CONTINUED FROM FIRST PAGE.

by Mr. Gaither, again won.

States' Rights Question Involved.

The other of the two important cases in which Mr. Gaither, as Attorney General, was interested involved a striking principle of States' rights. The act of 1896 mentioned above established a method of computing the gross receipts subject to taxation of railroads operating partly in and partly out of the State. It provided that such railroads should prepare a sworn affidavit showing the total amount of gross receipts, and that the proportion of such gross receipts subject to taxation should equal the proportion of the railroad's mileage in Maryland.

Saved Big Money For State.

The Cumberland and Pennsylvania Railroad Company objected to paying the gross receipts tax and set up the plea that such taxation, under the 1896 plan, involved interference with its Constitutional rights, as guaranteed by the United States Constitution. Mr. Gaither, who was assisted by Mr. Benjamin A. Richmond of Cumberland in the preparation of the case, and by Senator Rayner in the argument, effectually punctured this claim. He very clearly set forth that the tax imposed by the State was a franchise tax, which did not conflict in the slightest degree with the rulings of the United Stetes Supreme Court in the matter of inter-State commerce, and he pointed out the absurdity of the Railroad's claim that the tax was in effect a direct tax on the Company's receipts from fares and freight tariffs which, the Court of Appeals stated, would have been an illegal tax. This decision gained for the State about $77,000 and an income of nearly $10,000 a year in taxes.

Also Won Dairy Case.

To have prepared two cases, which meant an additional income of about $40,000 a year for the State in six months of official life, would seem to be sufficient for one Attorney General, but Mr. Gaither's brief career was a still busier one. There was, to speak of only one of the minor cases decided in which he was interested, the Broadbelt cases. In this the right of the State to establish a system of inspecting daries was attacked, as the result of an appeal from the Criminal Court of Baltimore City, but Mr. Gaither, in conjunction with Major Richard M. Venable, succeeded in convincing the Court of Appeals that the State's police powers were amply sufficient to enable it to inaugurate such an inspection and enforce its demand for better sanitary precautions in the handling of milk for consumption within the State. The result was that the Court of Appeals gave an opinion upholding the view of the State's representatives.

Connection With Wabash people.

When his term as Attorney General ended in November, 1899, Mr. Gaither retired to private life, to emerge again only when he was called upon to serve the city as a director in the Western Maryland. His services in this connection have already been recounted, but it is not too much to reiterate that to him the city owes largely the coming of the Wabash interests, which has meant a decided development industrially, and may mean an even greater development.

When Pessimism Prevailed.

From the day when he resigned the Western Maryland directorship until the day when the Republican Second Branch of the City Council elected him to preside over its destinies, Mr. Gaither held no public office, but he maintained an all-pervading interest in public questions, and through this interest he was able to enter at once after his election into the consideration of the important municipal questions then at issue. Mr. Gaither came into the city administration, it will be remembered, at the time when pessimism, following the big fire, prevailed. Everything was "up in the air." The slight impetus to rehabilitation given by the popular adoption of the dock loan had worn away, and every man was asking every other man, "Where are we at?"

His Coming Cleared Atmosphere.

Mr. Gaither's advent on the municipal stage had the effect of somewhat clearing the atmosphere. His counsel was sought by the then city officials, and he was looked to by the people at large to show them a way out of their difficulties. When one looks back over the records of those comparatively dark days the trail of George R. Gaither is seen everywhere, and yet it is most difficult to pick out any one or two or three things he did as bright examples of his general policy of doing things. It was rather the new spirit he infused into the city administration; the spirit which made departments hitherto lagging behind to be up and doing. The spirit of progress, in other words, for it was the spirit of progress that Mr. Gaither brought to the city administration at that crucial period in its history which resulted in a renewal of those municipal activities necessary to the real rehabilitation of the burned district.

Advocated New Loans.

All though those troublous days Mr. Gaither's was the hand that guided the city administration's ship through the breakers. In the fall of that same year former Mayor Timanus decided, largely upon the advice of Mr. Gaither, that it was the time to do things, and he arranged a conference of business organizations to take up the question of submitting the three big loans—namely, the sewerage, Annex and park loans—to the people. The conference decided upon the submission of the loans, and no one was more active in urging their passage than Mr. Gaither, who believed in striking while the iron was hot. The loans were approved by the people at the May election in 1905, but at one time there was a serious question as to the fate of the sewerage loan. Opponents of the loans urged that the Mayor ought to name his Commission in advance. Mr. Gaither steadfastly argued against this, and was instrumental in preventing the Mayor from acting on the advice of these advocates; but once the loans were adopted Mr. Gaither's was the most persistent voice raised in favor of carrying out the pre-election pledges by the naming of a non-partisan Commission that would work for the interests of the whole city and not for the narrower interests of a party. Possibly the Commission was not all that Mr. Gaither might have desired; certainly it was better than a merely partisan Commission. In any event, the people were satisfied that they had got a fairly good Commission.

On The Job All The Time.

As president of the Second Branch of the City Council Mr. Gaither was "on the job" all the time. The records of the Branch show that his absences in three years were much fewer than those of many of the members who owed their election directly to the people. And while he was present at the sessions of the Branch, it was not a merely perfunctory presence; he took a real, active part in the proceedings, no matter whether these were merely routine or of vital importance. It was exactly the same way with the Board of Estimates, the records of which body show an almost clock-like regularity of attendance on the part of Mr. Gaither, for whom no matter was too insignificant to claim and receive attention. It would appear, at first blush, as if this was no more than was to be expected of a public official, but a little investigation will show that the close attention paid to his public duties by Mr. Gaither is rather the exception than the rule. Consult the records of the City Council or the State Legislature; look at the minutes of the Board of Estimates; search the record books of other State and city boards, and you will be surprised to find how often public officials do not consider it essential to be "among those present." Neither was Mr. Gaither during his three-year service at the City Hall always present, but his absences were fewer than usual and generally due to some important call elsewhere. It is this studious attention to the business of his office which emphasizes Mr. Gaither's interest in public matters. As Governor, if his record does not belie him, Mr. Gaither would be, in the slang of the day, "Johnny-on-the-spot" all the time.

Tax On Lighting Companies.

There were many important public questions considered by the Council and the Board of Estimates during the three years Mr. Gaither served the city. There was, for instance, the question of authorizing new companies to enter the electric lighting field, so as to provide some sort of competition. Mr. Gaither went with the majority of the Council on this question, but when it was finally decided to grant the franchises he instigated the insertion in the ordinances of a provision requiring an annual payment of 1½ per cent. on the gross receipts of the companies to the city. This is something in the nature of the 9 per cent. park tax required of the street railways companies, but it was a new thing for electric lighting companies at that time.

Favored Taxation Of Easements.

Then there was the easement question, which came up several times during Mr. Gaither's term at the City Hall. Easements, according to the Court of Appeals, are acquired as the result of the occupancy of space in the public streets pursuant to the grant of a franchise. Easements, therefore, have real taxable values, and the Appeal Tax Court decided to tax them. Mr. Gaither agreed with the Court that easements should be taxed, and in several ways he expedited the work of the Court. Incidentally, it may be mentioned, the Consolidated Gas Company, after carrying its appeal against the easement assessment to the Court of Appeals on two occasions and to the lower court three times, has finally paid its easement tax, it being the first of the public-service corporations to pay.

Competition In Paving.

Then there was the Bruce-Fendall paving ordinance. This was a measure of tremendous importance to the city of Baltimore because its passage meant another step forward toward the ideal of former Mayor Hayes—"the city without graft." Formerly the City Council selected the street to be paved and the material to be used. Naturally, the contractor on that material—and there is usually but one contractor on each material—had a monopoly and could fix the price at any figure he pleased. Usually it cost the contractor something to have his paving material selected and he had to make this up in his price. The Bruce-Fendall ordinance, by placing all the materials in competition and leaving the selection to be made after, not before, the bids were open, introduced a brand-new idea in Baltimore paving and one which experience had proved to work for the interest of the city when the men delegated to do the choosing have the city's interest at heart. Mr. Gaither was one of the most earnest advocates of this ordinance, and at several periods of the long and strenuous fight over it his voice and counsel helped to pull it through.

Raises In City Salaries.

No question involved more thorough study by the Boad of Estimates than that of raising salaries. The advances in recent years in the cost of living were felt by city employees, and Mr. Gaither gave this subject his most careful attention. In the discussions in the Board of Estimates he favored the raising of the salaries of the policemen, firemen and school teachers, and on principle favored a two-dollar-a-day rate for day laborers. He was of the opinion, first, that such a raise should be recommended by the various department heads, who refused to do it, and, second, that it should be shown that day laborers in private employment were getting this wage, which was not done. His capacity for doing things was shown strikingly during this duscussion over the day laborer's pay question. Everything was in a tangle until he suggested a scaling method that puts the capable laborer on a $2 basis. This was instantly adopted.

Favored More Engine Companies.

There was a big demand last year for more fire engine companies. The Board of Estimates had no money and the new fire-engine-house loan would not be voted upon until May of this year. Mr. Gaither suggested the making of appropriations contingent upon the passage of the loan. This was done. Mr. Gaither was interested in the question of better fire equipment, and especially a better equipment in the burned district. It will be remembered that much criticism was directed at Baltimore after the big fire by experts because of the fact that in the whole of the burned district there was not a solitary engine-house. Mr. Gaither's insistance resulted in the placing of an engine company in the new Gay street house. But Mr. Gaither's interest in the Fire Department did not prevent him opposing the Department when it tried to evade the city charter's provisions in the matter of buying new engines. The Department's head wanted one particular kind of engine—a different one by the way, from any they had previously used. Mr. Gaither believed there were other engines just as good as this one, and that open competition—a favorite plan of his—should be utilized in purchasing the engine. The Fire Board refused to adopt this plan, and a deadlock with the Board of Awards resulted. Then Mr Gaither suggested the idea of a public test to demonstrate which is the best engine for the purposes of the city of Baltimore, and that test will soon be held.

His Compromise Short-Term Franchise Provision.

In the matter of the short-term-franchise grant for the street railway companies, which has already been referred to, Mr. Gaither has had a long and somewhat bitter fight against all the members of the Board of Estimates except City Engineer Fendall. It is a somewhat remarkable thing that, with the exception of the vote on the short-term grant, Mr. Gaither was practically always with the majority of the Board, which does not mean that the Board was not very frequently divided in its opinions. Rather, it means that Mr. Gaither's opinion was the one which helped the Board in the great majority of cases to reach a decision. There was another question brought up at the same time—a question which grew out of, not the German street ordinance, but the Baltimore Terminal Company's ordinance, which was also under consideration. This was the question of requiring the Company to pay to the city a certain percentage on its receipts from freight, as well as passengers. Mr. Gaither was an earnest advocate of this and helped to incorporate it in the ordinance.

Agitated City Stock Tax Exemption.

Another question of vital importance, which was very thoroughly agitated as a result of the interest which Mr. Gaither took in it, was that of continuing the plan of granting an exemption from taxation on their own stock to banks and trust companies which held Baltimore city stock. This tax exemption really caused the city stock held by such corporations to be worth 5½ per cent. to them, instead of 3½ per cent., which it was worth to private holders. As a result of this agitation the law was so changed that the exemption feature was withdrawn from future issues of city stock.

How Mr. Gaither Does Things.

The record of Mr. Gaither's work in the City Hall could be stretched out into a volume, for there was practically no step taken by the city during the past three years in which he was not directly interested. To recite all of these would be tiresome. In closing, however, it may be interesting to refer to a very typical instance of how Mr. Gaither does things. Some time after the Sewerage Commission got down to hard work there came up the question of buying half a million dollars' worth of pumping machinery for the proposed sewerage pumping plant. Half a million dollars' worth of machiney is a pretty big contract, and the Sewerage Commission naturally prepared very concise specifications.

When these specifications were sent to City Solicitor Bruce they were disapproved, and the net result of considerable correspondence between Mr. Bruce and the Commission was an almost unbreakable deadlock. The pumps were needed, but Mr. Bruce's scruples could not be overridden by conscientious city officials. With the deadlock at its height, Mr. Gaither was appealed to. He went over the whole ground carefully and thoroughly, and he finally found a way out of the difficulty. Mr. Bruce agreed to accept it, and so did the Sewerage Commission. Incidentally, under Mr. Gaither's suggested plan the pumps will cost probably a hundred thousand dollars less than the city might have spent.

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NO. 4327 EQUITY.

In the Circuit Court for Carroll County.

Clara Myers and Lewis H. Myers, her husband, et al., plaintiffs, vs. Georgia C. Bankert, et al., defendants.

Ordered, this 16th day of August, A. D. 1907, that the account of the Auditor filed in this cause be finally ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of September next; provided a copy of this order be inserted for two successive weeks before the last named day in some newspaper published in Carroll county.

DAVID P. SMELSER, Clerk.

True Copy—Test:
DAVID P. SMELSER, Clerk.

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Write for particulars.

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American Sentinel.

WESTMINSTER, - MD.

FRIDAY, AUGUST 30, 1907.

The Blacksmith's Song.

—;o;—

Blow, blow, fraught with woe; the wind is a tyrant abroad, I know!
He levels the trees with a passing breath,
And blows on the sea with the kiss of death;
He blusters and roars till the mothers weep
For the sons at sea where the waves are deep.
And he lords it well o'er the land and sea,
For a terrible scourge is the wind when free.

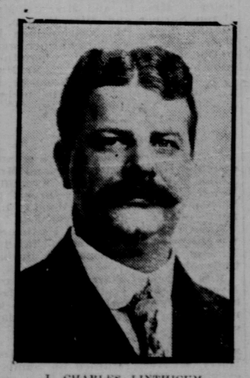
Blow, blow, fraught with woe: the wind is a tyrant when lord, I know!

Blow, blow, roar and glow! the wind is a servant to us. I trow!
He rushes in tumult to do my will,
And when I shall bid him he lieth still;
With an iron mouth and a leathern coat,
He tunes his loud song to a cheery note;
And the flames he woos in his bluff, good way,
Till they blush and glow through the live long day.

Blow, blow roar and glow! the wind in the bellows is good, I trow!

—Pall Mall Gazette.

Maryland Home-Coming Association.



J. CHARLES LINTHICUM,
Chairman Executive Committee.

Baltimore, Aug. 26.—"Massachusetts has had her homecoming; Rhode Island, Ohio and other states have had theirs, but I venture to say, upon the face of the data now lying before me showing the wonderful enthusiasm of the people and the rapid progress made by our committees in their work, that the Old Home Week of our grand old state will surpass in every way the affairs that have been held elsewhere."

Chairman J. Charles Linthicum, of the executive committee, which is the supreme working body and the backbone of the Maryland Home-Coming Association, was discussing the outlook for the success of Old Home Week celebration, in October.

"Marylanders are naturally hospitable. We take greater interest in strangers who come within our gates than do the people of other sections of the country. As for our own people who come back to their native heath after years of absence, it is the opinion of the Marylander that nothing on earth is too good for them. You may ascribe it to the climate, if you please, or you may ascribe it to any other source, but certain it is this spirit of hospitality is born in the Marylander, and he breathes it in the air. At this time every child of the state and every adopted child of the state seems to be enthused at the prospect of welcoming home and entertaining his flesh and blood, his kith and kin, his friend and neighbor who have wandered to other parts, and it is this enthusiasm of Maryland for these wanderers that is forming the sure foundation for a more successful homecoming than has yet been held."

The finance committee is getting its campaign in shape, and will see to it that every public-spirited man, woman and child in the state who desires to aid the cause will have an opportunity to do so. It is not necessary, by the way, to await a personal call from the members of this committee, but checks or pledges may be mailed direct to the treasurer of the association, Mr. Harry F. Swope, care of the Fidelity Trust Company, Charles and Lexington Streets, or they may be taken there and handed to him. He will give a receipt for all money contributed.

This same procedure may be followed by persons desiring to secure the certificates of membership in the association, which are to be sold at a cost of $1. Mr. Swope will give receipts for all such subscriptions and forward the names of the subscribers to the Secretary of State, at Annapolis. The certificates will then be signed by Governor Warfield and Colonel Tilghman, a record of them made in the state archives, the Great Seal of Maryland impressed on the documents, and they will then be mailed to the subscribers to be preserved as a valuable souvenir of Maryland's first home-coming celebration.

The certificates are nearly as large as a sheet of this newspaper, printed in orange and black and filled in with the names of the owners, whom the Governor commissions in language similar to that employed in state document to extends the hospitality of the old commonwealth to her returning sons and daughters.

CASTORIA.

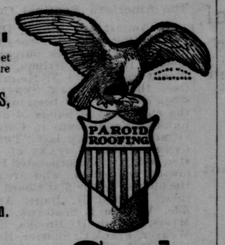
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Sets of Teeth	$4.00 and up.
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