WARREN DEAL IS NULL AND VOID

Court of Appeals Decision Favors the City.

$725,000 WAS AT STAKE

CONSTRUCTION OF DAM TO BE RAPIDLY PUSHED.

When Any of Warren Property May Be Needed for Reservoir Purposes the Mayor Advocates Condemnation Proceedings Unless Company Is Willing to Accept Fair Price for Its Land—City Solicitor Field Delighted and Points Out Some Beneficial Effects of Ruling.

A notable victory was achieved by the present administration yesterday, when Judge Thomas, of the Court of Appeals, handed down a decision that the much-discussed Warren deal was a void transaction. The basis for this finding is that material misrepresentations were made by the Warren Manufacturing Company to the city when the contract was entered into four years ago. The court, therefore, denied the injunction asked for by the Warren company to compel the municipality to buy its property at the contract price of $725,000.

The Court of Appeals held that the city may construct the proposed dam near the property under certain restrictions. It decreed that the dam may be 186 feet in height, or it may be 192 feet, providing flashboards are attached, which are opened in times of threatened floods.

City officials yesterday were elated over the court's decision, which marks a four-year struggle. City Solicitor Field had been hard at work on the case, and his brief that he submitted to the Court of Appeals some time ago was said yesterday by court officers to be a masterly exposition of the law on contract. Mr. Field said last night that he was confident the higher court would sustain Judge Bond, who refused to grant the injunction prayed for by the Warren company last year.

In a statement issued yesterday, Mayor Preston said that while he did not think the Water Board has considered the matter very seriously, he thought the city should condemn the Warren property if a satisfactory price cannot be made with the company. In this connection, it might be stated that the two attorneys, Edwin G. Baetjer and Roger W. Cull, who were appointed as special counsel for a councilmanic committee in 1909, found that the property was worth at the largest figure but $350,000.

EFFECT OF DECISION.

Taxpayers will remember that two months after Mayor Preston took his seat in the City Hall the Water Board passed a resolution to build a dam at such elevation as would not affect the Warren property. Plans for building the dam quickly followed, were approved by the Mayor's advisory board, and when the city proceeded to advertise for bids the Warren company, through its attorney, William S. Bryan, appealed for an injunction.

Summerfield Baldwin, president of the Warren Manufacturing Company, was asked last night whether he cared to make a statement regarding the decision of the Court of Appeals. "No. I have nothing to say," he quickly replied. "Nothing to say."

Mr. Bryan, attorney for the Warren company, was equally as reticent. He said that he had not read the decision of the court, and added that "even if he had he would not discuss the case in the newspapers." He said that he did not think such a course was proper.

Water Engineer Ezra Whitman, who is devoting his entire time to the development of Baltimore's water system, was extremely pleased over the decision of the Court of Appeals. "It certainly is gratifying to know that the city has won out in this case," he said. "Taxpayers will be particularly elated, no matter what their politics may be."

Discussing the effect of the decision, Mr. Whitman made it clear that the city could continue its improvement plans at Loch Raven for a long time without having recourse to the Warren property. "We can do without the property for at least eight or ten years," he said. "The city is growing each year. The population is steadily increasing and the time will come when we will need it. At this time we do not, although we can easily proceed to condemn the property, if the Warren people hold out for an exorbitant price."

Mr. Whitman said that he agreed with Judge Thomas that a dam of a greater height than 192 feet would back flood the property of the Warren Co. He said that if the dam the city is now building in the bed of the Gunpowder River at Loch Raven were raised one or two feet higher, the company's land might be somewhat affected.

"The Board of Estimates and the Water Board will no doubt go thoroughly into the matter and decide as to the best course to pursue," he continued. "If the city can buy the property at a reasonable sum I believe it will not object to entering into negotiations."

MAYOR POINTS THE WAY.

With reference to the decision of the Court of Appeals Mayor Preston said:

"I think we are very much to be congratulated on the success of the city against the Warren Co. It is due very largely to the untiring efforts of our able City Solicitor. While I do not believe that the matter has been considered very seriously by the Water Board since the decision of the Court of Appeals, I think our plan should be to condemn under our new act, if a satisfactory purchase at a satisfactory price cannot be made with the Warren Co. We are going ahead with our filtration plant; our dam is under construction, and we should now get the balance of the land necessary for the high level dam—by purchase, if we can get it at a fair price, or by condemnation, if the property owners demand too much.

"No time has been lost by this administration in the controversy with the Warren Co."

BENEFICIAL RESULTS.

City Solicitor Field, who bore the brunt of the fight on behalf of the city, said last night:

The affirmance of the opinion of Judge Bond in the Warren case, thus finally deciding the controversy in favor of the city, is, of course, very gratifying to me, as I have, no doubt, it is to the people of the city generally. I think the decision is of as much, or more importance to the city for the good effect it will have in the future in preventing departments or boards from entering into secret contracts, as it is in saving the large amount of money which the city would have had to pay in this case had the decision been against it. This decision will greatly strengthen the position which has been taken by the present Board of Estimates, and which I have, no doubt, will be followed for the future; that no board or department shall make any contract for the purchase of property to bind the city without first submitting the contract to the Board of Estimates for its approval.

I felt very confident always of winning the case, especially after the very exhaustive and convincing opinion delivered in the lower court by His Honor Judge Bond. I am also gratified that it is of that magnitude, and that it should have been decided finally within a little over a year after it was brought. As I have been impressed since my connection with the city government of the importance of having all matters settled as promptly as possible, the people will now, I think, breathe a sigh of relief that the Water Department can go ahead with its plans for the prompt enlargement and improvement of the water supply of Baltimore city without being stopped by injunctions or other litigation.

I expect now to see the new dam completed and the reservoir filled and in operation before the end of this year, and, probably, before the end of this summer.

HOW RESULT WAS REACHED.

"The suit which has just been finally decided was a bill for the double purpose of asking the court to decree a specific performance of a contract between the former Water Board and the Warren Manufacturing Company for the sale by the latter to the city of the entire plant and property for $725,000. The contract was embodied in four letters that passed between the Warren Company and the Water Board in February and March, 1908. It was never submitted to or approved by the Board of Estimates or the city solicitor; its suggestions were not known to the public until after the election in November, 1908, at which time the $5,000,000 water loan was ratified by the people. The knowledge of this contract was followed by a great deal of indignation and by an investigation of the City Council, which resulted in a resolution in February, 1909, not to take the property; and also in an act of the legislature of 1910, undertaking to repeal the provision of the Act of 1908, which was relied on to ratify the contract.

"Nothing further was done in the matter until after Mayor Preston took his seat. In July, two months after the Mayor took his seat, the Water Board passed a resolution to build a dam at such elevation as would not take the Warren property, and this was approved at a meeting of the Mayor's advisory board, held at the same time. Plans for the dam followed, and as the city was about to advertise for a contract to build a dam the bill was filed on September 22, seeking an injunction to prevent the building of the dam and also seeking to compel the city to take the property and pay $725,000. The city first demurred to the bill, the demurrer was overruled; the city then filed its answer, claiming that the contract was illegal.

"The matter then came up and was heard on the merits and decided by Judge Bond in favor of the city in the latter part of March, 1912. The matter might have gone to the April term of the Court of Appeals, but was in fact not taken up until the October term."

SCOPE OF THE OPINION.

In declaring the famous Warren deal null and void Judge Thomas reviews the entire history of the transaction. Starting with the time when the water loan was passed, he discusses the commencement of negotiations. Every principle of law advanced by both sides is treated in a detailed and comprehensive way, the opinion covering 39 typewritten pages.

Judge Thomas holds that while inadequacy of consideration is not alone a sufficient ground upon which to refuse a specific performance of a contract, it may be taken into consideration in determining the right to relief. Where it is shown where one of the parties to the contract made misrepresentations, either fraudulently or innocently, as to material matters, the court will not grant specific performance.

That Alfred M. Quick, president of the Water Board under the previous administration, was influenced by the Warren representatives, the court says, is apparent by a letter to Mr. Bruce, in which it was stated that he had tendered the company $600,000, whereas the company's estimate of the value of its property was between $875,000 and $1,200,000. The court makes it plain, however, that it does not believe any fraud or irregularity was practiced.

TO OPEN HOME FOR GIRLS

National Campaign to Be Started Here.

From his office in this city, Stanley W. Finch, special commissioner of the Department of Justice, who has charge of the government's investigation of the white slave traffic, will launch within the next few days a movement, independent of the government, for the establishment and maintenance of homes throughout the country where victims of this traffic, who desire to give up the low life, can be sheltered. Mr. Finch, who can tell you at a minute's notice, the pedigree of more than 250,000 so-called wayward girls, whose cases have been investigated by the government, returned yesterday afternoon from Washington. He went there to consult Attorney General Wickersham and, it is understood, discussed the latest plans of trying to solve this nation-wide problem.

The money, with which to establish these homes, has been secured independently from some of the nation's wealthiest men and women. Just who they are, Mr. Finch is not ready to announce. But he did say that there would not have been any trouble in securing all necessary funds from one person had it not been deemed wise to have a number of contributors. The amount of money is said to be way up in six figures, but this Mr. Finch would not verify.

"The Federal government has been doing what it could," said Mr. Finch, "to get rid of the white slave traffic. Ever since the law passed against the traffic, we have been prosecuting the offenders. We have done most of our work east of the Mississippi because our funds have not been large enough to go farther. We intend to ask the next Congress for an appropriation of $250,000 so that we can widen our scope. We have had approximately 400 prosecutions and in a big majority of the cases there have been convictions. But, leaving the question of dealing with the white slave agents, those who transport women from place to place and live off their earnings, we have found that what this country needs are places to temporarily take care of the women who desire to lead better lives. The government has made no provision for such homes and consequently the work must be done by outsiders.

"Of course, there are some homes where such girls can be placed, but the number is small, while the number of girls pleading for homes is very large. It is with the intention of providing such homes that the new movement will soon be launched. I cannot go into details at this time. Suffice to say that our plans have about been completed."

DR. GORTER QUALIFIES

As the Commissioner of Health of Baltimore.

In the presence of several city officials, Dr. Nathan R. Gorter was sworn in by Mayor Preston as Baltimore's new health commissioner at 11 o'clock yesterday morning. After the oath was administered Dr. Gorter enrolled his name in the municipal book. The Mayor then sent for Secretary M. Harry Laib, of the Health Department. The Mayor introduced Mr. Laib to the physician, who was then escorted to his new offices in the Health Department.

Assistant Health Commissioner C. Hampson Jones and several of the attaches of the office were anxiously awaiting the arrival of their new chief. In his characteristic democratic manner Dr. Gorter shook hands with every one in the office. Later Dr. Jones escorted him over the entire building and presented him to every employe.

Dr. Jones will tutor Dr. Gorter in the "ins and outs" of the department for the next few days. Those who know the new Health Commissioner say that the teaching will be of a brief character.

"Dr. Gorter will surprise the people of Baltimore," said a municipal official who knows Dr. Gorter personally yesterday. "He will make a wonderful record."

LOCAL MENTION.

Coal—E. Stabler, Jr., Coal Co.—Wood. Highest Grades Coal. Lowest Market Prices and Full Weight. Office, Cor. Eutaw and Madison Sts. Yard, Cor. Oliver St. and Maryland Ave.

Money loaned on furniture, storage receipts, real estate and other securities. Anywhere in Maryland. Baltimore Investment Co. 120 N. Paca st., nr. Lexington.

CHIKORN Positively Removes the WHOLE corn in three days. Did others?

HOW TO REMEDY THE LAW'S DELAY

LAWYERS ADVOCATE PROGRESS AT BAR ASSO. MEETING,

BUT NOT TURKEY TROT STEP

Believe That Forward March of Legal Procedure Should Be Dignified—Judge Harlan Says More Intelligent Use of Pleading and Practice Is Needed — Joseph C. France Suggests a Merger—Mr. Cross for Modification.

That hoary old sinner, the demurrer, was attacked in the Superior Court last evening by members of the Bar Association of Baltimore City, when prominent lawyers of Baltimore gathered together at a special meeting to hear discussed remedies for the evils attendant upon the law's delay. Judge Henry D. Harlan made a few suggestions, Joseph C. France a few more. W. Calvin Chesnut was for revolutionizing the system of procedure, while W. Irvine Cross advised adherence to the old common law.

Mr. Cross said that admiration for old institutions as such was not very popular nowadays. Progressivism, he said, seemed to be more popular. Mr. Cross advocated forward movement, but in the "primal path that man hath trod." He would not see bench and bar going forward with a Turkey Trot step.

The upshot of the meeting was that something ought to be done to simplify pleadings and practice.

"The subject of reform in pleadings," said Judge Harlan, "is a broad one. So far as our system of pleading is concerned we have about as good and liberal system as exists. What we want is a more intelligent use of both pleading and practice. There are instances where the Court of Appeals has departed from the simplicity of the code. A plain statement of facts in a declaration is sufficient, but the tendency of the bar has been to amplify pleadings."

After Judge Harlan had received a vote of thanks from the association, he said he felt sure that he and the other members of the bench would be pleased to attend the next meeting of the association, there to listen to and express their ideas upon the subject under discussion.

What Is Needed Now.

Joseph C. France suggested the merger of the covenant, debt and assumpsit counts in a single suit when necessary. Under the present system this is impossible. Separate suits must be brought. Mr. France went into the history of pleading, tracing it from its beginnings through the middle ages, especially through the thirteenth century, when the first and great reforms were introduced. Mr. France characterized the thirteenth century as the most marvelous of the Christian era.

The great need nowadays, Mr. France declared, was the right of both parties to know each other's claim or defense. This, he said, applied particularly to the defendant, who, he said, should be given a bill of particulars of the claims of the plaintiff. As to demurrers, Mr. France said that he was in favor of applying the $10 demurrer cost now in use in equity to cases in the law courts. "I am quite willing also," said he, "that the cost should be on the lawyer and not on the client."

Mr. Chesnut was more radical in his remarks. He thought the system antiquated. "At times it creaks, squeaks and rattles in operation," said Mr. Chesnut. "The machinery of judicial procedure should be like the machinery of a good, modern motorcar—efficient and sure, but noiseless in operation. It need not be so swift as to break the speed laws, but it should be swifter than the horse car."

Mr. Chesnut's suggestion was reform along the lines of the English judicature act of 1873. Under this system the whole subject of procedure, both legal and equitable, was intrusted to the formation of of rules by the judges. Within the past year, Mr. Chesnut said, the State of New Jersey has adopted for law actions what is very similar to the rules of court under the judicature act.

For a Modification.

Mr. Cross then declared himself in favor, not of a radical change, but merely of modifications upon the system as we now have it. He was unalterably opposed to elimination of the common law system. It was then that he coupled the idea of progressiveism with that of forward movement in the manner of the turkey trot.

"In every case," said Mr. Cross, "there is at least one party who does not want justice, who has no wish for prompt action by the court; whose chief desire is complicating matters, obstructing progress of the cause. If we establish a radically new system we may go through a period like that now existing in New York—of new and intricate technicalities." Modifications which might obviate delays, Mr. Cross favored.

A collation followed the discussions. The following gentlemen were admitted to membership in the association: Henry M. Henrix, Wallis Giffin, E. M. Sturtevant, Emmett W. White, Allan C. Girdwood, John H. Filler and William Curran. The resignations of A. P. Gorman, Jr., and William P. Brantly were accepted.

WOMEN GAIN A POINT

Admitted as Members of Northwestern Body—To Hold Office.

The women of Northwest Baltimore came into their own last night, when, at a meeting of the Northwestern Improvement Association, held in the Fifth Regiment Veteran Corps Hall, it was decided by unanimous vote of the members that all women 21 years of age and residents of that section of the city shall be eligible for membership, and that those who are duly elected as members shall have an equal right of suffrage with the male members and eligible to hold office in the association.

There were a number of women present at the meeting, and they had an able champion in Mr. John Jenkins, an ex-president of the association, who declared that the association was making a master stroke when it admitted the women to membership. Said he, "The time is not far distant when the women of Maryland will have the right of suffrage, and with that right in their possession they will be a power for good and for the advancement of our association." It was also pointed out that, as the association is the oldest of its kind in the city, it was a most fitting tribute to the integrity, as well as a reflection of credit upon its actions to be the first body of its kind in the city, and probably in the state, to admit women and give them equal right of suffrage with the men. There was not a dissenting voice, and the women simply walked in and "hung up their hats," and before the meeting closed two of them—Mrs. William Wootton and Mrs. Milton Dashiell—were placed on a committee with Mr. John Jenkins to wait on the School Board in an effort to get the use of a room in the Western High School for meeting purposes.

Besides amending the by-laws so as to admit women, an effort was made to have the age limit reduced from 21 years to 18 years, so as to include many young men and women who would like to become members, but this motion was lost. In presiding over the meeting and using the word "gentlemen," President Bartholomee's attention had to be called to the fact that in the future he would have to be careful and say "ladies and gentlemen," which brought forth much laughter. The association boasts of a membership of over 200, 10 of whom are women, just admitted.

Oyster Supper and Bazar.

The Holy Family Catholic Church, of Harrisonville, is holding an oyster supper and bazar at Randallastown Hall in Randallstown. The women of the church have the affair in charge. The bazar began yesterday and will continue through tomorrow.

CAST OUT

WHEN MAN ABUSED HIS TRUST HE WAS DRIVEN FR OM THE GARDEN OF EDEN.

DEMOCRATS OF THE OLD SCHOOL

THEY ARE SADDENED BY GOV. WILSON'S SALLIES.

PROGRESSIVE BANDWAGON

Organization Leaders and Followers Not Hastening to Climb Aboard. They Have Expected Nothing From President-elect, and Hence Will Not Be Disappointed—Plans Upset by Prospective Vacancies in Federal Offices.

Democrats of the old school, whom the Progressives delight to designate as reactionaries, were saddened yesterday when they read in the newspapers that President-elect Wilson will appoint only Progressives to offices. They were sad because they saw in Governor Wilson's pronunciamento a barrier to their enjoyment of the fruits of victory. They did not display any great desire to climb aboard the Progressive band wagon.

John J. Mahon, the leader of the Democratic organization, thus spoke for Democrats of the old school: "I have the kindliest feelings for Governor Wilson, and I trust his administration will be a success. I have said before and I repeat: "'Blessed is he that expecteth nothing, for he shall not be disappointed.'

"Baltimore organization Democrats expect nothing at the next President's hands, and hence will not be disappointed if they get nothing."

What struck the old-time Desocrats so hard was that it rested with Governor Wilson and with him alone to define a Progressive, the kind of Democrat to be selected by him in filling the offices.

While the dictum of the President-elect brought no joy among organization Democrats, it gladdened the hearts of the "original Wilson" men of Maryland, men who delight now to call themselves Progressives, instead of reformers, as of yore.

Among the Marylanders who sat up and took notice at the Governor's proclamation were: W. Cabell Bruce, John S. Young, Edgar Allan Poe, W. W. Stockham, Hope H. Barroll, Emerson R. Crothers, Col. David G. McIntosh, W. L. Marbury, Dr. George Wells, Blair Lee, Congressman David J. Lewis, former Gov. Edwin Warfield, former Gov. Frank Brown, Guy W. Steele, George N. Numsen and many others.

Congressman J. Fred. C. Talbott also read closely between the lines, but said nothing. He is not classed as a reformed reformer or as an "original Wilson" man, but his county cast its vote for the New Jersey governor, and Mr. Talbott was Governor Wilson's political agent in Maryland during the late campaign.

Organization Democrats were far more worried by the prospective changes in the Customhouse than they were by Governor Wilson's "knockout" speech at Trenton. They had expected that the incumbent federal officials would hold on until July of next year, when the senatorial primaries and the legislature will have become ancient history. Instead they face the prospect of an avalanche of office-seekers on or before July 1. This avalanche will be followed by another, an avalanche of disappointments.

Always Safe.

There are a thousand ways in which a man can make a donkey of himself, but he can never go wrong by telling the young mother that the baby looks like her and is beautiful.—Galveston News.

BALTIMORE'S NEW COMMISSIONER OF HEALTH

Photo by C. H. Perskie.

Dr. Nathan R. Gorter, who qualified yesterday before Mayor Preston by whom he was appointed as a successor to the late Dr. Bosley.

THE PROBLEM OF EQUAL TAXATION

DISCUSSED AT BANQUET OF THE CREDIT MEN

BY CONGRESSMAN SHARP

Speaker Also Points Out How Congress Could Economize and Save Millions of Dollars Annually—Favors the Imposition of Toll Charges on All Vessels Carrying Freight in the Nation's Waterways — Prefers a School to Honor Lincoln.

Speaking on what he termed New Rationalisms Congressman Wm. G. Sharp, of Ohio, last night at the monthly dinner of the Credit Men's Association in the Emerson claimed that one of the nation's greatest unsolved problems was equalizing taxation. He advocated appropriation reforms in Congress to lessen the tax burdens. One of his most significant declarations was that the federal government should impose a toll on all freight-carrying boats in the country's waterways. He gave an exceedingly interesting discussion of economics as they should be applied in running the peoples' business by Congress.

"If Congress," he said, "would apply the same methods in running the government as you business men, then there would be less criticism heaped upon that body. Congress conducts the biggest business, even from a financial standpoint, in the United States, and there is no reason why it should not place the same valuation upon it as you business men.

"People differ as to which is the nation's greatest problem, but the question of taxation in my mind is one of the most important to be solved, so that taxes will not be unequally distributed.

"In our Congress we should exercise economy in our expenditures, or, rather as some say, do away with the extravagance of our lawmakers. There is no reason why many millions of dollars could not be saved annually. The national budget system I hope will soon become a law."

Where Money Could Be Saved.

Congressman Sharp then went on to enumerate some of the practices which, if eliminated, would mean the saving of large amounts of money each year. After calling attention to the money spent each year by the Postoffice Department of the federal government he said:

"We could save between eight and ten millions of dollars each year if we would stop building fine marble postoffices in small cities where the revenues from these offices do not amount to more than $10,000 or $15,000 a year."

Continuing, he said:

"Another reform that is needed is in issuing national bank notes. There are about 7,200 national banks in the country and each of these have five separate plates in the Treasury at Washington. Two or three plates would be just as beneficial and would mean the saving of $1,000,000 a year. Then, to the credit of the Secretary of the Treasury, it might be said that he favors making smaller notes. This would be another big saving."

In reference to the bill now before Congress, which would give $2,000,000 for the building of an Abraham Lincoln memorial monument, the speaker stated:

"I am not opposed to providing anything that would be a lasting monument to Mr. Lincoln. Whatever we do we cannot pay the debt of gratitude we owe him, but in mind it would be much better to use that money for a school where the poor youth of this nation could secure an adequate education. Now as to the money spent in the improvement of our great waterways. The government spends millions annually in this and I contend that it would not be more than just to impose a toll charge on the vessels which use these waterways to carry freight and which reap a monetary benefit. What Congress should do is simply apply the Golden Rule and then there would be less criticism."

Following the address of Congressman Sharp, Capt. S. D. Buck, secretary of the association, told of the work of the organization and made a plea in behalf of the campaign to secure new members.

Subscribers to Banquet.

Those subscribing to the banquet follow:

J. H. Anthony, J. O. Preston, Roland Bolgiano, Charles M. Ness, O. D. Maxwell, E. C. Monmonier, Charles L. Davis, I. Evans Rodgers, James H. Meyer, H. W. Bennett, W. F. McAvoy, S. M. McBride, J. Denny Armstrong, Blake Bourne, B. J. McGarity, James Owens, James Preston, William H. Hall, Harry M. Mason, S. G. Rosson, C. B. Rauth, Robert Cole, R. H. Lynch, D. B. Pennington, Edgar T. Wagner, S. A. Haslup, William G. Pfaff, Harry P. Boyd, Thomas H. Charshee, Stuart Egerton, I. L. Morningstar, Charles A. Baldwin, M. S. Halle, J. N. Dimling, P. M. Siemers, George J. Cloutice, Thos. Wilcox, B. J. Nolan, F. S. Chavannes, H. H. Funk, H. W. Schwab, C. P. Hohman, William E. Slaughter, Philip Link, Arthur G. Smith, H. F. Hohnberger, E. J. Mowel and Philip Hamburger, Jr.

SPEAKS TO CIVIC WORKERS

City Solicitor Field Talks of the Charter.

A large number of civic workers, in McCoy Hall last night, heard City Solicitor Field tell in a detailed way the part the city charter plays in the government of the city. The meeting was held under the auspices of the Women's Civic League. Mayor Preston and a score of municipal officials were among the auditors. Mr. Field's subject was The Present City Charter and the Ordinances Under Which We Are Living. He was introduced by Mrs. Benjamin W. Corkran, Jr., president of the Civic League. Mr. Field traced the history of the charter, and after explaining how its doubtful points had been cleared by judicial construction and its weak points cured by amendments, he said that "It had been tried and not found wanting."

"The one defect in the system, from a logical standpoint," he said, "is that the city has not under its control any system of patrolling so as to see that the streets and alleys and private premises are kept in a clean and sanitary condition. If this Women's Civic League and other civic associations could keep constantly before the public authorities and before the public the importance of keeping the city clean and sanitary, not only in the alleys and in the streets, but in the backyards of private premises, they would accomplish a wonderful benefit to our city and to the homes of our people.

Baltimore is famous as a City of Homes. It is one of the characteristics of this city of which we are most proud. The homes are not and never will be all alike. The Savior said to His disciple: "The poor ye have always with you," and no one is such an idealist as ever to expect to see the time when poverty will be banished. There will always remain, as there are now, the costly homes of the rich and the modest and humble homes of the poor. But in some respects all homes can be alike. All homes may have, and are entitled to, the same protection and same care from the city government; may enjoy alike the benefits of peace and good order and good government; good streets, pure water, good schools, protection of their health. All homes can be clean and sanitary. Cleanliness, which has so much to do with health, and love, which has all to do with happiness, are possibly alike in the homes of all our people.

Commenting on the commission form of government theory, Mr. Field made it clear that no form of government can promote the progress of the city.

The progress of the city and the welfare of its people depend far more on the men chosen to administer the government than upon its form. If tomorrow our form of government were changed to a commission form and the same men were chosen as commissioners who now form the Board of Estimates, you would not be able to see any difference in the city's government. It would go on the same under one system as it did under the other. No government under any form will be better than the people want it to be. And much more will be accomplished for improvements by cultivating a sentiment among the people for constantly improving the administration of the government than by continual agitation for changes in its form.

Discussing the question of appointments, Mr. Field said that whether they are appointed by means of a civil service system or otherwise makes little difference. "They are, after all, selected by men," he said.

Besides the Mayor other city officials present were City Collector Hook, Street-cleaning Commissioner Larkins, Assistant City Solicitors Driscoll and McKindless; Chairman Compton, of the Paving Commission; City's Engineer McCay, Sewerage Engineer Hendrick, Building Inspector Stubbs; President Grannan, of the Commissioners for Opening Streets; Comptroller Thrift, Deputy Comptroller Childs and Collector of Water Rents Loden.

JAIL IS PRAISED

By Committee of the Retiring Grand Jury.

The jail committee of the retiring Grand Jury in its report spoke in high terms of the manner in which that institution is being conducted, and also commended the administration of Bernard J. Lee, the warden.

The report follows:

"The committee visited the jail on two different occasions. No previous warning was given to those in charge of that institution. The visits were, therefore, entirely unexpected, and we feel certain that we saw everything under the ordinary conditions that prevail there every day. Warden Lee and his deputies took us through the prison.

"The cots and covers were clean and the cells in sanitary condition, the temperature of the building comfortable and the entire building well ventilated. The hospital is located in the tower, separated from the prison, but conveniently accessible by the elevator.

"The several wards were in perfect condition, and the sick, of whom there were but seven on January 4, 1913, were comfortably taken care of.

"The apothecary is well supplied with all necessary drugs, and arranged in a systematic, modern manner. These departments are well taken care of by Dr. Wilkenson and his assistant. The workshops where the prisoners are employed are well lighted and ventilated.

"The prisoners work on a co-operative plan and they have a 25 per cent. interest in what they earn for the city. This 25 per cent. is placed to their credit, together with what they might earn for themselves in overtime work. This overtime is what they make over their task. Amount of shop earnings: 1912, $2,802.86. Amount of overtime earnings, 1912, $1,422.84. Total, $4,225.70.

"These figures, however do not give full credit, as the shops were idle for at least 60 days owing to change in contractors during 1912.

The overtime in new button shop amounts to $225 to $250 per month now. The bakeshop and kitchen are clean, the bread good and wholesome.

"The prisoners are fed with things selected for some slight variety and cooked for human consumption. We are glad to be able to say that cuffing up and other sorts of corporal punishment are not resorted to in this prison.

"For ordinary infraction of the rules the punishment consists of confinement in a cell away from the rest of the prisoners or deprivation of some privilege. These forms of punishment are effective nearly every time. We feel that the conditions that prevail are good and that the affairs of the Baltimore City Jail are well administered by Warden Bernard Lee."

JOHN W. GARRETT HERE

Wife of Diplomat Remains in New York City.

John W. Garrett, United States minister to Argentina, reached this city last night from New York. He and Mrs. Garrett arrived at the latter city on Monday. While here Mr. Garrett is being entertained at the home of his mother on Park avenue.

Mr. Garrett left his wife in New York, where she is recuperating from an operation performed some weeks ago for appendicitis.

"I do not know how long I will remain in this country, or how much of the time I shall spend in Baltimore," he said, "but I will be here as long as possible."

This morning Mr. Garrett will go to Washington, where he will report to the Department of State. He expects to be back again early next week. Mrs. Garrett will come to Baltimore as soon as her condition improves.

POISON CENTERED IN HIS KIDNEY

YOUNG MAN DEVELOPS SEPTICEMIA FROM FALL.

RARE OPERATION PERFORMED

The Organ Is Removed, Abscess Cut Out and Kidney Transplanted—Original Injury Was a Broken Kneecap, From Which Blood Poisoning Developed—Has Been in Church Home and Infirmary One Hundred and Nine Days.

An unusual case of septicemia that has caused comment among the medical profession of Baltimore has developed in the Church Home and Infirmary. Arthur Eppely, 22 years old, of Springfield, O., has been confined there for 109 days as the result of an infection of one of his kidneys, which resulted from a fracture of the kneecap. Under ordinary circumstances the infection would have spread throughout the various organs of the body, particularly the lungs, but in this case the poison centralized itself in the kidneys. Resorting to an expedient that has recently proved invaluable to surgery, Dr. J. T. Geraghty a few days ago removed the infected organ, cut away the abscess and transplanted the organ, with the result that Eppely now stands excellent chances of recovery.

About four months ago young Eppely suffered a fracture of the left kneecap when he fell from the platform of a trolley car in Springfield. The fractured bones were set and Eppely was confined to his bed for more than a week. Then an infection developed, but a specialist checked for a time the progress of the poison. A few weeks later, however, it reasserted itself, and Eppely came to Baltimore with relatives. He was admitted to the Church Home and Infirmary.

Under the care of Dr. Geraghty the young man soon improved. The poison disappeared, but a few days later became centralized in the kidneys. The presence of the poison in this organ was located by means of the x-ray, and an operation was found to be the only means of eliminating the infection. The operation, which was performed several days ago, required more than an hour, at the end of which time Eppely was so weak that he lapsed into unconsciousness, remaining so for about 48 hours. Since then his condition has steadily grown better, and great hopes are entertained for his complete recovery.

HIRAM HENDERSON KILLED

Struck by B. & O. Freight at Laurel, Md.—Dies in Hospital.

Hiram F. Henderson, 50 years old, who for the past 20 years had conducted a stationery store at 316 West Lexington street, died at 10:30 o'clock yesterday morning in the University Hospital, as the result of injuries he sustained when he was run over by an engine of a Baltimore & Ohio fast freight train at Laurel, Md., a few hours before. Mr. Henderson, who was a bachelor and lived with his married sister, Mrs. Emmitt L. Pettitt, at Laurel, was about to come to the city when he met his death.

He usually came to his place of business every morning on the 7.09 train from Laurel. He had just crossed from the station on the eastbound track to the platform on the westbound side to purchase a newspaper, and while retracing his steps over the tracks to the eastbound side to catch his train, which was due, the fast freight came thundering down the tracks, and before he could get out of the way he was struck. The train was traveling at a good rate of speed and the body of the unfortunate man was hurled to the side of the track.

When the railroad employes rushed forward to pick him up it was found that his skull had been fractured. A physician who was coming to the city on the train which Mr. Henderson was to take made an examination, and found that in addition to a fractured skull the man had sustained a fractured right arm, several broken ribs and that his right leg was badly crushed. Mr. Henderson was brought to Baltimore on the 7:24 express and rushed to University Hospital in the Western district auto ambulance, which met the train. Emmitt L. Pettitt, brother-in-law of the dead man, accompanied him to Baltimore and was with him when he breathed his last. Then Mr. Pettitt returned to Laurel, after making arrangements to have the body prepared for burial. He will return to this city this evening, however, in order to attend the inquest, which will be held at the Western Police Station. The funeral will take place tomorrow.

Mr. Henderson was born in Pocomoke City, Md., on August 9, 1863. He was the son of the late Harry B. Henderson and Mrs. Ursula Horsey Henderson. Besides his sister he is survived by four nieces and five nephews.

HEADACHES

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