these buildings and particularly of stone fortresses is one of the most difficult problems confronting the preservation work in Ireland. Where damage has occurred from the crushing of the soil beneath the walls or by trespassers, rebuilding must be done to prevent the movement of other portions of the structure adjacent to the damaged parts. Further protection is afforded by filling all interstices with spalls (small wedges of stone) to tighten up the stonework and prevent the ingress of animals.

Periodical examinations of such structures as the drystone at Gallarus, Dingle, Kerry and the cloghans in the same neighborhood are made. At the former no work except the replacement of spalls has ever been found necessary, and at the cloghans the replacement of fallen stones is all that has been required.

Crosses: The carved high crosses require little attention except to kill the growth of lichen to which some are subject. The careful application of spent carbide and water has been successfully used in some cases to destroy the growth, but no perfectly satisfactory method of preventing its further growth has as yet been found. Stone preservatives have been used to a limited extent.

4. UNOFFICIAL ORGANIZATIONS CONCERNING THEMSELVES WITH THE PRESERVATION OF HISTORIC SITES AND MONUMENTS

There are found in several European countries unofficial bodies and organizations which are interested in the preservation of historic sites and monuments and which, in one way or another, exert a considerable influence. In view of the fact that analogous organizations exist in the United States whose experience and cooperation may and should be of inestimable value to the Federal Government, the more important of these foreign organizations will be referred to briefly, together with statements of their aims and purposes.

A. Belgium

(1) THE ROYAL ACADEMY OF BELGIUM:

The Royal Academy of Belgium, which cooperates and advises the Royal Commission on matters relating to the preservation and restoration of historic sites and monuments, is composed of eminent authorities in the fields of art, archaeology, literature, history and the sciences. An Advisory Committee called the "Mixed Committee for Works of Art" has been formed for this purpose. It is composed of three members of the Royal Commission and three representatives of the Royal Academy.

(2) FRIENDS OF THE ROYAL COMMISSION OF SITES AND MONUMENTS:

In 1924, there was formed in Belgium a non-profit making association entitled "Friends of the Royal Commission of Sites and Monuments" for the purpose of assuring by acquisition the preservation of monuments, buildings and sites classified by the Royal Commission. The association is responsible for the administration and maintenance of these possessions, and has supported libraries, relating to the history of art, architecture, archaeology, iconography, etc., and also museums in this connection. The Association cooperates fully with the aims and work of the Royal Commission, supplementing rather than infringing upon its powers and prerogatives.

Similar non-profit making associations, such as the "League of Friends of the Chateau de Beersel," have been founded for the maintenance and preservation of specific monuments and sites, pamphlets on which may be found in Exhibit Book B-206, 207.

B. England

(1) THE SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS:

The Society for the Protection of Ancient Buildings was founded in 1877 by William Morris with the collaboration and support of Ruskin, Carlyle, Holman Hunt, Burne-Jones, W. B. Richmond, Charles Keene and Richard Doyle. Although originally intended as an International Society, it has remained almost exclusively English. For the past fifty years, it has been doing invaluable work in calling public attention to the importance and necessity of safeguarding the ancient buildings in England and in forwarding the program of preservation.

The purpose for which the Society was formed was to secure the repair and maintenance of ancient buildings of artistic, picturesque or historical importance. As previously pointed out, the Society urged that these buildings should be treated as "Monuments of a bygone art, created by bygone manners, that modern art can not meddle with without destroying"; and that the *protection* of these buildings and the *repair* of only those parts necessary for their maintenance should take the place of *restoration.* The Society says that by this it is to be understood that decay should be minimized by daily care, a perilous wall made safe, a leaky roof mended by such means as are obviously meant only for support or covering without any pretense of other art, but that all tampering with the fabric or ornament of the building as it stands should be steadfastly resisted. The Society holds that the living spirit of the original can never be restored, as it is an inseparable part of the religion, thought and manners of an era beyond recall, further that attempts at such restoration are comparable to the restorations of old paintings, where the partly obliterated work of the ancient craftsmen has been made neat and smooth, or to a plaster-cast of a statue of the age of Praxiteles. A building subjected to such restoration, the Society considers little else than a reproduction, justifiable only for educational purposes and properly accomplished only from the foundations up and not by a patchwork of new and old.

If, on the other hand, an ancient building is still in use, and the qualities of that building due to its antiquity and nature do not outweigh the importance to mankind of its present use, alterations are considered permissible, but such alterations must be made, as in olden days, without any conscious attempt to revive the old styles. This is based on the theory that new work inspired by such revivalism can not but be inharmonious when intimately associated with the genuine ancient work. One kind of restoration alone is acknowledged, that of an old building which has been damaged, or the parts of which have been found wrongly associated, or for a long time lost until recently brought to light.

The Society has forwarded the program of preservation greatly in England. It has influenced the enactment of legislation in this respect, investigated the effects of chemical and physical preservatives, carried

out extensive research work and has been responsible for the maintenance and repair of a large number of buildings.

The purposes and accomplishments of this Society are set forth in greater detail in the following papers in Exhibit Book B and C:[1] (1) The Society's Objects and Methods of Work. (2) A paper Setting Forth the Principles of the Society. (3) A Paper Drafted by the Society. (4) "After fifty years," a note written in 1927 by an "ordinary member."

(2) THE NATIONAL TRUST FOR PLACES OF HISTORIC INTEREST OR NATURAL BEAUTY:

The Trust was founded in the year 1895. Its founders, Miss Octavia Hill, Sir Robert Hunter and Canon Rawnsley, were all keenly interested in the preservation of rural scenery and buildings of historic interest. They had found that one thing which often stood in the way of the attainment of these objects was the fact that there was no satisfactory body by which the ownership of such properties could be permanently held. Individual trustees would die and have to be replaced. Local authorities sometimes had no legal powers and were, besides, possibly not ideal trustees for such purposes, being necessarily elected mainly with a view to other work. The Trust was founded to fill this gap. It grew slowly but its achievements, though modest in scale, were such as to induce Parliament in 1907 to give it a Special Act fixing its constitution and granting to it powers to enforce by-laws made with the approval of the Home Office. The essential point of its constitution is that under the Act half the members of the Council which controls the Trust are appointed by such bodies as the Universities and the Trustees of the British Museum and such persons as the President of the Royal Academy, the President of the Institute of British Architects and the President of the Linnaean Society. This provides fairly complete security that the work of the Trust shall never be deflected from its original objects with which, it is thought, persons nominated by these eminent bodies, representative of the highest intellectual life of the nation, are certain always to be in sympathy.

The general purposes of the National Trust are to promote the permanent preservation for the benefit of the nation of lands and buildings of beauty or historic interest, and, with regard to lands to retain as far as possible their natural appearance and animal and plant life. To realize these objectives, the National Trust may acquire by purchase or gift, accept in trust, maintain or assist in the maintenance of any such property devoted to public purposes, with respect to which the Trust is empowered to make all such provisions as is

[1] **Exhibit B-225-227, C-364.**

deemed beneficial for the property or desirable for the enjoyment or comfort of persons using such property.

The largest property in the possession of the National Trust is the lease for 500 years of about 7,000 acres of moorland, wood and farms in Somerset. Larger than this in aggregate, but not one contiguous holding are properties in the Lake District, which includes half the shore of Derwentwater, properties in Ullswater, Windermere and such mountain-tops as Scafell and Scafell Pike. For additional information on these properties, their administration, and the powers granted the National Trust in this connection, several pamphlets on the subject have been included in Exhibit Book B and C.[1]

C. France

(1) INSTITUTE OF FRANCE:

In the preservation of its historic sites and monuments, the Beaux-Arts receives the cooperation and advice of the Institute of France, composed of the five most important learned societies in the country. Many members of the Institute are on the Superior Council of the Beaux Arts. The Institute itself owns a great number of such monuments, which have been donated or willed to it.

(a) The oldest of these learned Societies is the *French Academy,* founded by Richelieu. It is responsible for the compilation of a Dictionary of the French language.

(b) *The Academy of Inscriptions and Letters:* The classics, history, historic monuments, etc., are the objects of the Academy's research and study. It has tried to enrich the literature of France with translations from the works of Greek, Latin and Oriental authors.

(c) *Academy of Science:* This Society specializes in the field of mathematics, geometry, astronomy, etc., and the physical sciences.

(d) *Academy of Beaux-Arts:* The Academy interests itself in painting, sculpture, music, etc.

(e) *The Academy of the Science of Ethics and Politics* was founded for the purpose of studying philosophy, ethics, legislation, law, economics, etc.

(2) THE FRENCH ARCHAEOLOGICAL SOCIETY:

On the 23rd of July, 1834, the day after the public hearing of the Antiquarian Society of Normandy, Arcisse de Caumont gathered together several archaeologists and persons interested in monuments of the past at Caen, and agreed upon the articles of the "French

[1] **Exhibit B-224, C-361-363.**

Society of Archaeology for the Preservation of Historic Monuments." On the same day, a council of ten members was elected, and Arcisse de Caumont was proclaimed director of the new Society. He retained this position until his death in 1872. Following him, M. de Cougny directed the Society from 1872 to 1875, Leon Palustre from 1876 to 1884, Count de Marcy from 1885 to 1900 and Eugene Lefevre-Pontalis from 1900 to 1923. Since then, the Society has been directed by Marcel Aubert, professor of the Ecole des Chartres and the Ecole des Beaux-Arts and Associated Curator of the Louvre Museum.

On November 6, 1834, a second meeting of the Council was held for the purpose of developing a program for the Society and naming departmental and divisional inspectors. A general Congress was called at Douai on the 9th and 10th of September, 1835, and subsequent ones have been held every year since then, with the exception of the World War period when all activities of the Society were suspended. Secondary assemblies have also been held both in France and in foreign countries.

The hearings of the first Congress were printed in 1835 in the "Bulletin Monumental" which became the official organ of the French Archaeological Society. A second volume was published in 1836 containing the "Historical Summary of Religious, Civil and Military History of the Middle Ages" prepared by Arcisse de Caumont. Every year since then a volume has appeared devoted entirely to the study of monuments and works of art of the Middle Ages and Renaissance, containing articles on excavations, discoveries and restorations and bibliographies of the principal works on each subject. There are now 184 volumes, 94 of the Congress and 90 of the "Bulletin Monumental." These constitute a very valuable source for archaeologists and historians as well as for those in charge of and responsible for the preservation of these monuments and works of art.

In 1933 an "Alphabetical Index of Publications of the French Archaeological Society" for the years 1834-1925 was published under the direction of Marcel Aubert in collaboration with Remy Delauney and Jean Verrier. This index obviously renders an extremely valuable service, enabling quick reference to anything connected with the art and monuments of the Middle Ages and Renaissance, with a study of the construction of these monuments, subsequent changes and restoration.

(3) The Touring Club of France:

The Touring Club of France was founded in 1890 for the purpose of developing travel both by the facilities offered its members and by the preservation of all that is of artistic or picturesque interest to the traveler. To this effect it encourages the improvement of all

means of transportation and communication, the opening of roads and trails, the betterment of hotels, the conservation of historic monuments and sites and areas of unusual scenic beauty and all which contribute to the enjoyment and ease of travel.

The official organ of the Touring Club is the "Revue," given gratis to all members. It is an extremely worthy publication, containing interesting notes and descriptions of various historic and picturesque places and copious illustrations. A copy of the "Revue" can be found in Exhibit Book B.[1] Offices have been established in the foremost cities of France with a combined personnel of 2,000 representatives who give to the tourist free of charge all necessary information concerning itineraries, train schedules, hotels, garages, etc.

There are about 230,000 members now. Specifications for membership require French citizenship and amateur status. Annual membership dues are 25 francs.

Although the Association has been recognized by the French Government as a public utility and although most of the members of the Board of Directors are government officials, there is no official connection. Its president and vice-president, Mr. Louis Chaix and Mr. Maringer, are both members of the Historic Monuments Commission and of the Superior Commission of Sites of the Beaux-Arts Ministry; Mr. Maringer is, in addition, a member of the French Supreme Court.

As regards the preservation of historic monuments and sites, the Touring Club is chiefly interested in obtaining the classification of monuments which it deems of national significance. Whenever the Touring Club considers the classification of a monument desirable, the matter is brought to the attention of the Beaux-Arts and considered by the Historic Monuments Commission. The classification of sites is referred to the Departmental Commission on Sites and subsequently submitted to the Superior Commission on Sites. The Association has been instrumental in the classification of such sites as: Lake of Sarlevre (Ardeche), River of Che (Landes), the Old Port of Marseilles, etc.

The marking of sites and monuments is supervised by the road service of the Touring Club, its cost being generally subsidized by the interested commune. The administrators of monuments charging admission fees are asked to contribute from the amount collected.

The Touring Club is also interested in the educational features of the preservation program. It publishes annually a book on some particular section of France as part of a collection entitled "Sites and Monuments." Its library has 13,000 volumes and 300,000 documents. It interests itself in the upkeep and maintenance of regional museums.

[1] **See Exhibit B-216, 217.**

A special photographic service to furnish for sale photographs of historic sites and monuments has been established and guide-books and road-maps are placed in the more important sites. Every year a trip for the purpose of studying a specific locality is organized, in which Mr. Chabaud, Director of the Beaux-Arts, always takes an active part. Also group trips for summer camps and schools to various historic and scenic places in France and the colonies are sponsored.

The Association has also financed innumerable restorations, such as: the Citadel of Calvi (Corsica), the Cemetery of Saint-Jean de Doigt (Finistere) and the Vezelay Hill (Yonne). It has likewise contributed small funds to private owners for necessary or particularly interesting repairs.

Certain legislation for the preservation of historic monuments and sites is attributed to the efforts and activities of the Touring Club. On May 2, 1934, Mr. Maringer obtained passage of a law providing for the automatic classification of a site, the preservation of which was considered by the Counseil d'Etat to be menaced by its present owner. He is also the author of a law which prohibits bill-posting on historic monuments and sites.

D. Sweden

(1) THE NORDISKA MUSEET:

The "Nordiska Museet," the central institute of Swedish cultural history and ethnography, was founded in 1872 by Doctor Arthur Hazelius. The magnificent building and rich collections are wholly the result of private efforts, a monument built by the Swedish people to its ancestors and their work, and an institute of research and of national education. In 1891 Doctor Hazelius founded the open-air section, *Skansen,* as a part of the museum exposition. Skansen forms a vast park where the things of past significance are exhibited in a more realistic way than is possible in the galleries of a museum building because there is space enough to show entire old houses and farms with all their different contingent buildings. The idea of such an open-air museum was originated by Doctor Hazelius, and through him Sweden has made this very substantial contribution to the art of museum exhibition. The idea of the open-air museum has now spread not only all over Sweden and other Scandinavian countries, but has also been taken up by many other European countries. In the United States the Ford development at Greenfield, Dearborn, Michigan, is modeled on this type.

The buildings on exhibit have been transported to Skansen from various parts of Sweden and typify the different characteristics of sections of Sweden and periods in the historic development of the

country. There is the *farm from Alvros,* in the Province of Herjedalen, which comprises fifteen loghouses forming a square in the style common to the northern section of Sweden. The main building dates from the seventeenth century. Other type farms which are represented are the *farm from Mora in Dalarna* and the *Oktorp farm,* an interesting establishment belonging to the former Danish province of Halland. The construction of the latter was interesting. It is built of wooden materials, mostly oak. A frame-work is formed of piles and beams, and the walls within the frames consist of planks let into grooves in the piles. All the houses in this group are thatched with straw and crowned with the typical row of branches. On exhibit is also a *Miner's house* from the mining district of Vastmanland, the center of copper and iron mining and manufacturing. These mines and factories were owned and worked by a special class of people, the "Bergsman" or "Mountain men." These miners were neither gentry, nor peasants, but something between the two, as they took an active part in the manual work, and, at the same time, managed the business side and often took care of even the scientific and engineering problems of the industry. In their general habits of life they were, therefore, peasants, but their higher education and larger means likened them to people of the upper classes. This twofold characteristic is also marked in the structure and decoration of their homes. Of particular interest is the home of an average family of the landowning gentry of the same period, the *Mansion House of Stockholm.* Examples of the Lapp and Finn life are also on exhibition. The different dwellings in the *Lapp Camp* include: the low log-house with a pyramidical roof, the turf-hut, tent-hut and the half underground stone cottage from Blekinge. The *Homestead of the Varmland Finns* is a very remarkable relic of the immigration of Finns into Central Sweden at the end of the 16th and the beginning of the 17th centuries. Of historic interest is the summer-house of the famous philosopher *Emanuel Swedenborg,* from Hornsgaten, Stockholm, and the *Studio of Julius Kronberg,* the painter. Mention must also be made of the *Belltower from Hallestad,* a fine example of Swedish peasant architecture, the *Market Place* in front of the Church of Seglora, with old market booths brought from Smalna, and the *Old Stockholm Quarter,* containing the *Hazelius House* and *Petissan,* a quaint house built at the end of the seventeenth century.

5. INTERNATIONAL COLLABORATION.

THE CONSERVATION OF MONUMENTS AND INTERNATIONAL COLLABORATION

The organization for Intellectual Cooperation of the League of Nations has initiated international collaboration in the protection and preservation of historic sites and monuments. Under the direction of the International Museums Office (with headquarters in Paris), conferences are held on the subject, general policies formulated, information distributed and publications prepared. The work of the office has been important because it affords any interested person an opportunity to compare the administrative and legislative measures regarding historic monuments, the technical methods and procedure and international documentation of the member countries available for reference. It has also encouraged the collaboration of archaeologists and experts from every country as well as philanthropic interest in excavation and preservation work, and made possible certain restoration work which, as in Greece, could not have been accomplished without international assistance and collaboration.

A brief review of various points covered in the conclusions and recommendations of the Athens Conference of 1933 will show the constructive principles and method of approach which guide the work of the International Museums Office.

(a) *Doctrines:* The conference approves the general tendency to abandon restorations *in toto* and to avoid the attendant dangers by initiating a system of regular and permanent maintenance calculated to ensure the preservation of the buildings. When, as a result of decay or destruction, restoration appears to be indispensable, it is recommended that the historic and artistic work of the past should be respected without excluding the style of any given period. The conference recommends that the occupation of buildings, which ensures the continuity of their life, should be maintained but that they should be used for a purpose which respects their historic or artistic character.

(b) *Administrative and Legislative Measures:* The conference approves the general tendency which recognizes a certain right of the community in regard to private ownership. While approving the general tendency of these measures, the Conference is of opinion that they should be in keeping with local circumstances and with the trend of public opinion so that the least possible opposition may be encountered, due allowance being made for the sacrifices which the owners of property may be called upon to make in the general interest. . . It recommends that the public authorities in each country be empowered to take conservatory measures in cases of emergency.

(c) *Aesthetic Enhancement of Ancient Monuments:* The Conference recommends . . . that the surroundings of ancient monuments be given special consideration . . . and that a study be made of the ornamental vegetation most suited to certain monuments or groups of monuments from the point of view of preserving their ancient character.

(d) *Restoration Materials:* The experts approved the judicious use of all the resources at the disposal of modern technique and more especially of reinforced concrete. They specified that this work of consolidation should whenever possible be concealed in order that the aspect and character of the restored monument may be preserved.

(e) *The Deterioration of Ancient Monuments:* The Conference recommends that, in each country, the architects and curators of monuments should collaborate with specialists in the physical, chemical and natural sciences with a view to determining the methods to be adopted in specific cases.

(f) *The Technique of Conservation:* In the case of ruins, scrupulous conservation is necessary, and steps should be taken to reinstate any original fragments that may be recovered (anastylosis), the new materials used for this purpose should in all cases be recognizable. When the preservation of ruins brought to light in the course of excavations is found to be impossible, the Conference recommends that they be buried, accurate records being of course taken before filling-in operations are undertaken. . . . The experts agree that before any consolidation or partial restoration is undertaken, a thorough analysis should be made of the defects and the nature of the decay of these monuments. They recognized that each case needed to be treated individually.

(g) *International Collaboration:* The Conference considers it highly desirable that qualified institutions and associations should, without in any manner whatsoever prejudicing international public law, be given an opportunity of manifesting their interest in the protection of works of art in which civilization has been expressed to the highest degree and which it would seem to be threatened with destruction; and expresses the wish that requests to attain this end, submitted to the Intellectual Cooperation Organization be recommended to the earnest attention of the States. The members of the Conference paid a tribute to the Greek Government, which, for many years past, has been responsible for extensive works and, at the same time, has accepted the collaboration of archaeologists and experts from every country. The members of the Conference there saw an example of activity which can but contribute to the realization of the aims of intellectual cooperation, the need for which manifested itself during their work.

The Conference recommends that educators should urge children and young people to abstain from disfiguring monuments of every

description and that they should teach them to take a greater and more general interest in the protection of these concrete testimonies of all ages of civilization.

The Conference expresses the wish that each country, or the institutions created or recognized competent for this purpose, publish an inventory of ancient monuments, with photographs and explanatory notes; that each country constitute official records which shall contain all documents relating to its historic monuments; that each country deposit copies of its publications on artistic and historic monuments with the International Museums Office; that the Office devote a portion of its publications to articles on the general processes and methods employed in the preservation of historic monuments; and study the best means of utilizing the information so centralized.

The publications of the International Museums Office, referred to in the last section of recommendations are excellent, including in their table of contents: doctrines of preservation, administrative and legislative measures and the technical procedure employed in each country. "La Conservation des Monuments d'Art et d'Histoire" gives both a thorough and well-balanced view of the general problem of the preservation of historic monuments and a discussion of specific cases in this field. The Office also publishes the "Mouseion," which although primarily concerned with the organization and development of museums, devotes a section of the publication to the maintenance of ancient monuments.

PART III. LEGISLATION AND RECOMMENDATIONS

1. LEGISLATION

During the course of this Survey it was considered desirable to draft some form of legislation for submission to the current session of Congress. A somewhat comprehensive study already had been made of the problem in this country as well as a preliminary survey of legislation existing in most of the leading foreign nations. It was therefore, not extremely difficult to visualize that which was needed by way of legislation for the purpose of establishing a board Federal policy and clothing an Executive Department of the Government with authority to effectuate that policy. The substance of such legislation was formulated and two bills were drafted, one covering the general subject and the other creating a Trust Fund Board to receive and manage financial gifts for purposes of the National Park Service.

These two bills, as originally drafted, with commentaries (written prior to their passage, as modified by Congress) and with changes and revisions as enacted noted, are as follows:

A BILL

To provide for the preservation of historic American sites, buildings, objects and antiquities of national significance, and for other purposes.

Section 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that the preservation for public use, of historic sites, buildings and objects of national significance, hallowed by the presence and touch of great men or the passage of great events, and of antiquities, will be an incalculable blessing to the nation; and that it is a national policy to preserve the same for the inspiration, benefit and enjoyment of the people.

Consideration was given to the constitutionality of this bill. The leading case covering the subject matter is *United States vs. Gettysburg Electric Railway Company, 160 U. S. 668 (1896),* the opinion having been written by Mr. Justice Peckham. It is believed that the constitutionality of this bill can be sustained upon the theory of that case, if not upon other grounds.

This section contains a declaration of the proposed Federal Policy. It is believed not only to be advisable to incorporate a declaration of policy in the Bill, but it is also believed to be necessary in view of a recent declaration of the Supreme Court of the United States, contained in the case of *Panama Refining Company et al vs. Ryan et al; Amazon Petroleum Corporation et al vs. Ryan et al, Sup. Ct. 1935 #135, #260.* It will be noted that this declaration of policy is so framed as to confine the direct activities of the Government to sites and buildings and objects of national significance, thereby inferentially excluding those of State and local significance. This will not prevent the Federal Government from encouraging and cooperating with States and private organizations in the preservation of other historic monuments, as well as those of national significance, and such cooperation is specifically provided for in the body of the Bill.

In the Bill as enacted this declaration of policy was shortened as follows:

> That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States.
>
> Section 2. The Secretary of the Interior (hereinafter referred to as the Secretary), through the National Park Service, for the purpose of effectuating the policy expressed in Section 1 hereof, shall have the following powers and perform the following duties and functions:

The opening provision of this section is self-explanatory. The Secretary of the Interior through the National Park Service is given powers and charged with performing the duties and functions which are enumerated in the several provisions of the Bill.

In explanation of this provision, it should be stated that consideration was given to omitting the words "through the National Park Service," and substituting appropriate words to permit the Secretary to administer the Act through the National Park Service or some other organization, either existing or new, as experience might demonstrate to be advisable. While the highest regard for the accomplishments of the National Park Service is entertained by every one, suggestions from sources entitled to serious consideration have been made that the door should not be closed to this subject being administered by an independent organization, for example, one similar to the Smithsonian Instituiton. After consideration by those responsible for framing the Bill, it seemed advisable to designate the National Park Service.

(a) Secure, collate and preserve drawings, plans, photographs and other data of historic and archaeologic sites, buildings and objects.

It is obviously necessary to collect as much information as possible concerning historic and archaeological sites, buildings and objects in this country, if the Federal policy is to be properly executed.

(b) Make a survey of historic and archaeologic sites, buildings and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

It has been brought to the attention of officials that it might be well to consider changing the structure of this subsection so as to provide more clearly for periodic surveys. This subsection might be construed in a narrow sense.

Subsection (a) and (b) will enable the Secretary to formulate a comprehensive program for effectuating the Federal policy and at the same time enable him to cooperate with the States and private organizations in supplying them with valuable information and data in connection with their efforts for preserving historic sites and buildings. It will also be of great value to Congress when it is considering from time to time appropriations for the establishment and acquisition of particular sites and monuments. Such surveys should also facilitate an efficient coordination of the work of the Federal and State Governments and private organizations.

(c) Make necessary investigations and researches in the the United States or in foreign countries relating to particular sites, buildings or objects to obtain true and accurate historical and archaeological facts and information concerning the same.

In every case of the preservation or restoration of a historic site or building by the Federal Government, every fact relating thereto should be obtained in order that the same may be authentic and may be properly presented to the public. In view of the fact that our early history is so intimately connected with and related to certain foreign countries, it will be necessary in some cases to make investigations and researches abroad. It will certainly be necessary to do so in various parts of the United States. Both eventualities are provided for in this subsection.

However, the clause "or in foreign countries," was struck out from the Bill as enacted.

(d) Establish and maintain a library to facilitate the administration of this Act.

The advantages, if not necessity, of establishing and maintaining a proper library are obvious. After all, we are dealing with what may be called a cultural subject, as distinguished from mere constructional and architectural problems. In this connection, it may be pointed out that there is no general historical division existing at this time in any branch of the Government unless, perhaps, we might so designate the Library of Congress. It is not contemplated that the Library provided for in this section will duplicate the efforts of the Library of Congress, but rather that it will supplement it. The Library of Congress and other libraries throughout the country should be used for general research work. However, it will be necessary to obtain complete and representative sets of the works pertaining to the various historic sites and buildings under the administration of the Federal Government, and also technical and professional works and publications.

This subsection was struck out from the Bill as enacted.

(e) For the purposes of this Act acquire in the name of the United States by gift, purchase or the exercise of the power of eminent domain, any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided,* That condemnation proceedings shall not be had nor resorted to for the purpose of acquiring any historic building or structure or land used in connection therewith if the same is preserved, operated and administered for the benefit of the public.

This section provides for the acquisition in the name of the United States of personal and real property by gift, purchase and the power of eminent domain. As will be seen later no purchase can be made unless and until Congress has made an appropriation therefor (unless, perhaps, funds are donated for such purpose) which is equally true with respect to the use of the power of eminent domain. It was thought wise to exclude from the use of eminent domain historic properties preserved, operated and administered for the benefit of the public. It has been suggested that church properties and historic properties used as dwelling houses should also be excluded and there seems to be no reason why these exceptions should not be included in the Proviso.

In the Bill as enacted the phrase "or the exercise of the power of eminent domain" was changed to "or otherwise" and the following provision substituted for the original one:

Provided, That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further,* That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

(f) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations or individuals, with proper bond where deemed advisable, to protect, preserve, maintain or operate any historic or archaeologic building, site, object or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States.

The ultimate objective of the Bill is the preservation of historic properties without regard to where titles may rest. There seems to be no reason why the Federal Government should acquire titles to all historic properties which it may wish to preserve. Also there may be cases where the Federal Government has titles but from practical or other reasons it may be more advisable for a State or city or private organization to operate the same. Other suppositious cases might be mentioned. This provision of the Bill will enable the Federal Government to contract and make cooperative agreements with others for the protection, preservation, maintenance or operation of any historic property.

In the final draft of the Bill the following proviso was added:

"That no contract or cooperative agreement shall be entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose."

(g) Restore, reconstruct, rehabilitate, preserve and maintain historic or prehistoric sites, buildings, objects and properties of national significance and where deemed desirable establish and maintain museums in connection therewith: *Provided,* That notwithstanding the requirements of existing statutes or regulations, contracts for work or service may be let, and materials, equipment and supplies purchased, in exercising the authority of this subsection with or without advertising for proposals or taking bids, in a manner determined by the Secretary to be necessary to attain the objectives of this Act.

The proviso contained in this subsection did not meet with the approval of the Budget Bureau and was eliminated from the Bill

introduced in Congress. Since the completion of the Survey, covered by this Report, it appears more strongly than ever that the authority expressed in this proviso is highly desirable.

> (h) Erect and maintain tablets, memorials and monuments, to mark or commemorate historic or prehistoric places and events of national significance.

This subsection is self-explanatory. It might be added that the authority for the commemoration of persons has been properly omitted.

> (i) Operate and manage historic and archaeologic sites, buildings and properties together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases or permits without advertising and without securing competitive bids for the use of land, building space, roads or trails when necessary or desirable either to accommodate the public or to facilitate administration.

The granting of authority to operate and manage such historic properties is necessary. It is believed that reasonable visitation fees should be charged in practically all cases. This view seems to be in accord with that of all persons interested in the subject. It is now the general custom both in this country and abroad. The authority to grant concessions, leases and permits without advertising or securing competitive bids is an authority which the National Park Service now has with respect to the subject matter of this Bill. However, it has been deemed advisable here to cover this point specifically.

This subsection of the Bill as enacted was the same with the omission of "without securing competitive bids and without advertising," and the proviso added:

> That such concessions, leases, or permits, shall be let at competitive bidding, to the person making the highest and best bid.

> (j) Monies paid into the Treasury of the United States on account of visitation fees, concessions, leases, permits, or other operating receipts of any historic or archaeologic site, building, object or property used in connection therewith, are hereby reserved and appropriated as a special fund to be expended under the supervision and direction of the Secretary in the maintenance, operation and improvement of any such site, building, object or property, unless the Secretary shall determine that it is administratively desirable that such monies, or any portion thereof, be covered into the

Treasury to the credit of "Miscellaneous Receipts."

This subsection met with the disapproval of the Budget Bureau and was eliminated. It is still believed that such a proviso for handling the money referred to therein is administratively desirable.

> (k) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate or maintain any particular historic or archaeolgic site, building or other property used in connection therewith through the National Park Service, he may cause the same to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

It is believed that there will be a few cases only, if any, when the Secretary will determine it to be advisable to restore, reconstruct, operate or maintain any particular historic property by the use of the corporation. It is conceivable, however, that an occasion may arise involving the restoration or operation of an extensive historic area, containing a considerable number of historic buildings, some of which might be occupied as residences, hotels, commercial stores, or the like. In such cases, from the viewpoint of effectuating an economic management and administration, the corporate form may well be the best method for restoring or operating such an area.

> (l) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archaeologic sites, buildings and properties, of national significance. Reasonable charges may be made for the dissemination of any such facts or information.

The Bill declares that it is a national policy to preserve historic properties of national significance for the "inspiration and benefit of the people of the United States." This subsection provides for making available to the public facts and information pertaining to such properties.

> (m) Perform any and all acts, and make such rules and regulations not inconsistent with this Act as may be necessary and proper to carry out the provisions thereof. Any violation of any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings.

This subsection is a general enabling provision and contains a penalty for violating any of the rules and regulations authorized by the Act.

This subsection remained the same with the omission of "or imprisonment for not exceeding six months, or both."

> Section 3. A general advisory board to be known as the Advisory Board on National Parks, Historic Sites, Buildings and Monuments is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include representatives competent in the fields of history, archaeology, architecture and human geography, who shall be appointed by the Secretary and serve at his pleasure. The members of such Board shall receive no salary but may be paid expenses incidental to travel and a reasonable per diem when engaged in discharging their duties as such members.
>
> It shall be the duty of such Board to advise on any matters relating to national parks and to the administration of this Act submitted to it for consideration by the Secretary. It may also recommend policies to the Secretary from time to time pertaining to national parks and to the restoration, reconstruction, conservation and general administration of historic and archaeologic sites, buildings, and properties.

This section creates an Advisory Board on National Parks, Historic Sites, Buildings and Monuments. The Board is to be composed of not more than eleven persons, the minimum number which, it was felt, would serve most effectively the various activities of the National Park Service. It is contemplated that the members of the Board will be outstanding persons in the fields of history, archaeology, architecture and human geography and it is important that their selection should be based upon competency in these fields.

The board is purely an advisory one, possessing no compulsory powers. Its purpose is to advise and recommend policies to the Secretary on matters relating to the national parks and to the administration of this Act. As the general activities of the National Park Service may be said to fall into two fields, those relating to the scenic and scientific parts and those to the historic areas and monuments, there should be members of the board competent in both fields. General policy relating to the Park Service as a whole should, of course, be considered by the whole board, but for the convenience of administration, the Secretary may create one or more sub-committees of the board to study and to consider the special problems relating to the one or the other of the suggested divisions of the National Park Service.

Many advantages to the Government may be derived from such a board. Not only will the unbiased advice and counsel of such outstanding men be of inestimable value to the Government and this

program, but also their prestige and connections in the professional, scientific and cultural world will encourage the support of the leading men in their respective fields and the technical and professional societies and organizations of which they may be members. It will also further the goodwill, confidence and cooperation on the part of the States, private organizations and the general public, which might otherwise require years to attain. The cost to the Government will be comparatively negligible as the time and services of these men will be gratis.

Section 3 remained the same with the omission in the first paragraph of "and a reasonable per diem."

> Section 4. The Secretary, in administering this Act, is authorized to cooperate with and may seek and accept the assistance of any Federal, State or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual.

This section provides for the cooperation of the Federal Government and States or municipal departments or agencies or any educational, scientific or other agencies.

> (b) When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

Experience on the part of the National Park Service, States and private organizations has already demonstrated the necessity of securing expert technical advice in connection with restoration and reconstruction work. This section therefore authorizes the establishment of technical advisory committees in such cases as are deemed necessary.

> (c) Such professional and technical assistance may be employed without regard to the Civil Service requirements and restrictions of law governing the employment and compensation of employees of the United States, and such service may be established as may be required to accomplish the purposes of this Act and for which money may be appropriated by Congress or made available by gifts for such purposes.

The purposes of the proposed bill are unique. The attainment of such purposes should not be hampered by too restrictive purchasing, financing and employment laws and regulations. In all countries, the restoration, protection and conservation of historic buildings, sites and objects give rise to technical, administrative and legislative prob-

lems of an extremely complex and varied character. Such problems, of course, should be recognized and dealt with logically and in the best interests of the public.

This subsection provides for the employment of professional and technical assistance without reference to Civil Service rules. For example, the number of suitably trained men in the field of antiquarian or historical architecture is very small and it is impracticable to obtain them from the Civil Service eligible lists.

The several restoration projects satisfactorily accomplished in this country have developed workmen and building groups who have studied old works and experimented with craftsmanship methods to produce eventually excellent results. Few artisans have had an opportunity, however, to develop such experience. The restoration and repair of an ancient structure involves the use of methods quite different from those used to repair a modern building. It will be noted that an appropriation from Congress or gifts for such purposes must be first obtained. It is not contemplated that any considerable number of permanent personnel will be employed under this subsection. This authority should enable the Secretary to attract and to engage the services of qualified personnel, and when funds are available from the sources described, to pay adequate compensation to officials and other employees.

This subsection of the Bill as enacted was the same with the omission of "and compensation of employees of the United States."

> Section 5. Nothing in this Act shall be held to deprive any State, or political subdivision thereof, of its civil and criminal jurisdiction in and over lands acquired by the United States under this Act.
>
> Section 6. There is authorized to be appropriated for carrying out the purposes of this Act such sums as the Congress may from time to time determine.
>
> Section 7. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter.

The complete bill as finally enacted by Congress, and approved by the President on August 21, 1935, will be found in the appendix to this Report.

A BILL

To create a National Park Trust Fund Board, and for other purposes.

Be it enacted by the Senate and House of Representatives of the the United States of America in Congress assembled That a board is

hereby created and established, to be known as the National Park Trust Fund Board (hereinafter referred to as the Board), which shall consist of the Secretary of the Treasury, the Secretary of the Interior, the Director of the National Park Service, and two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively). Three members of the Board shall constitute a quorum for the transaction of business, and the Board shall have an official seal, which shall be judicially noticed. The Board may adopt rules and regulations in regard to its procedure and the conduct of its business.

No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the funds or funds in connection with which such expenses are incurred. The voucher of the chairman of the Board shall be sufficient evidence that the expenses are properly allowable. Any expenses of the Board, including the cost of its seal, not properly chargeable to the income of any trust fund held by it, shall be estimated for in the annual estimates of the National Park Service of the Department of the Interior.

Section 2. The Board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the National Park Service, its activities, or its service, as may be approved by the Board and by the Secretary of the Interior.

The moneys or securities composing the trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the Board may from time to time determine. The income as and when collected shall be deposited with the Treasurer of the United States, who shall enter it in a special account to the credit of the National Park Service and subject to disbursement by the Director for the purposes in each case specified; and the Treasurer of the United States is hereby authorized to honor the requisitions of the Director made in such manner and in accordance with such accounting and fiscal regulations as the Treasurer may from time to time prescribe: *Provided, however,* That the Board is not authorized to engage in any business nor shall the Board make any investments that could not lawfully be made by a trust company in the District of Columbia, except that it may make investments directly authorized by the instrument of gift, and may retain any investments accepted by it.

Should any gift or bequest so provide, the Board may deposit the principal sum, in cash, with the Treasurer of the United States as a permanent loan to the United States Treasury, and the Treasurer shall thereafter credit such deposit with interest at the rate of 4

per centum per annum, payable semiannually, such interest, as income, being subject to disbursement by the Director of the National Park Service for the purposes specified: *Provided, however,* That the total of such principal sums at any time so held by the Treasurer under this authorization shall not exceed the sum of $5,000,000.

Section 3. The Board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered, or paid over to it for the purposes above specified. The Board may be sued in the Supreme Court of the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

Section 4. Nothing in this Act shall be construed as prohibiting or restricting the Secretary of the Interior from accepting, in the name of the United States, gifts or bequests of money for immediate disbursement or other property in the interest of the National Park Service, its activities, or its services, as heretofore authorized by law.

Section 5. Gifts or bequests to or for the benefit of the National Park Service, including those to the Board, and the income therefrom, shall be exempt from all Federal taxes.

Section 6. Employees of the National Park Service who perform special functions for the performance of which funds have been intrusted to the Board or the Secretary of the Interior, or in connection with cooperative undertakings in which the National Park Service is engaged, shall not be subject to the proviso contained in the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, approved March 3, 1917 (39 Stat. 1106); nor shall any additional compensation so paid to such employees be construed as a double salary under the provisions of section 6 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, as amended (39 Stat. 582).

Section 7. The Board shall submit to the Congress an annual report of the moneys, or securities received and held by it and of its operations.

Note on National Park Trust Fund Board Bill—Section 6 Regarding Personnel:

The bill creating a National Park Trust Fund Board was enacted into law in July 1935, in substantially the same form as drafted with the exception that Section 6 was eliminated. It is believed that the fundamental purpose of Section 6 was not fully presented to the

House and Senate in sufficient time to persuade those bodies to adopt its provisions. An identical section is contained in the Library of Congress Trust Fund Act and there was no intimation that there would be objections to it in the National Park Service bill until that bill had been passed by the House.

The Library of Congress has used the authority through substantial trust funds donated for the purpose, in establishing a Chair of Music and a Chair of Fine Arts. It has been enabled by augmenting Government salaries to employ outstanding scholars in these fields to fill the chairs and the results obtained have more than justified the authority. Any fair investigation will most assuredly reveal that no interests of the Government or the public have been prejudiced by the arrangement. On the contrary great credit is reflected and the cultural interests of the nation have been promoted to an unusual extent.

Here, too, in the fields of history, archaeology, architecture and human geography are opportunities for advancing the cultural development and growth of the country. Older civilizations have recognized the value of governmental interest in these subjects. Eminent scholars are employed by foreign nations to plan and direct such activities. The United States should do likewise. The Director of the Historic Sites and Buildings Branch of the Federal Government should be of a calibre comparable to the President of a leading university.

In order to attract competent men adequate compensation must be offered. If the fiscal bureaus of the Government and Congress are unwilling to authorize and appropriate adequate salaries to secure such personnel, then authority should be granted to augment such salaries from income derived from trust funds donated for the purpose.

A copy of the Trust Fund Board Bill as enacted into law will be found in the appendix to this Report.

For further discussion and analysis of both the above bills see printed report of "Hearings before the Committee on Public Lands, House of Representatives, Seventy-fourth Congress, First Session on H.R. 6670 and H.R. 6734, April 1, 2, and 5, 1935," and a complete set of the various drafts of both Senate and House Bills in the Exhibit Book (B-241-246).

2. GENERAL RECOMMENDATIONS

With the enactment by Congress of legislation drafted and submitted during the course of this Survey, there has been adopted a broad Federal policy relating to the preservation of historic sites and buildings. Likewise, certain functions and duties have been delegated to the Secretary of the Interior to be performed through the National Park Service. A National Advisory Board has been created. It would seem apparent that formulation of a hasty program would be a mistake and should be avoided. The National Park Service and the National Advisory Board should first make a thorough and detailed study of the subject as related to the United States in its entirety and, thereafter, a comprehensive plan or program formulated.

A. Administration

(1) Discussion of Administrative Organization.

One of the important questions which has been considered during the course of this survey relates to adminstrative organization and to what agency the general adminstration of a Federal historic sites and buildings program should be assigned. Four possible administrative methods have been examined, each of which appeared to be feasible in one degree or another for planning and developing such a program:

(1) By an independent governmental or quasi-governmental bureau or organization, as, for example, one similar to the Smithsonian Institution, the Library of Congress, or the like.

(2) By the National Park Service, with an administrative organization similar to the one existing until the beginning of the fiscal year 1935-1936.[1]

(3) By the National Park Service, with an organization similar to the foregoing, but with the addition of a sixth division or branch to be known as the Branch of Historic Sites and Buildings. (This is the present organization, by authority of the Secretary of the Interior for which appropriations have been made by Congress for 1935-1936).[2]

(4) By the National Park Service, with a reorganization of its existing administrative set-up.

[1] See Exhibit B-247.

[2] See Exhibit B-248.

There are many arguments in favor of method number one. However, after extended discussions with numerous interested individuals and with the approval of the Secretary of the Interior, it was decided that the administration should be under the jurisdiction of the National Park Service. No criticism of the National Park Service nor reflection upon it were advanced at any time by a consideration of method number one. The outstanding achievements of the National Park Service in its development of the great scenic parks are recognized by everyone. That Service possesses an administrative organization of a high and efficient character, a considerable portion of which can be used in connection with the development of an historic program. These facts, as well as the appeal of the proposition that, as a matter of policy, the conservation and preservation program of the Government should be centered in a single agency outweighed the advantages that might be derived from the establishment of a separate agency. As a result, legislation was drafted, now enacted into law, specifically assigning the subject to the Secretary of the Interior, to be administered through the National Park Service.

There remains the question of organization of the National Park Service for the most efficient administration of the two major subjects assigned to it, the scenic parks and the historic sites and buildings.

It was felt by practically everyone consulted, including responsible officials of the National Park Service, that the aforementioned method number two would be inadequate. It is recognized that the administration of the scenic parks and historic sites and monuments will involve many common problems. However, in many other respects the two subjects will require such different methods of treatment that to keep their administration completely integrated will result, it is believed, in detriment to both subjects. The broader planning and development of each subject should be kept separate and each should be under a separate division or branch. In any event, the development and administration of a historic preservation program should not be intrusted to a subordinate unit of the Branch of Research and Education, as formerly, or to a subordinate unit of any other Branch.

As pointed out, the present organization now includes a sixth branch of the National Park Service organization, designated the Branch of Historic Sites and Buildings. This Branch is coordinate with the other five existing branches. By reference to the Organization Chart (Exhibit B-248) it will be seen that there is no similar or separate branch in charge of scenic parks. The result would seem to be an unbalanced organization. As the work of the Branch of Historic Sites and Buildings develops and increases, the National Park Service will be able to determine the more desirable organization of the Service as a whole. The important point here is to stress the

opinion that the planning, development and administration of historic sites and buildings by a separate division or branch is the proper method and that the assistant or associate Director of such Branch should be answerable only to the Secretary of the Interior and the Director of the National Park Service, without hinderance or dictation from any other division or branch of the Service.

The activities of the National Park Service have increased to such an extent during the past few years that now, with the addition of the responsibilities of planning and developing a historic program, it would seem essential to create a more logical chain of delegated responsibilities than appears to exist under its present organization. The Director, in addition to a Deputy, should have two outstanding assistants, each qualified in his respective field, to share the ever-increasing burdens of the Director's office, more particularly as related to planning and executing policies covering the scenic parks and historic sites and buildings. In this connection, responsibility for administering public buildings might be assigned to the Deputy Director or a subordinate branch.

The facilities of the several purely administrative and service branches, such as personnel, finance, engineering, architecture, publicity and the like, should be fully and freely available as needed by the Division or Branch of Historic Sites and Buildings. The coordination of the use of these facilities by the major branches of the Service should rest, of course, with the Director of the National Park Service.

There was appended to the original report an organization chart outlining a suggested reorganization which incorporates, in one form, the observations made in the preceding paragraphs. On the chart the title of the chief lieutenant of the Director has been changed to "Deputy Director." It is believed that such designation more clearly describes the functions of this official. Following the chain of authority, there are next created two "Associate Directors," one in charge of scenic parks and the other in charge of historic sites and buildings. (A third might be created, if necessary, to have charge of Public Buildings, although, as stated, these can very well be administered by the Deputy Director or by one of the subordinate branches). Next in the chain of authority come the purely administrative and service branches, which service and execute the policies and plans of the major divisions. If such reorganization should be effected, it undoubtedly would result in the necessity for some degree of rearrangement or realignment of subordinate units.

(2) Inter-Governmental and Inter-Departmental Relationship and Problems.

In the legislation recently enacted there is an express provision for the cooperation of Federal Departments with the Secretary in carrying out the purposes of the Act. This probably will be necessary in some instances and there may arise cases where there will be some conflict of opinion or policies between the Departments. It is unnecessary to speculate upon or discuss at length in this report such probabilities. One illustration of commendable cooperation may be mentioned. It is understood that the Bureau of Public Roads in the Department of Agriculture has cooperated in the building of roads in the historic areas and that it has been sympathetic in conforming to the objectives of the National Park Service in such respect. The Bureau occasionally has found it necessary to depart from its usual road building practices or methods to conform to what officials of the National Park Service in certain cases believed to be more desirable in such areas, that is, to preserve the terrain to conform to historical planning.

In particular, cooperation with the War Department on the subject of military memorials should be maintained, as Fort Sumter and other historic forts still in use were left under its jurisdiction. (Of course, military necessities should prevail over historical preservation requirements, if the needs of the two cannot be reconciled.)

Utilization of the facilities of the Smithsonian Institution and the Library of Congress will be invaluable and, in many cases, necessary.

Within the National Park Service itself, careful study and attention should be given to the relationship between and responsibilities of the Branches of Plans and Design (for matters relating to architecture and landscape architecture), Forestry, Engineering, Lands and Use (for the purchase of historic property, granting concessions and contracts), Buildings (for matters relating to historic building now used by the Government) and others with respect to the work of the Branch of Historic Sites and Buildings. These Branches should be charged with cooperation in every way possible, as it will be their duty to execute the technical phases of preservation work. The ultimate success of the Government's program will depend upon the proper functioning of these technical Branches. One example of the importance of such cooperation is illustrated by the fact that the former historic Supreme Court Room in the Capitol might have been renovated for office space if sufficient pressure had not been brought by interested persons to preserve the room.

The Branch of Historic Sites and Buildings, with the cooperation of the Advisory Board, should formulate the general program and policies for procedure; should decide which historic houses and sites should be owned and controlled by the Federal Government and the

broader questions of planning with respect to them, and should coordinate the various activities involved. The many problems, both of a technical nature and of policy inherent in the development and execution of a proper preservation program must be appreciated and studied as a whole. There should not be divided authority in meeting these problems, although there should be coordination and cooperation. For instance, the opinions and recommendations of the technicians, such as architects, landscape architects, engineers and the like, should be entitled to prevail on purely technical questions. However, the planning and development of the general program, as well as of a particular site or building, should be left to the judgment and decision of the Director of the Branch of Historic Sites and Buildings. The responsibility for the entire program should be his alone.

(3) Personnel.

(a) EMPLOYMENT OF PERMANENT PERSONNEL.

It will, of course, be necessary to organize the Branch of Historic Sites and Buildings upon a permanent basis. Qualified historians and archaeologists should be employed upon a permanent basis, as well as additional architects and other specialists as the work of the Branch increases. The size of the permanent organization will necessarily be governed by the extent to which the Federal activities of the Government expand.

At the present time the activities of the Branch of Historic Sites and Buildings are carried on by a moderate personnel organization, but, with the exception of the Acting Assistant Director and one stenographer, it is composed of temporary personnel employed through the facilities of Emergency Conservation Work or the Public Works Administration. The organization is composed of a number of well qualified historians and, where needed, archaeologists. They are engaged in research and compilation of authentic data relating to the several historic sites and buildings now under the jurisdiction of the National Park Service. Such work is absolutely essential in a proper development and presentation of a historic site and building program and should be organized upon a permanent basis.

(b) EMPLOYMENT OF PROFESSIONAL AND TECHNICAL PERSONNEL

The opportunity to employ professional and technical men without regard to Civil Service Laws has been granted by the Historic Sites and Buildings Act. The number of suitably trained men in the field of antiquarian architecture are so few that, in most cases, the usual methods of selecting governmental personnel are too impracticable to be followed. Most knowledge in this field must be gained by actual participation in an active project and the opportunity to

engage in such work seldom comes to any architect more than once or twice. Selections should be made solely by the proper officials of the National Park Service (with the approval of the Secretary of the Interior), who alone are capable of judging the needs in each case. Political considerations should play no part. Wherever feasible, however, it is believed that Civil Service requirements should be followed.

During the course of the several restoration projects which have been satisfactorily accomplished in this country, it has been necessary to develop both workmen and building groups who study old work, experiment on methods of craftsmanship and eventually produce a satisfactory product. In the modern field of construction, wood-carvers, locksmiths, masons, painters and the like who have had the opportunity to develop such technique are very scarce. One of the most regrettable results of the conditions now existing is that such proficient individuals or constructing firms must be parted with or disbanded upon the completion of the project in hand. To train men in these highly specialized crafts is expensive and it should prove of tremendous value to a governmental agency regularly engaged in such work to have a pool of competent craftsmen readily available without the necessity of an elaborate and cumbersome method of specifying and selecting individuals at the outset of each new construction project.

The undertaking of a necessarily painstaking restoration involves methods quite different from those used on a modern residential or commercial structure and the developing of specialists for this work should be a duty and function of the Federal agency fostering the protection and restoration of historic structures. The names and qualifications of such experienced personnel could be catalogued and made available to State and private organizations when needed.

(4) Inspection Service.

In order to assure the proper maintenance and administration of historic buildings and sites, inspections should be made at regular intervals. Whether the present method used for the inspection of national scenic parks should be maintained in regard to historic buildings and sites (alternate inspections by the Director and Associate Directors of the National Park Service and by members of the administrative staff as considered necessary) or whether these should be supplemented or displaced by a permanent inspection service within the organization can better be determined in the future by the extent and character of governmental activities in this field. It is only necessary to mention here that in every European country visited there is a permanent inspection staff or inspectorate for this specific service. Inspections should include not only the architectural and landscape aspects of the subject monument, but also an inspection

of personnel and guide services and a thorough examination of finances and administration practices. The inspection staff, therefore, should be composed of personnel competent in these various matters. As a suggestion, an inspection staff might be created and developed by the detail of competent men, in addition to their regular duties, from the several branches and services of the National Park Service.

B. Finances

(1) Appropriations.

It is unnecessary to discuss generally questions relating to annual fiscal appropriations by Congress. If the Government is to develop a proper preservation program, it necessarily will require increased allotments to the National Park Service. Necessary funds should be sought to carry out the policy adopted by Congress.

(2) Trust Funds and Gifts.

The general purposes of the National Park Trust Fund Board are evident in the language of the Act creating it. Its facilities can be used in connection with the many varied activities of the National Park Service. Its existence, purposes and methods of operation should be brought to the attention of the public and, in particular, to agencies and individuals who evidence an interest in furthering historic preservation activities.

(If found to be necessary, Section VI, which was eliminated prior to passage of the Act, should be recommended again to Congress for enactment as an amendment.)

(3) Operating Finances.

From a viewpoint of efficient and economical business administration, it would seem that legislative authority should be granted either for the establishment of a revolving fund or revolving funds from revenues obtained from the operation of historic sites and buildings or such revenues appropriated generally as a continuing special fund. A provision to such effect was incorporated in the original draft of the Historic Monuments and Sites Bill, but was eliminated upon objections to it by the Bureau of the Budget. This provision was as follows:

> "Monies paid into the Treasury of the United States on account of visitation fees, concessions, leases, permits, or other operating receipts of any historic or achaeologic site, building, object or property used in connection therewith, are hereby reserved and appropriated as a special fund to be expended under the supervision and direction of the

Secretary in the maintenance, operation and improvement of any such site, building, object or property, unless the Secretary shall determine that it is administratively desirable that such monies, or any portion thereof, be covered into the Treasury to the credit of 'Miscellaneous Receipts'."

The expense of operating a facility, the volume of business of which is dependent on its usage by the public, has a direct relation to the revenue accruing therefrom. There is such a fluctuation in the patronage of these public areas that it is beyond human ability to foretell accurately several years in advance the probable use by the public. Those who make use of these facilities should, in so far as possible, pay for the direct operating expenses. As the number of visitors increases or decreases, the admission charges may be adjusted to meet the situation.

The usual Government procedure is satisfactory for normal maintenance and operating functions, where the volume of business is more or less known and where the increase or decrease can be charted and due allowance made for future possible needs. However, where the future estimates can not be made as to semi-commercial functions, or where the volume of business depends on climatic conditions, or rapid changes in moods or tastes of the people, it would be desirable that the expenses of operation be more or less controlled by the patronage and the resulting revenue.

Likewise, the usual Government procedure for the construction and upkeep of property contemplates long-term planning for extensions and maintenance. This is not flexible enough or sufficiently sensitive to be applied to semi-commercial organizations. Government operations contemplate no setting aside of a depreciation reserve fund from which to meet the expense of replacements due to depreciation and obsolescence. Under Government procedure all excess funds are taken from the business and become a part of the general Treasury monies. Under prudent business operations, due allowance is made currently for accruing expenses, reserves for possible future losses and other contingencies.

As an example, attention is invited to the difficulty of operating Carlsbad Caverns National Park, where expenses of guides are paid from appropriated funds, in contrast to the operation of Timpanagos and Oregon Caves, where guide service is conducted commercially and guides paid from fees collected.

The appropriation for guides at Carlsbad Caverns was less for the year 1934-1935 than for the preceding year, yet the number of visitors to the Caverns was greater. At the end of the half year, the revenue collected was sufficient to repay the entire year's appropriation, yet the visitors were given curtailed service. At Timpanagos and Oregon Caves, the number of guides used is regulated by the

volume of visitors to be handled and as the number of visitors and the revenue increase, additional guides are hired, and as the volume of business drops, guides are released.

It is impossible to operate satisfactorily, either from the standpoint of the operator or the visitor, on a basis where the selection of employees is left to someone other than the immediate supervisor. Park facilities are operated under conditions radically different from those of usual Government functions. Fluctuation in number of employees is the rule rather than the exception. The personal equation is a dominating factor. When the public is to be served immediate hiring is necessary. An elaborate procedure under which employees are to be selected and dismissed would prevent the administrator of a park or monument to approximate the results which a comparable commercial organization would accomplish.

(4) Non-Federal Support.

There may be cases where the Federal Government will deem it advisable to acquire or accept title to a site or building but to grant custody and management to an association, organized patriotic society or the like. In such cases the Secretary of the Interior should exercise close supervision particularly of management and finances, all of which should conform closely to Federal standards. The application of the principle of the revolving fund, if permissible and provided for by contract, for that site or house would facilitate such an arrangement, which otherwise probably would not be efficiently feasible if receipts go to the Treasury and operation expenses are made dependent upon annual appropriations.

In this connection reference may be made to a statement contained in the Chapter on "Finance" in "Historic House Museums" by Lawrence Vail Coleman, Director of *The American Association of Museums,* (Exhibit C-401) which is as follows:

> Most government appropriations to historic house museums are from either state or city, and are given to historic houses owned by state or city. The average appropriation from the state is about $3,000, the largest exceeds $10,000. City support is much the same in degree, but there are fewer examples of it.
>
> Although, in certain cases, government support is supplemented from other sources, often it represents the only income—or the main income—of historic house museums receiving it. The significant exceptions are houses in custody of special organizations which apply membership or endowment income of their own—a circumstance that points to the further desirability of the cooperative plan of ownership and custody.

The approach to adequate support of government-owned houses lies in the realm of organization. Doubtless initiative and influence will always account for some successes, but, in general, there will be most nearly adequate appropriations all around if there is suitable administrative recognition of historic house museums. It is especially important that coordination be developed within each state and within each city in order to avoid many separate appeals to appropriating bodies. Within a state, coordination is best achieved centrally through supervision by the department of conservation; within a city it seems to be more certainly attainable by having a general custodian—preferably a museum in any city where there are several houses and the museum is equal to the task of taking care of them. Steps toward such arrangements are direct moves toward financial betterment.

There are not many instances of government aid for houses owned by societies; and this fact suggests that there is much of good in the now perceptible drift towards conveying title to government in return for custody and support. If this tendency grows, there will be increasing support; and no hardship will be worked upon the public since the aggregate cost of running all historic houses acceptably would add only insignificant items to public budgets. Incidentally, with growth of public ownership, there would surely be an increase of effort to round out comprehensive systems of historic properties.

(5) Admission Fees.

In regard to admission fees, Mr. Coleman says:

> For state-owned houses an admission charge seems altogether proper. There is, in fact, a growing sentiment in favor of making such houses more worthy of visit and then charging for it. Where a State directly operates its own historic properties, fees and other receipts may have to be turned in to the State comptroller. This may discourage initiative and it should be corrected to the extent of having the receipts of each museum, held subject to expenditure by the museum. Further, such reserve should not have adverse influence on regular appropriations.

As Congress has approved the principle that historic sites and buildings should be supported, at least in part, by visitation fees and other receipts, then it seems important and desirable that the management, including the superintendent or curator, should be influenced and controlled by the knowledge that successful and economic administration should be gauged to such income. This financial policy is

employed successfully in business chain systems. Endowments and local assistance and cooperation may be more easily obtained if it is known the operation of the site or house is mainly dependent upon its income. It will promote local interest, initiative and economy.

C. Advisory Board

Suggestions already have been made as to what is believed to be the desirable type and qualifications of the personnel of an Advisory Board. It is believed that a Board, composed of outstanding scholars in their respective professions who will be willing to give actively of their time and interest, will add an impetus and prestige to the Government's efforts which might otherwise be difficult to obtain. Most assuredly, the availability to the Government of the knowledge and experience of such men will be an asset of inestimable value.

The Advisory Board should be kept fully informed of the plans and activities of the National Park Service in order that it may more readily and intelligently advise with respect to any and all matters pertaining to the Service. It should be made to feel that it is an important adjunct to the organization and operations of the National Park Service and that, within the limits of its authority, it will be expected to contribute advice and active participation.

Office space should be reserved in the National Park Service for the exclusive use of the Advisory Board and a permanent executive secretary should be provided. This secretary should be one possessing the background of a college, secretarial and other training which will insure the maximum of service to the Advisory Board. Until the historic sites and buildings program has been formulated and developed, if not at all times, it would be preferable if such secretary has a background of historical training. This secretary should not only be capable of performing usual and customary secretarial duties, but should be able to obtain and assemble data, execute research assignments of not too technical a nature and, in general, to act as the liaison agent between the Secretary of the Interior, the National Park Service and the Advisory Board. For example, such a secretary can arrange meetings of the Board as desired, attend and take minutes, dispatch notices and other communications to the members, prepare mileage vouchers and perform numerous other duties for the convenience of the Advisory Board and the National Park Service.

D. Surveys

(1) Historic American Buildings Survey.

This should be under the direct supervision of the Branch of Historic Sites and Buildings. Provisions should be made for a proper staff to complete the Survey and to keep it current.

(a) Completion of the National Record.

The results of the Historic American Buildings Survey have already appeared so valuable that completion of such national records becomes increasingly important.[1] The Survey has already produced many drawings which are the only graphic records of important historic monuments, because of loss or destruction, even in the short time elapsed since measurements were made. Over 5,000 subjects listed by district committees have not yet been recorded. Certain of the richest fields, especially in the South and Southwest, have not been touched. If not completed in connection with work relief funds, then other arrangement should be made for its completion and for periodic supplemental surveys.

(b) Improvement of Present Work Relief Methods from the Viewpoint of a Preservation Program.

The Historic American Buildings Survey, operating under ideal conditions, should draw capable workers to rich historical centers. The present regulations of the Relief Administration permit the achievement of this ideal only in States which have a wealth of subject material and of architectural applicants for work relief. In the remaining territory the Survey must look to the future for an arrangement which will allow surplus applicants to obtain this employment outside their home States.

(c) Permanent Field Organization.

Through the work of local groups, organized under work relief projects, much has been accomplished in recording structures which are readily accessible or concentrated near large centers of population. The Historic American Buildings Survey has now advanced to the stage of accomplishment where it becomes a vital necessity to provide for its completion and, if necessary, independently of the future of work-relief or its restrictions and thus attack the national problem purely from the point of view of its own importance. Already important structures have been destroyed before even this "documentary preservation" could be effected. Many of these have perished without record, merely because they stood in a locality where the need of a work relief project for architects was not considered grave.

An important activity of the Survey is preparing the way for administration of any historic sites and buildings commission is conceived to be the investigation of groups, sections and towns which have already been indicated in Survey work as important possibilities for national shrines. Considerable data on some of these already have been gathered while only the barest preliminary investigation

[1] See **Exhibit B-259-263; C-402.**

has been accomplished in others. The standard measured and photographic record produced by the Survey will be needed to supplement and illustrate documentary and graphic records. The regulations and standards employed for the Historic American Buildings Survey of 1934 should be followed in order to insure uniformity and should be recommended to States and other interested agencies.

(2) Early American Crafts and Furniture.

Some consideration might well be given to a survey of early American furniture and crafts as the same may be or become of importance in connection with the historic program. Obviously, places of importance which are so set aside should be furnished in as exact and faithful a manner as can be determined by a careful survey of the historic embellishments. Experts in early American furnishings and decorations should be consulted and, if necessary, employed to do the necessary research and to discover where historic furnishings still extant are now located or preserved.

(3) Cooperation With National, State and Local Historical Record Survey Projects.

Cooperation by the Government and others with the National and proposed State and Local archives projects should be promoted in the compilation and research of documentary material which relate to historic sites and buildings.

E. Registration and Classification

It has been seen that in practically all foreign nations systems of classifications are in effect, which include the power of imposing involuntary burdens and restrictions upon the property and the use of it. The convenience and utility of such a system are manifest. Classification forms the groundwork and foundation for any intelligent preservation program. In most of the foreign nations involuntary classification is permitted. In the United States, the Federal and State constitutions probably do not confer any such power. Regardless of this question, the better policy for this country would seem to be to establish a system of voluntary registration with such attendant burdens and restrictions as may be agreed upon. A system might be adopted analogous to the program now in effect in the State of California. In that State, in 1931, a Statute was enacted, providing as follows:

> Section 1: Any person including the State of California or any political subdivision thereof owning or in possession of any building or landmark which may be of historic interest, or any person with the consent of such owner or person

in possession, may apply to the Director of the Department of Natural Resources to have such building or landmark listed by the Director as a registered state landmark.

Section 2: If, in the judgment of the Director, the building or landmark is of sufficient historical interest, he shall list such building in a register kept for that purpose, and shall affix, in a prominent place on such building, a suitable numbered placard declaring that such building is a registered landmark.

The Historic Sites and Buildings Act confers on the Secretary of the Interior authority to establish a system of voluntary registration and classification. Only sites and monuments of national significance should be marked by the Federal Government, but it may, and probably will be found advisable to include in the system sectional and State lists. The latter will be valuable and necessary in connection with central coordination of nation-wide interest and undertakings in preservation work. In consideration of governmental interest and cooperation, the owner may be persuaded to grant voluntary restrictions as to the use and maintenance of the particular building, as for example, that no repairs or alterations will be made except in accordance with government approved plans and specifications.

F. Practical Methods for Cooperation by States and Municipalities

Several municipalities have interested themselves in the preservation of historic buildings and areas within their corporate limits, not only by ownership in a number of cases, but also by zoning ordinances and regulations directed toward such an end. Notable and outstanding in this respect is the City of Charleston, South Carolina. The example set by this historic and charming old city might well be and should be followed by others throughout the United States, especially in view of the fact that it is believed the Federal, and probably the State Governments, are without constitutional authority to take such steps. The Ordinances and regulations of this city appear to be so well framed and effective, that a summary of them below will assuredly be of interest and value.

The title of Article 10 of the Ordinance is "Old and Historic Charleston District."[1] A board of Architectural Review is established composed of one member of the American Institute of Architects; one, of the Carolina Art Association; one, 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. The term of office is three years. The Board must meet ten days

[1] See Exhibit B-276.

after the filing of an application upon which it is requested to pass, and at such other times as it may be desirable.

All necessary data are supplied to the Board through the office of the Administrative Officer, and it is provided that the board "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." It is also provided that the Board shall not "consider detailed design; relative size of buildings in plan; interior arrangement; of 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."

If the Board fails to take final action within forty-five days the case is deemed to be disapproved, except where mutual agreement has been made for an extension of time.

It is understood that the City of New Orleans has a somewhat similar ordinance, also that Savannah, Georgia, has adopted an ordinance, even more comprehensive than the one of Charleston, regulating areas surrounding historic buildings and sites. Perhaps a number of other cities have similar ordinances, but no investigation has been made to ascertain their number. Any future plan of the Federal Government for the development of a broad program for the preservation of historic sites and buildings should include a consideration of the advisability of recommending the adoption of similar ordinances in all such municipalities that have important historic buildings and areas, especially those clothed with national significance.

G. Government Ownership

(1) Type and Character of Site or Building

The type of site or building which the Government should interest itself in acquiring has been discussed. The essential purposes of a historic site and building program are to assure their proper maintenance and to see that they are open to the public. If these two conditions have been complied with, it should be immaterial whether there is national ownership. Except for the acquisition of a few of the most outstanding of our national shrines, it would seem unnecessary for the Federal Government to undertake to acquire any historic building which is now properly preserved by a State, municipality or other agency; it should concern itself at this time only with the preservation of those buildings which are likely to deteriorate or which are falling into decay because of inattention on the part of the owner. Where historic buildings are owned and operated by non-profit making organizations, but are inadequately and unsuccessfully maintained, such assistance and cooperation should be rendered, after

careful investigation, as the particular case makes necessary. In other words, there will be available from appropriations and, perhaps, other sources each year limited monies for carrying on the Federal program. These monies should be used where most needed and in furtherance of a general preservation program. It should not be the primary policy of the Government to acquire ownership of historic houses, but rather to encourage and promote the preservation of them regardless of ownership.

(2) Areas vs. Buildings

It has been noted that the Federal Government has heretofore concerned itself more with the acquisition and restoration or preservation of historic sites or areas (principally battlefield sites) rather than historic buildings and structures. No criticism can be made of this. However, it seems important that the program in the future should be properly balanced between the two. Nor, under a wise and proper administration, should there arise or be permitted to exist any conflict of interest between or race for appropriations by those directly concerned with the development and administration of the scenic parks and the historic program. Each is important; both are desired by the American people; and both should receive the necessary attention by the Government.

(3) Historical vs. Architectural Interests.

In passing, it may be noted, that, both in foreign countries and in the United States, there appears to be the need for a reconciliation of historical and architectural interests. There is found in the Administrative organization a sharp difference of opinion between the historians and the architects. The boyhood home of Mark Twain in Hannibal, Missouri, is of no particular architectural interest, but is of paramount historical interest to the nation as a whole; whereas other buildings are representative of a particular phase in the architectural development of the country and yet may not be associated with any great historical character or event.

(4) Suggested Historic Shrines.

The Branch of Historic Sites and Buildings, the Branch of Plans and Design and officials in charge of the Historic American Buildings Survey were requested to suggest a number of buildings and structures which are in disrepair or inaccessible to the public and which merit attention by the Federal Government because of their historic and artistic significance and value. It was also suggested that a few important historic areas be included. In the course of the present study considerable material was gathered on specific historic sites. This material took the form of a list of suggested historic shrines.

It has been turned over with all accompanying data to the National Park Service and to the Advisory Board for consideration in developing the program authorized by the Historic Sites and Buildings Act.

(5) Ownership and Custody.[1]

It has been suggested ante that there may be cases where the Federal Government will deem it advisable to acquire or accept title to a site or building, but to grant custody and management to an association, organized patriotic society or the like. This practice has been adopted in a number of instances by several states and, it is understood, with success. This method might be used where, due to the situs of the building, it would be costly and burdensome for the Federal Government to assume entire administrative responsibility.

The authority exists and provisions should be formulated for the donation of historic property by deed of gift. The form used in England and included in the Exhibit Book of the Report (B-222) may serve as one model.

There also may be instances where historic property is not given outright to the Government, but voluntary restrictions assumed as to the use and maintenance of the particular building so that no repairs or alterations will be made except in accordance with Government approved plans and specifications.

H. Technical Policies

The body of this report contains some comments and data relating to technical problems. It is fitting that only the broader aspects of technical policies should be referred to in these recommendations.[1]

(1) Protection of Ruins.

Ruins should be maintained in their original location, unless removal to a museum is necessitated by the general condition and exposure of the monument and the possibility of deterioration and vandalism. It would seem advisable to make plaster models of the more important ruins for exhibition purposes in museums in other parts of the country. A protective covering, such as has been constructed at Casa Grande National Monument, should be erected wherever weather conditions make such protection advisable.

(2) Restoration to Original Condition.

The preservation of ruins in the condition when discovered and of old buildings in their existing condition should be the rule, with only

[1] See Exhibit B-264-270.

such consolidation and repair work as is necessary to complete or reinforce the present structure. Reconstruction should not be attempted, except in special circumstances. No attempt should be made in consolidation or restoration work to reproduce the original work, so as to confuse the visitor between what is really old and what has been reproduced. If missing features are replaced, they should be left blank—without decorative motive, so that although the general contour is completed, the difference between the old and modern is obvious.

(3) Maintenance on Original Site.

Historic buildings as a general policy should be preserved on their original site, unless endangered by flood, sunken land or neighboring buildings, which constitute a fire or other hazard. The tendency to move historic buildings to more attractive and accessible surroundings should be resisted, except in the above-mentioned cases. The site interprets and explains the building and the original setting is as important as the original boards and bricks with which the structure was built. The preservation of a group of buildings transported from their original site in different sections of the country to exposition grounds is discussed below.

(4) Purchase of Materials.

Most materials and objects necessary to replace or repair parts of antique structures are either not available because they are no longer made, or by reason of modern methods of manufacture present an appearance entirely unsatisfactory along side of antique craftsmanship. The differences between an appropriate and inappropriate material or object may be easily recognized on sight but difficult or entirely impracticable to describe.

It is recognized that there are a number of manufactories who specialize in the production of such materials and objects, but their number is relatively small and for most cases competitive prices cannot be secured for supplying the item required. In a sense to send out an open invitation for bids on such items would bring on the same problems as advertising for a portrait painter to do one's likeness at a price cheaper than that offered by fellow artists.

(5) Landscaping Gardens and Grounds.

It is recommended that particular attention be given landscape architecture in the general program of restoration and preservation of monuments; that shrubs, gardens and exterior surroundings be laid out with the same regard for scientific and historic accuracy, based upon documentary and other authoritative evidences as are other

architectural features of the subject monument; that competent landscape architects versed in the historic background of the subject in this country be included in the staff to study and make provisions for that ornamental vegetation which either previously existed or, where documentary evidence is lacking, is best suited to the subject monument from the point of view of preserving the harmony and atmosphere of its original character; that a general study of the subject of landscaping in the "Colonial" and "Early Republic" and other American periods be made, and that information and publicity be given other interested agencies and the general public on the value and importance of this phase of restoration and preservation work.

As illustrative of what can be accomplished, mention may be made of the exemplary work undertaken in the restoration of Williamsburg. Splendid examples, also, are the achievements of the Prussian Monuments Division in the restoration to original condition of the landscaping features of Sans Souci and the Potsdam Stadschloss[1] in lieu of the formal gardens laid out in the nineteenth century.

It will be noted that the Institute of Intellectual Cooperation has stressed the importance of this work in connection with the preservation of historic sites and monuments and recommended a study of the subject in the Conference held at Athens in 1933.

I. Museum Policy and Technique

Early consideration should be given to the question of formulating museum policy and technique, including the related subject of museum libraries in connection with historic sites and buildings. The subject is presented and discussed in an interesting and illuminating manner in Mr. Coleman's publication "Historic House Museums," referred to elsewhere in this Report.

(1) Local Museums.

The use of historic sites and buildings for the development of small local museums in cooperation with local authorities should also be encouraged wherever possible. Often the knowledge that there is a communal repository for objects of historic value brings to light documents and articles of unusual interest, and attaches a new significance to old furniture, glass and chinaware owned privately in the community. Such a museum established at Cranberry Island, Maine, as well as at other places, has proved extremely successful. Contributions of ancient charters, deeds and other documents, as well as antiques of all descriptions have been profuse. Gradually through the efforts of the Cranberry Island Museum, the history of the Island is being pieced together.

[1] See Exhibit Book A-55-62, 66-69.

(2) Open-Air Museums.

The collection of a group of historic buildings transported from their original sites to form an open-air museum is popular in Scandinavian countries and has been attempted successfully in several instances in the United States (such as the "Greenfield Village" development at Dearborn, Michigan, by Mr. Henry Ford; the "Puritan Village" at Salem, Massachusetts, and "Colonial Chain" in Philadelphia, Pennsylvania). This policy is desirable because of administrative economy and also, perhaps, because of educational economy. It is less effort to maintain several historic houses within the narrow radius of the exposition grounds than to inspect and maintain the same number of houses in different parts of the country. It also is less effort for the visitor. But is this economy justified? Probably so in many instances; but where the house possesses historical value because of its associations with an individual family or event the site itself interprets and explains the building, and the original setting is as important as the original boards and bricks with which the structure was built. Even in instances where the setting has been radically changed, and where it is impossible to restore the grounds and immediate surroundings of the building, the physical site is a decided stimulus to the imagination. It would be unfitting for the Paul Revere House which is now in the Italian section of Boston to be transported to a more accessible district of the city, because in its present location the building tells the story of the growth and change of Boston. These facts should be carefully considered when it is proposed to transport a building to an open-air museum. In certain and rare cases, economic justifications, however, will outweigh other considerations. This is particularly true where houses of the same period and from the same section of the country are grouped together. In this case, they offset each other, and tend to re-create the original atmosphere. The restoration of a section of a town as at Williamsburg, Charleston, Yorktown and elsewhere is, of course, the ideal condition for a group undertaking.

J. Management and Operations

(1) Buildings and Sites Open to the Public.

All historic buildings and sites maintained by the Government should be continuously open to the public, during reasonable hours, unless in the process of repair or unless the cost of maintenance, operations and guides makes it advisable to restrict the hours and days of visitation. As is the case of public museums, they should be open on Sundays. Holidays should also be included and the hours should be the same as on weekdays, preferably from ten A. M. to six P. M.

Buildings and sites which are subsidized by the Government, but are not actually owned by the Government, should admit the public at reasonably stated intervals (depending on the importance and nature of the building, the amount of the subsidy and the character of the occupants). If the subsidity is in lieu of future ownership, an arrangement could, of course, be made whereby the building would not be, or only occasionally would be, open to the public during the lifetime of the present owner.

Consideration should be given also to the prevention of deterioration and damage through the constant passage of the public through buildings. For example, in Germany, floors are protected either by mats or requiring visitors to don wool sandals over shoes while passing through interiors. Reference pamphlets or a book on the subject might be published for dissemination to the staff and to private persons and organizations interested in this work. Such pamphlets or books should have, wherever possible, specific illustrations from work already accomplished by Government, public and private agencies both in this country and abroad.

(2) Personnel on the Premises.

(a) CURATOR AND CARETAKER.

Mr. Lawrence Vail Coleman's book on "Historic House Museums" makes an excellent definition of and distinction between the services of curator and caretaker. A quotation follows:

> "The services of an able curator are essential to every historic house museum. Frequently it happens that officers are able to initiate the work of a museum successfully by volunteer effort, but, without the aid of a professional in charge, it is scarcely possible to have continued worthwhile results.
>
> "The Curator—sometimes called director, sometimes *guide*—has a role which should not be confused with that of caretaker. A curator is a person of refinement and education—in historic house museums usually a woman—employed to carry on the work of the institution. She should become a student of the house and its history in order that she may interpret the place to the public and develop its usefulness to scholars. A caretaker is one who watches over the house and has only manual duties. Some historic house museums have both a curator and a caretaker, and some have also assistant curators—usually called *guides*. However, many successful museums have only one employee—curator—who somehow finds ways to get caretaker's work done with part-time aid. Lack of a curator

means unreadiness to go before the public. Calling a caretaker a curator solves no problems."

Because of Mr. Coleman's study and knowledge of the subject his views are entitled to the most serious consideration when policy questions arise relating to the employment of curators and caretakers.

In addition, it should be emphasized that the curator should have a good educational background, knowledge of history, architecture and early American furniture and a general interest in the field of preservation work. The efficiency of these employees should be checked by regular inspection by members of the National Park Service and through local authorities.

(b) GUIDES.

Qualified guides should be available at the more important and most frequented historic buildings and sites. In most cases, the curator can act as a guide. Only personnel with good educational background should be employed for this type of work. Field representatives or inspectors should check up on the efficiency and value of the guides to the general public and determine in which places guides are necessary and in which adequate information can be presented through information pamphlets. Uniforms are not necessary, but guides should be neatly and attractively dressed.

(3) Concessions.

Wherever possible guide-books, photographs and appropriate books and literature should be sold by the caretaker or guides in charge within the building or detached museum, if there is one, and in such place therein as not to detract from the atmosphere of the place. Too often the approach and general exterior of an historic building is marred by the construction of cheap stands. Such stands, as well as concessions for convenience of the tourist, such as gasoline stations, restaurants, overnight camps and the like should only be granted when the property is very large and in a fairly unpopulated area and then at a specified distance from the monument, taking its approach and landscaping into consideration. The National Park Service has adopted a well planned policy and program relating to concessions in scenic parks, which might well be followed where applicable.

K. Educational and Information Program

(1) General Policy.

A national program for the preservation of historic sites and monuments, regardless of how intelligently conceived or how well executed, will be of value to the nation only in the ratio that its fruits are made available to the people. The educational, inspirational and recreational

worth of such sites and monuments furnish the fundamental and constitutional bases of justification for the Federal Government interesting itself directly in the subject. Whether preserved by the Federal Government, the States or other agencies, the public should be informed of their existence and what they represent, and visitors should be able to obtain accurate, unbiased and intelligent information concerning the site or monument visited.

When one recalls that in 1934 the total visitors registering in the National Monuments and Historical Parks numbered approximately 2,000,000, the importance of developing an educational and information program becomes apparent. A broad study of such problems inherent in the conservation program should be made by the National Park Service and the Advisory Board, and, in this connection, consideration should be given to a proper coordination of the program with those in the National Parks and other subject activities of the Park Service.

In 1929 a Committee appointed by the Secretary of the Interior made a study of educational problems in the National Parks and its reports and recommendations, under dates of January 9th and November 27th, 1929, are available in printed form. Portions of these reports and recommendations are as applicable to historic sites and monuments as they are to scenic parks, but other portions are just as inapplicable.

The Committee agreed on certain general principles for guidance in its study, which it grouped into seven divisions. Several of them are so pertinent that they will be repeated here (italics inserted):

> "It should be the primary object of the educational work to make possible the maximum of understanding and appreciation of the greater characteristic park *(historic sites and monuments)* features by the visitor, together with the stimulation of his thinking. Educational work should be reduced to the lowest limit which will give the visitor opportunity to discover the things of major interest, and to inform himself fully concerning them if he so desires.
>
> "The superlative quality of the materials available for use in National Parks *(historic sites and monuments)* makes it essential that educational work be conducted on the highest attainable plane of interpretation.
>
> "With the exceptional opportunity to initiate educational work on the basis of uniquely inspiring materials, it would be inexcusable if the possibilities were nullified by utilization of personnel unable to make use of the means presented. The unusual opportunity in National Parks *(historic sites and monuments)* carries with it a large responsibility to

illustrate for all educational effort in America the significance of inspiration in education.

"It is essential that there be unity (cooperation) of educational program for the whole National Park Service, and leadership representing the best knowledge and educational qualifications in the country. This leadership should reside in regularly appointed officials with large responsibility and authority, and in a carefully chosen Board of outstanding students of problems in the parks *(and historic sites and monuments)*. The Board should have large and ample means for continuing study of the problem."

Whether or not it is desirable from an administrative point of view that this educational and information program be carried out within the *Branch of Historic Sites and Buildings* or by independent divisions of the National Park Service in cooperation with the *Branch of Historic Sites and Buildings* will not be discussed here. However, it should be urged that the development and execution of these programs, at least, should have the approval of the Assistant Director of the Branch of Historic Sites and Buildings and the Advisory Board on Historic Sites and Buildings, on whom the responsibility for and the success of the Historic Sites and Buildings program ultimately depends. Although the details of distribution can be worked out independently, the proper emphasis, judged by the type and number of visitors, best methods of presentation and the most effective and attractive means of stimulating public interest in this field should be determined by the Assistant Director, and, conversely, the success of the educational program will influence the type and location of historic property acquired by the Federal Government in the future.

(2) Research.

Research is the foundation of all accurate preservation and restoration undertakings. Research on the history of the building, its architecture, landscaping, significance to the community and nation as a whole are essential. It will be of advantage if general research be made contemporaneously with the original investigations and surveys of historic buildings and sites of national significance. It should be particularly stressed that a great part of the research should be done in the vicinity of the building or site and all local documents and evidences on the subject monument compiled. The cooperation of the national, State and local archives workers should be encouraged in this work.

Congress eliminated a recommended provision authorizing necessary research in foreign countries. If such research should become desirable or necessary in a particular case, proper authorization will become necessary unless otherwise provided for.

(3) Lectures.

One of the most successful features of the program of Research and Education has been the lectures given free of charge in the more important national parks. These, heretofore, have covered primarily the archaeological and geological aspects of the subject parks. It would seem desirable to develop a similar program relating to the more important historic sites and buildings. Eminent historians should be chosen to deliver these lectures and it would seem desirable that the dates of the lectures should, if possible, coincide with a date of particular historic significance associated with the subject site or building. A series of letures might also be arranged by local chapters of historical associations to include not only the subject building and its historical significance, but early American architecture, interior decoration, furniture, glass-ware and related subjects.

(4) Commemorative Programs.

Commemorative programs, pageants and the like have been well attended and enthusiastically received. They constitute effective educational undertakings. The cooperation of local authorities is usually accorded, because of its stimulus to local business. For example, the Battle of Chancellorsville was re-enacted in the Fredericksburg and Spotsylvania National Military Park on May 2, 1935, in celebration of the 72nd anniversary of the Battle.[1] The Battle was staged in conjunction with the Fredericksburg Virginia National Battlefield Association, the United States Marine Corps and the Virginia Military Institute. Dr. Douglas Freeman, eminent historian, delivered the narrative address.

(5) Information Pamphlets.

Information pamphlets should be available at all important historic sites and buildings. There should be several forms. Examples will be found in the Exhibit Book, one a compact pocket size, the other a more detailed booklet.[2] There should be distributed free of charge, if possible, and contain one or two maps and photographs of the subject. Information relating to the site or building, culled from research and descriptive of the history of the restoration with photographs of the work in progress, should also be compiled and available for sale. The popular interest in this type of information is evidenced by the number of such books sold at Williamsburg, Virginia. In addition the best literature written by independent authors on the subject building or site should be available and for sale. Children's books particularly should be included.

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[1]See Exbihit Book B-275.

[2]See Exhibit Book B-271-274.

(6) Publications.

It would, of course, facilitate, as well as stimulate interest if periodical reviews could be published concerning the work of the Federal Government, States, local and private agencies. Such publications would serve to coordinate various activities in preservation work. It might be well to introduce supplementary articles in leading architectural, archaeological and historical magazines, stressing the importance of this work, as well as discussing technical problems with which the staff have been confronted. Articles also might be placed in popular magazines, such as "House and Garden," "Town and Country" and the like to prevent further abuses to houses of artistic and historic interest, which are not publicly owned, and to encourage suitable and adequate consolidation work, assure adequate fire-protection, the employment of qualified specialists only to carry out preservation work and to encourage the use of the Branch of Historic Sites and Buildings for consultation purposes.

(7) Markers.

The Historic Sites and Buildings Act grants the authority to erect and maintain tablets, memorials and monuments to mark or commemorate historic or pre-historic places and events of national significance. This applies to all historic buildings and sites, whether owned and maintained by the Federal Government or not. Road signs should be placed at strategic points on the highways, as well as at the entrance to each historic site and building. They should be uniform in style. Tablets should be placed on all buildings owned by the Federal Government. States, local Governments, associations and individuals should mark historic buildings owned by them and open to the public. Such markers should be distinguished from, but similar to, the Federal markers. Uniformity of design is considered advisable so that any building or site of historic interest can be readily distinguished. The advertising value of this would encourage the use of identical tablets. For historic buildings, which are not open to the public, a secondary tablet could be designed.

(8) Cooperation With Tourist Agencies.

Information pamphlets, historical maps and road-maps and the like, should be available for distribution. The American Automobile Association has cooperated with the National Park Service in the distribution of information concerning the National Parks and it is hoped will be encouraged to cooperate for historic buildings. It would be well for this policy to be extended to other native and foreign tourist agencies, steamship lines, air-lines and similar agencies.

(9) Educational Institutions.

The advantage to both the Federal Government and educational institutions in maintaining a close cooperation, especially by making

available the facilities of the one to the other, would seem to be most important. This will be particularly true in connection with the development of the educational and information program.

L. Export and Import of Objects of Historic Importance

In practically every country of Europe there are laws prohibiting the export of classified objects without authorization from the Historic Monuments Division. Consideration must be given to such problem as it may exist in this country.

An effort should also be made to encourage the import of objects of historic importance, particularly in connection with buildings owned by the Federal Government. A great many colonial objects have found their way back to England, Spain and France and should be recovered. In the restoration of Williamsburg, extensive investigations were made in England and a great many objects, such as family portraits, silver and the like, were recovered.

M. International Collaboration

The Branch of Historic Sites and Buildings should maintain close contact with the International Museums Office in Paris in its program for the preservation and restoration of historic sites and buildings. The activities of this Institution have been discussed in this Report. The use of its library facilities and publications, the exchange of information regarding methods of technical policy and procedure and stimulation of European interest in preservation work undertaken in this country will be among the manifold benefits which may be derived from such cooperation.

APPENDIX

[PUBLIC—No. 292—74TH CONGRESS]

[S. 2073]

AN ACT

To provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

SEC. 2. The Secretary of the Interior (hereinafter referred to as the Secretary), through the National Park Service, for the purpose of effectuating the policy expressed in section 1 hereof, shall have the following powers and perform the following duties and functions:

(a) Secure, collate, and preserve drawings, plans, photographs, and other data of historic and archaeologic sites, buildings, and objects.

(b) Make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

(c) Make necessary investigations and researches in the United States relating to particular sites, buildings, or objects to obtain true and accurate historical and archaeological facts and information concerning the same.

(d) For the purpose of this Act, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided,* That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further,* That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

(e) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where deemed advisable, to protect, preserve, main-

tain, or operate any historic or archaeologic building, site, object, or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States: *Provided,* That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

(f) Restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and properties of national historical or archaeological significance and where deemed desirable establish and maintain museums in connection therewith.

(g) Erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archaeological significance.

(h) Operate and manage historic and archaeologic sites, buildings, and properties acquired under the provisions of this Act together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration: *Provided,* That such concessions, leases, or permits, shall be let at competitive bidding, to the person making the highest and best bid.

(i) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archaeologic site, building, or property donated to the United States through the National Park Service, he may cause the same to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

(j) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archaeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such facts or information.

(k) Perform any and all acts, and make such rules and regulations not inconsistent with this Act as may be necessary and proper to carry out the provisions thereof. Any person violating any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 and be adjudged to pay all cost of the proceedings.

SEC. 3. A general advisory board to be known as the "Advisory Board of National Parks, Historic Sites, Buildings, and Monuments" is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include representatives competent in the fields of history, archaeology, architecture, and

human geography, who shall be appointed by the Secretary and serve at his pleasure. The members of such board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as such members.

It shall be the duty of such board to advise on any matters relating to national parks and to the administration of this Act submitted to it for consideration by the Secretary. It may also recommend policies to the Secretary from time to time pertaining to national parks and to the restoration, reconstruction, conservation, and general administration of historic and archaeologic sites, buildings, and properties.

SEC. 4. The Secretary, in administering this Act, is authorized to cooperate with and may seek and accept the assistance of any Federal, State, or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual.

(b) When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

(c) Such professional and technical assistance may be employed without regard to the Civil-Service laws, and such service may be established as may be required to accomplish the purposes of this Act and for which money may be appropriated by Congress or made available by gifts for such purpose.

SEC. 5. Nothing in this Act shall be held to deprive any State, or political subdivision thereof, of its civil and criminal jurisdiction in and over lands acquired by the United States under this Act.

SEC. 6. There is authorized to be appropriated for carrying out the purposes of this Act such sums as the Congress may from time to time determine.

SEC. 7. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter.

Approved August 21, 1935.

[PUBLIC—No. 201—74TH CONGRESS]

[S. 2074]

AN ACT

To create a National Park Trust Fund Board, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a board is

hereby created and established, to be known as the National Park Trust Fund Board (hereinafter referred to as the Board) which shall consist of the Secretary of the Treasury, the Secretary of the Interior, the Director of the National Park Service, and two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively). Three members of the Board shall constitute a quorum for the transaction of business, and the Board shall have an official seal, which shall be judicially noticed. The Board may adopt rules and regulations in regard to its procedure and the conduct of its business.

No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred.

SEC. 2. The Board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the National Park Service, its activities, or its service, as may be approved by the Board, but no such gift or bequest which entails any expenditure not to be met out of the gift, bequest or the income thereof shall be accepted without the consent of Congress.

The moneys or securities composing the trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the Board may from time to time determine. The income, as and when collected, shall be covered into the Treasury of the United States in a trust fund account to be known as the "National Park Trust Fund" subject to disbursement by the Division of Disbursement, Treasury Department, for the purposes in each case specified: *Provided, however,* That the Board is not authorized to engage in any business, nor shall the Secretary of the Treasury make any investment for account of the Board that may not lawfully be made by a trust company in the District of Columbia, except that the Secretary may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by the Board.

SEC. 3. The Board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered or paid over to it for the purposes above specified. The Board may be sued in the Supreme Court of the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

SEC. 4. Nothing in this Act shall be construed as prohibiting or restricting the Secretary of the Interior from accepting, in the

name of the United States, gifts or bequests of money for immediate disbursement or other property in the interest of the National Park Service, its activities, or its service, as heretofore authorized by law.

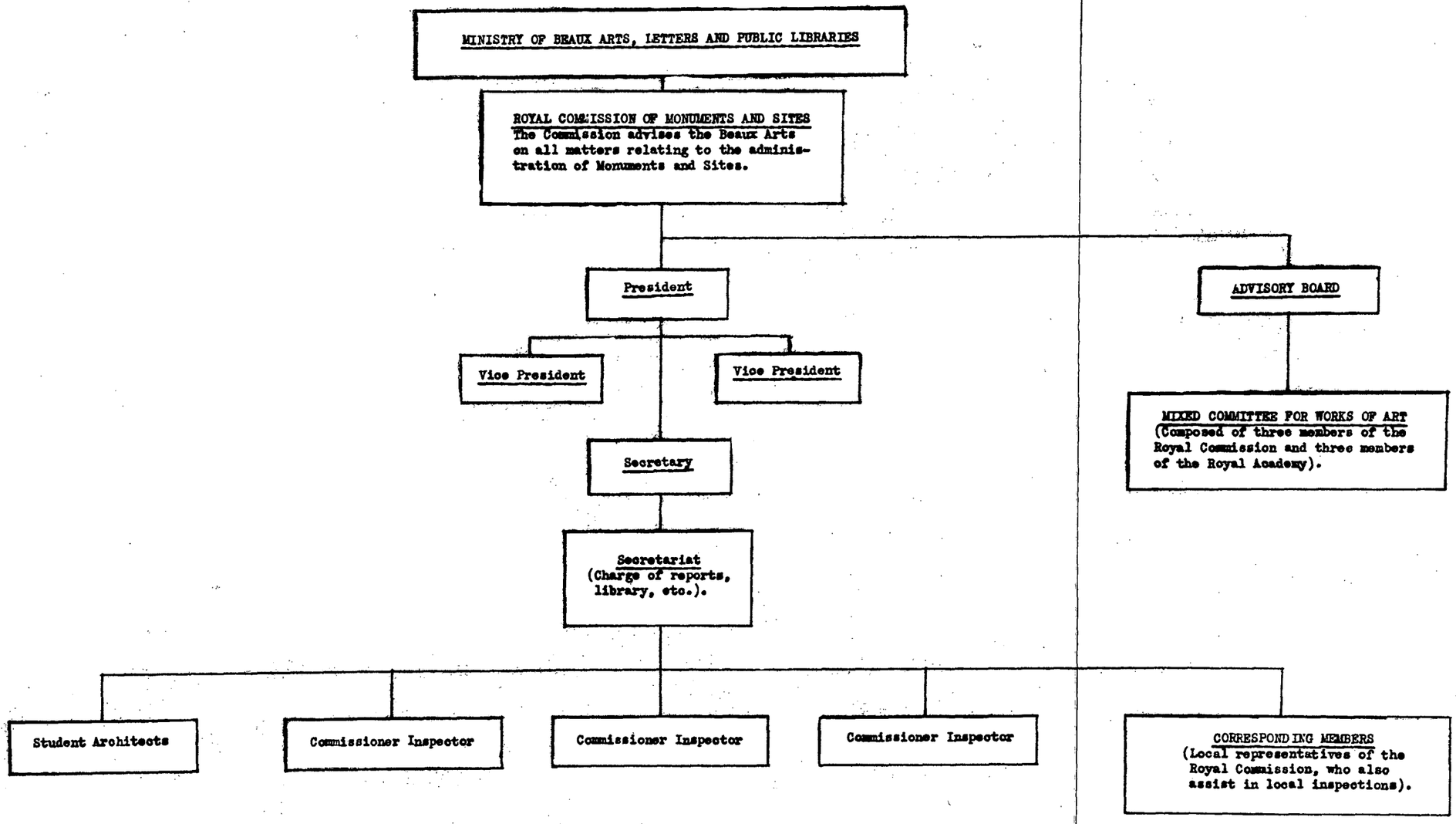
SEC. 5. Gifts or bequests to or for the benefit of the National Park Service, including those to the Board, and the income therefrom, shall be exempt from all Federal taxes.

SEC. 6. The Board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations.

Approved, July 10, 1935.

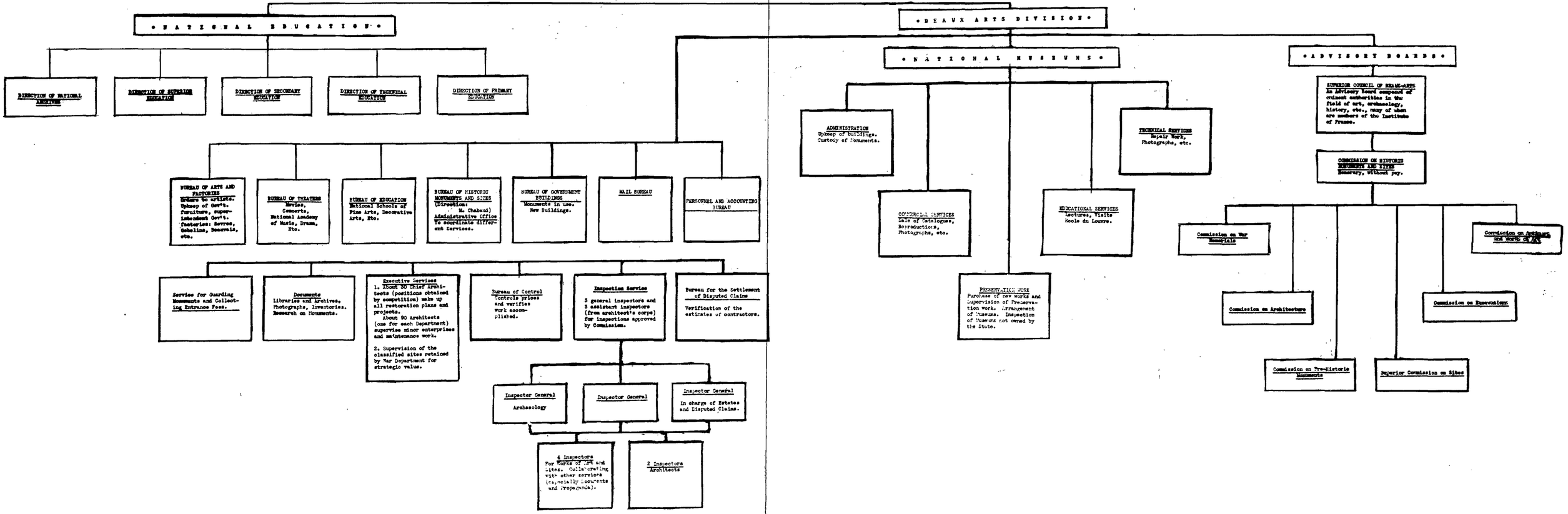
BELGIUM

DEPARTMENT OF PUBLIC EDUCATION



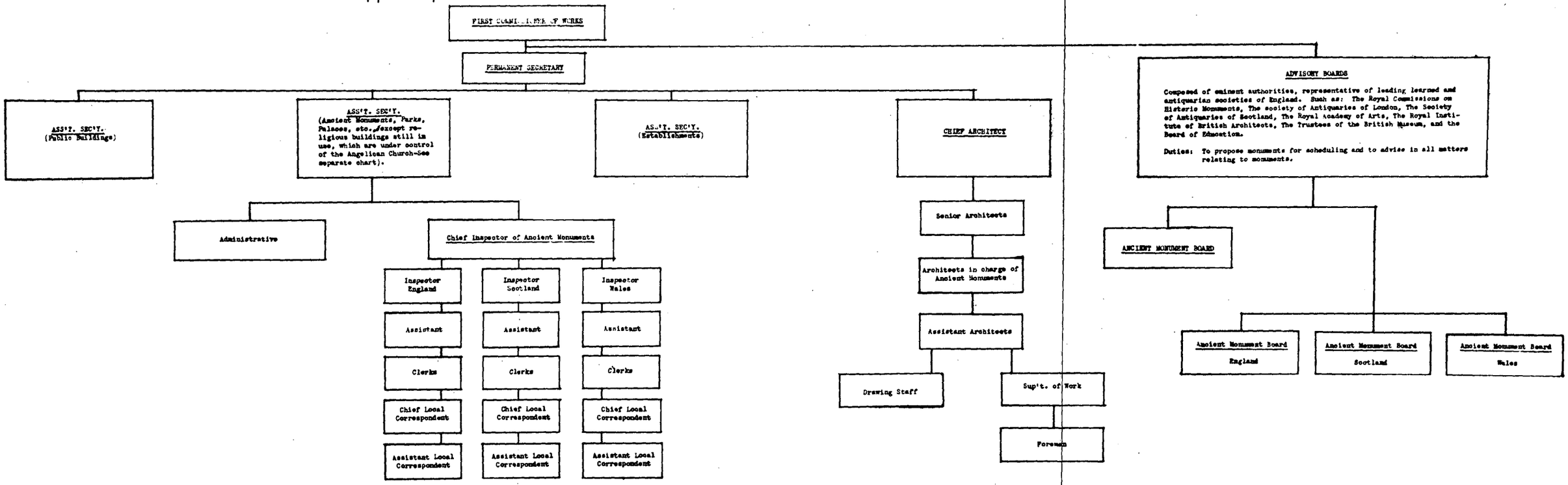
FRANCE

THE MINISTRY OF NATIONAL EDUCATION AND BEAUX-ARTS



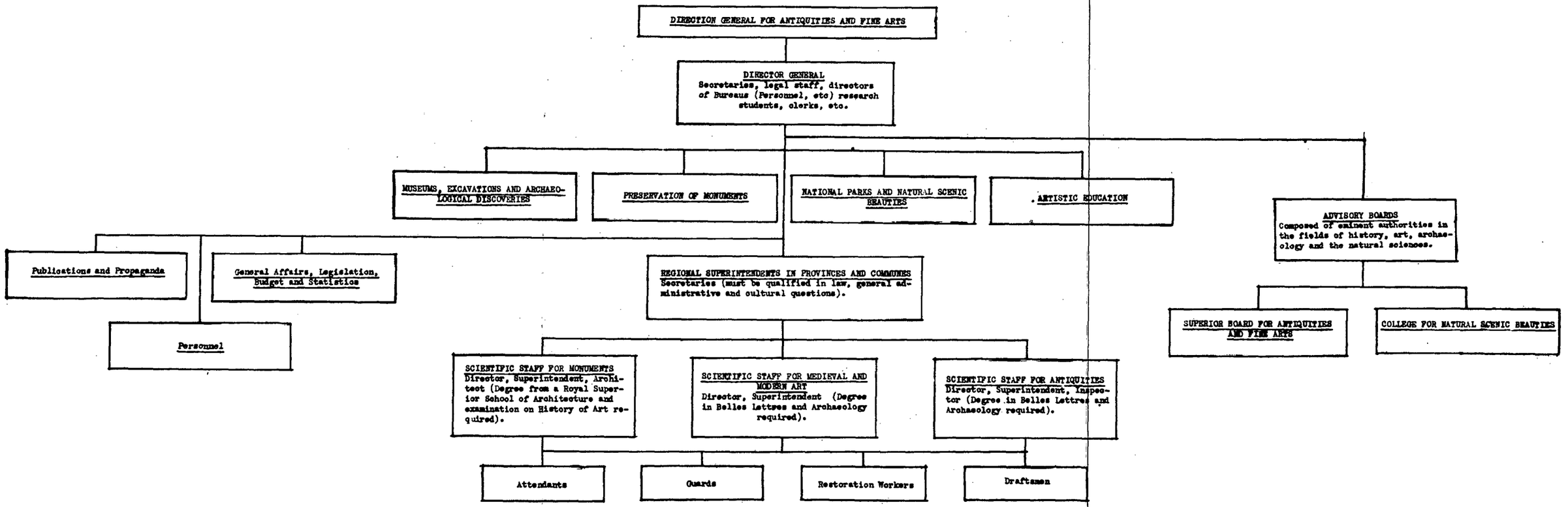
GREAT BRITAIN

Office of Works & Public Buildings



ITALY

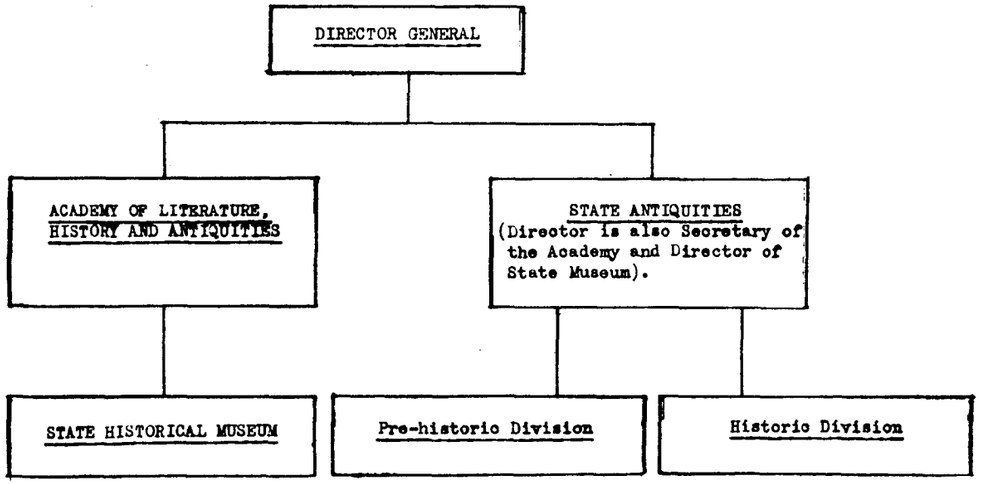
"MINISTRY OF NATIONAL EDUCATION"



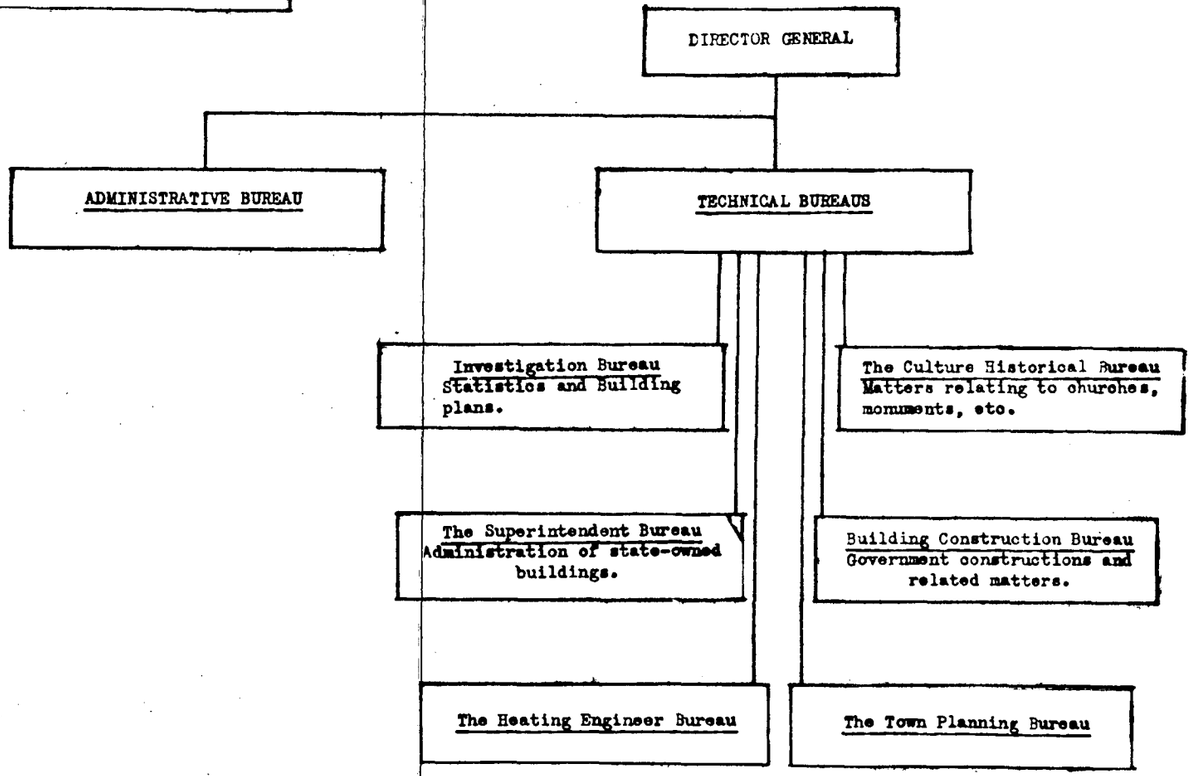
SWEDEN

Historic sites and monuments are administered by several different Departments, although the majority come under the direction of the Royal Ministry of Public Worship and Education and the Royal Office of Works. General policies relating to the preservation of these monuments are recommended jointly by these two divisions to the King, the former representing the cultural and historical interests and the latter handling the technical and more practical interests.

ROYAL MINISTRY OF PUBLIC WORSHIP AND EDUCATION

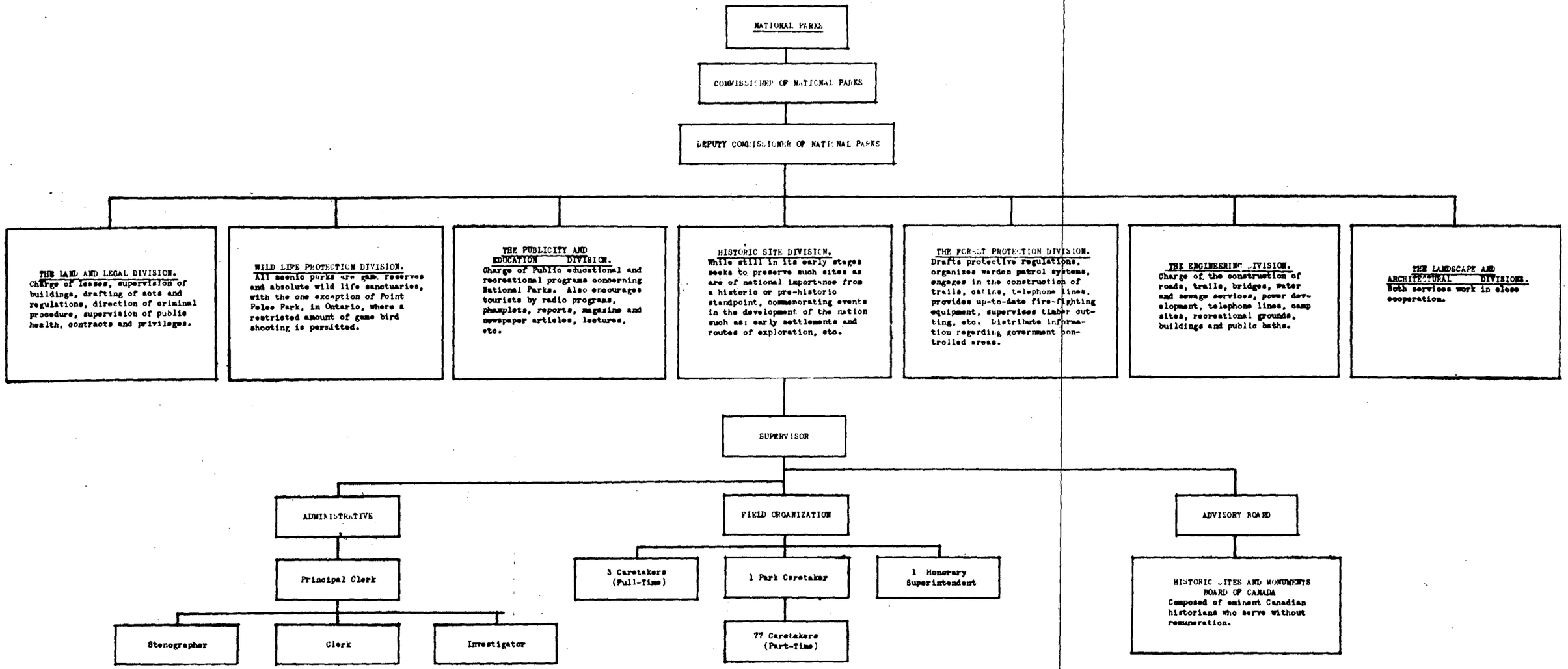


ROYAL OFFICE OF WORKS



CANADA

Department of the Interior



MEXICO

SECRETARIAT OF NATIONAL EDUCATION