

Baltimore Morning Herald
December 22, 1900

Dove of Peace Takes Flight

City Council and Mayor Lock Horns

Fight to the Bitter End

Solons Cross-Examine His Honor to Make His Position Inconsistent

Cry of Illegality Raised Again

Messrs. Wilmer, Venable and Gephart Lead in the Argument, But to No Avail—Ordinance Immediately Vetoed—Special Session Today

Mayor Hayes and his Councilmanic opponents met in solemn conclave under a white flag of truce yesterday morning for the purpose of arranging a compromise of their many differences.

After arguing, negotiating and cross-examining each other for one long hour, they hauled down the white flag and returned to their respective lines of defense, with the determination to fight to the bitter end.

When Colonel Milton Offutt, the peacemaker, arranged the conference Thursday morning, all indications pointed to a love feast. But when the six Councilmen filed into the Mayor's office yesterday morning they found His Honor in no conciliatory mood, and before 10 words had been spoken the suave language of diplomacy gave way to the heated terms of an angry debate. Then the Mayor took refuge behind the city law officers, and to all of the advances of the solons he returned the law officers' opinion as an answer. After this the Councilmen abandoned all thoughts of a peace, and with rare good humor set out to "roast" the Mayor energetically. And then His Honor dragged out the skeletons in the Councilmanic closet and the "peace" conference grew into a dispute.

Peace Commissioners

On the part of the Second Branch the peace commissioners were Major Venable and Messrs. Dieter and Frank. The other house was represented by Messrs. Gephart, Morgan and Wilson. President Wilmer, of the Second Branch, City Comptroller Smith and city Solicitors Whyte and Bryan were also present.

Major Venable opened the negotiations by asking the Mayor if he had a plan of compromise to offer.

"You ought to have a plan," replied the Mayor. "It wasn't I that arranged this meeting."

"We didn't arrange it," replied Major Venable.

“I was led to believe that you had,” said the Mayor.

“No, sir,” replied the Major decisively; “we didn’t ask to meet you. We simply came in obedience to what we looked upon as an invitation from you.”

And with this peaceful beginning the conference got under way.

Their Positions Defined

Then the Mayor, with the idea of pouring oil upon the troubled waters, made a frank statement of his position.

“We are here,” he said, “to discuss the present unhappy state of affairs. I realize that you are as much entitled to your views as I am to mine, and hope that some solution will be reached. I am entirely willing to do anything in the world to settle the muddle and relieve the serious situation that I can do. The city law department is the legal adviser of both Mayor and City Council. I cannot do a thing that they tell me is wrong or illegal.”

“We appreciate the situation,” replied Major Venable, “as well as you do, and are prepared to do anything that will solve the difficulty, but you have presented no proposition.”

“I am willing,” said the Mayor, “to do anything these gentlemen, representing the law department, tell me I can do.”

Then Mr. Gephart spoke up. “If you feel yourself so bound by the law department,” he said, “how is it that you were reported as insisting that Governor Whyte was wrong in the Van Sickle case? And, why did you take it to the Court of Appeals?”

“It is perfectly true,” replied the Mayor slowly, “that I did not altogether agree with Governor Whyte in that case. But I told the School Board that I could not enforce the payment of Professor Van Sickle’s salary unless the city were given bond to cover any possible contingency that might arise.”

“If the executive of the city government,” continued Mr. Gephart, “can disagree with the law department, when he thinks it is wrong, surely the legislative branch can do the same.”

To this sally the Mayor replied by stating that he had yielded to the law officers, even though he thought them wrong. After this point had been fully explained—to the apparent dissatisfaction of the Councilmen—a discussion arose as to the legality of the Mayor’s action in sending his veto message to the First Branch, and it was hinted that the Second Branch members would have overridden his disapproval, had it come to them.

“How do you know that?” asked Mayor Hayes.

“We don’t know anything that has not happened,” replied Major Venable, “but we do know that we have got the votes.”

Then President Gephart asked the Mayor whether he had vetoed the street appropriations because he objected to the mode of spending the money, or because he was opposed to spending money on any streets in 1901. The Mayor replied that he did not think it necessary to spend any money on streets this year.

“Why, then,” asked Mr. Morgan, “did you sign the ordinance to repave St. Paul street?”

“Because the expense of the work,” replied the Mayor, “is to be borne by the abutting property owners.”

But His Honor ventured no further explanation, and, as this tack seemed to promise no results, President Gephart asked whether the \$1.95 levy ordinance passed by the Council Wednesday night would be vetoed.

“The Law Department says that I can do nothing else,” replied the Mayor, “and that the ordinance is null and void, because it was not reported by the Board of estimates,”

“If the Council raises the rate of \$1.81-1/2 to be sent in at the special session,” asked Mr. Gephart, “to \$1.95, will you veto that?”

“That is a proposition upon which I must reflect,” replied the Mayor. “I may veto it, but, realizing the legal right of the Council to raise the rate, rather than have no tax levy at all, I may approve it, and send a message charging the Council with the outrageous act of imposing upon the people an unnecessary tax of 14 cents to raise \$370,100, every cent of which will have to go into the sinking fund at the end of next year.”

At this point Mr. Gephart grew sarcastic.

“I think,” he said, “that if the Mayor is really anxious to solve the problem he would state point blank what he intends to do.”

“I agree with you,” said Major Venable. “If the Mayor vetoes the increased rate, the Council will send the same ordinance back to him. We want to give the citizens of Baltimore both improved streets and new schoolhouses.”

Then Mr. Wilmer launched into a vigorous “roast,” in the course of which he said that the Mayor’s actions were “childish.” To this His Honor made no spoken reply, and after a further round of sparring regarding the identity of the side which first raised the flag of truce the solons withdrew—angered and disappointed.

Then He Vetoed the Ordinance

After they had departed the Mayor vetoed the \$1.95 tax ordinance and the 60-cent suburban levy and wrote, with his own hand, a Board of estimates report upon a \$1.81-1/2 ordinance. The latter measure will be officially presented to the Board at 10 o’clock this morning, and at 11 o’clock the Council will assemble in special session to consider it.

The call for the session was issued by the Mayor yesterday afternoon. At first the solons had resolved to disregard it, but after the conference of yesterday they came to the conclusion that it would be best to obey it. Thus it happens that the Mayor and his enemies will lock horns again today for a final struggle. All hopes for peace have been blasted.