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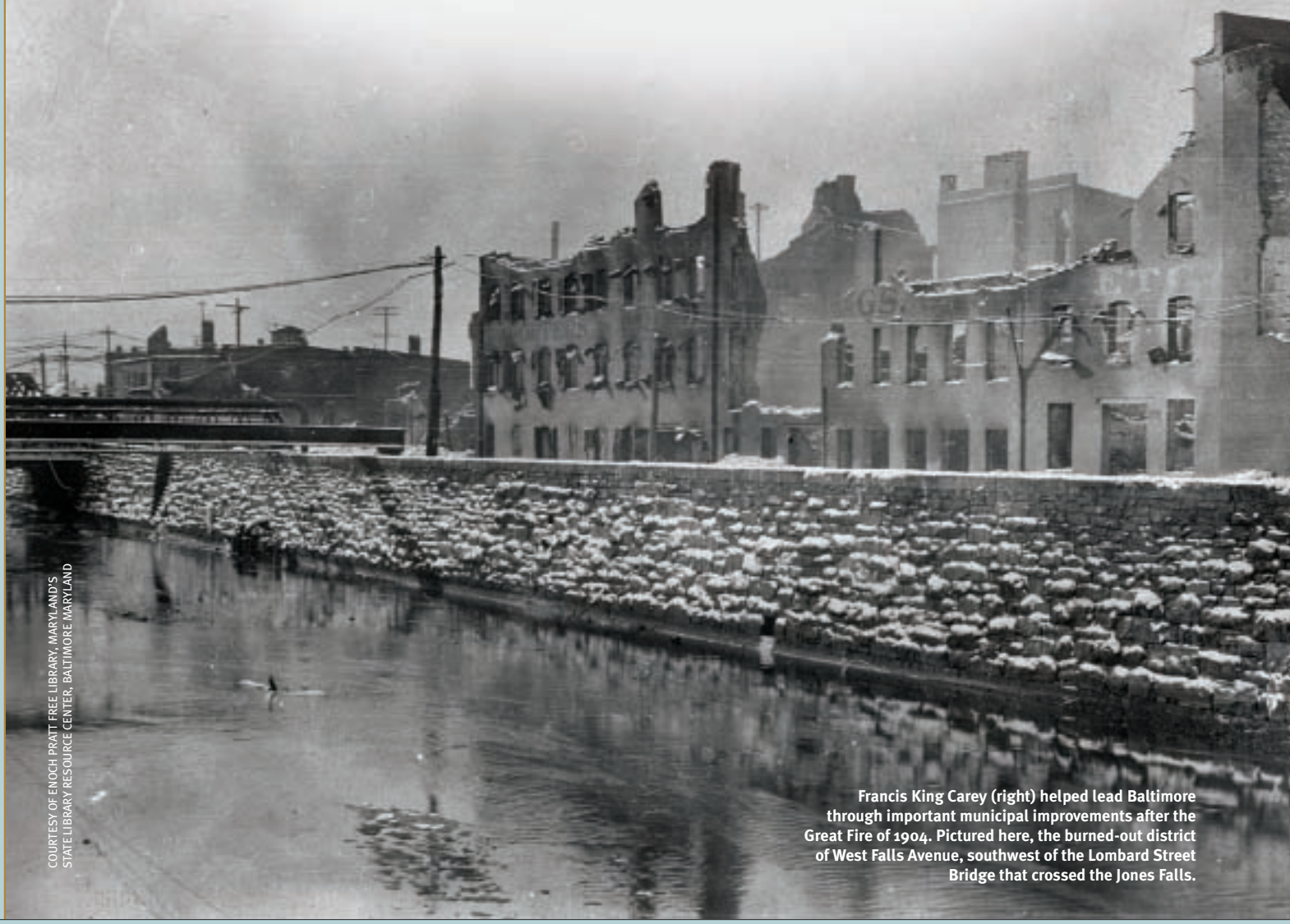
By Richard Byrne

BUILDING BRIDGES:

A Forward-Looking Career in Law and Commerce

After Baltimore's Great Fire in 1904 and throughout his influential career, Francis King Carey believed that a strong relationship between law and business creates a powerful engine to lift up all citizens.



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Francis King Carey (right) helped lead Baltimore through important municipal improvements after the Great Fire of 1904. Pictured here, the burned-out district of West Falls Avenue, southwest of the Lombard Street Bridge that crossed the Jones Falls.

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"Before the fire," Baltimore lawyer and businessman Francis King Carey told the newest graduates of the University of Maryland's schools of law, medicine, and pharmacy in a 1906 commencement address. "We date everything in that way now."

The fire was Baltimore's Great Fire, which over a mere two days in February 1904 decimated much of the city's downtown business district, destroying more than 1,500 buildings and 2,500 businesses. More than 35,000 Baltimoreans were left jobless.

Rebuilding Baltimore, and especially its hard hit central business district after its fiery cataclysm, was a stern test for Carey—whose name now graces the University of Maryland School of Law—and other civic leaders. But few Baltimore residents were as well positioned as Carey to provide leadership in a crisis that ravaged not only the city's commerce, but also its confidence. In the 26 years since his graduation from the School of Law in 1880, Carey's successes as a corporate lawyer and as a businessman made his voice ring with authority. Many of his achievements—guiding large mergers of public utilities andserving as president of Charleston's Consolidated Railway Gas and Electric Company—were directly related to the challenges faced by the stricken city.

By 1906, the wheels of Baltimore's renaissance were already well in motion. So when Carey told the graduates of the professional schools that the calamity had provided a "reveille" to the city, the claim rang true. "The roaring flames, the falling walls, the clanging bells," he continued, "all cried 'Awake! Awake!' to our people. And what an awakening it has been."

The city's epochal tragedy occurred as fervor for progressive reform was growing. Carey was one of those progressives, and his eloquence and diligence helped Baltimore effect great municipal changes after the fire—widened and rebuilt streets, the introduction of a sewer system, and a sweeping plan for the city's parks and open spaces.

Carey's effectiveness as a leader was rooted in his ability to operate successfully in the spheres of law and of commerce. Indeed, Carey insisted that strong relationships between law and business were a powerful engine to lift up all citizens. In that 1906 commencement speech, Carey appealed to graduates to "earn their livelihood out of the prosperity rather than the misfortunes of the business community," and he evoked the perils of not doing so vividly:

"With what pleasure or satisfaction can the lawyer spend or save his miserable receiver's commissions if they represent the blood money of commercial disaster to which his services either by choice or ignorance or neglect have contributed? Will he ever pass the deserted factory, which once hummed with busy machinery, without a feeling of shame, and will not the chattering ghosts which haunt its ruins step always on his heels? Will he think without remorse of the laborers and clerks thrown out of employment, or of the dead loss of wealth to the community, or of the specific addition to the resistances of life he has helped to make?"

PHOTO COURTESY OF EMILY CAREY, CAREY FAMILY HISTORIAN

Whether helping to awaken Baltimore after its great fire, or leading a small sugar beet company to survival amid drought and economic depression, or lending his talents to civic reforms, Francis King Carey lived out his ambition that law and business pursue progress as assiduously as profit.

Making A Modern Lawyer

Francis King Carey was born in 1858 into the family of Baltimore's famous Careys. His great-grandfather, James Carey, was a prominent merchant in late 18th- and early 19th-century Baltimore, as well as a founder and president of the Bank of Maryland and a member of the city's first council. His father, also James Carey, was a successful businessman and the first president of Provident Savings Bank.

Family tradition may have suggested a career in commerce, but it was the law that first attracted Carey after attending Haverford College, where he received bachelor's and master's degrees and won the college's gold alumni medal for oration. When Carey began law school at the University of Maryland, the legal profession in the United States was redefining itself— with an emphasis on increasing rigor, reform, and specialization. Indeed, Maryland's law school itself—founded in 1816 and revived in 1868 after a hiatus of 36 years—was at the vanguard of the changes in legal instruction.

"[The law school] resurfaced because the law, like so many other features of late nineteenth-century American life, no longer permitted haphazard training," writes Robert J. Brugger in *Maryland, a Middle Temperment 1634-1980*, his epic history of the state. "Commercial and industrial growth, besides creating new fields of legal specialization, demanded regularity and system. Maryland was one of the first law schools in the country to adjust accordingly."

Upon his graduation from the law school, Carey was drawn precisely to those areas in which law was advancing and coalescing.

ID # Z24.1466, COURTESY OF THE MARYLAND HISTORICAL SOCIETY

A study in contrasts: Two years after the Great Baltimore Fire (inset), the area west of South Street along Lombard Street was rebuilt and ready for business.

He collaborated with his elder brother James Carey (who had graduated in 1875) on a widely influential legal textbook, *Forms and Precedents* (1885). He also edited a monthly gazette called *The Civil Service Reformer*, which weighed in on the evils of election fraud and the spoils system.

Other early writings offer a window into other aspects of Carey's varied progressive interests. His first book, *A Digest of the Law of Husband and Wife* (published jointly with classmate David Stewart only a year after his graduation from law school) was a formal essay on women's rights—a topic in which Carey had taken a keen and public interest. In an essay published by the *Princeton Review* in two parts in 1884 called "Women of the Twentieth Century," Carey marshaled vast swaths of history, statistics, and a sense of the brewing evolution of American law to argue presciently that the women's movement would move gradually but inevitably from increasing legal rights to full political franchise.

"As women increase in intellectual and industrial importance and gain intellectual and material independence," wrote Carey, "their individuality of character will be too distinct to be merged in that of their husbands by marriage, and a similar revolt which has newly defined the property rights of husband and wife will divide the parties to the contract into their separate unities and hear them both as members of the State. The woman's ideas will become strong, sound and valuable, and she will be allowed to express them through the suffrage."

Reading the *Princeton Review* essay, it is hardly surprising that Carey chose in 1886 to marry Anne Galbraith Hall, a strong and capable woman from another prominent local family who pursued social issues throughout her life ranging from food safety to woman's labor. She also founded the Gilman School in 1897, pioneering a national movement for country day schools for urban students.

This pursuit of political and social progressivism did not impede Carey's swift rise to the top of Baltimore's legal profession.

His practice of corporate law made him a highly regarded and sought-after advocate in Maryland and elsewhere. Carey argued a number of cases before the U.S. Supreme Court and was deeply involved in a lengthy list of corporate reorganizations in the eastern United States at the turn of the century—many involving complex mergers between utilities, railroads, and factories.

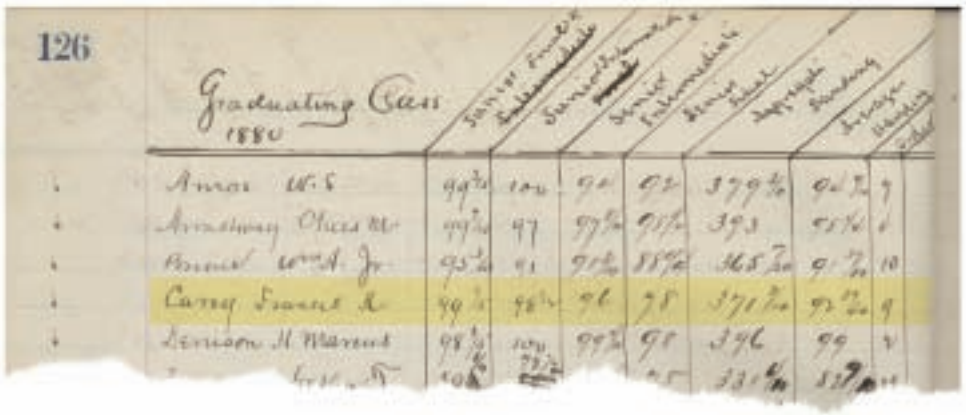
Carey was also a founding partner in two prominent law firms that exist to this day. In 1887, Carey joined with John E. Semmes and John N. Steele to form the firm of Steele, Semmes and Carey—which took on its present name of Semmes, Bowen and Semmes in 1909. The multinational firm DLA Piper LLP has its roots in an early 20th-century Baltimore law partnership between Carey, James Piper and J. Bannister Hall Jr., who created the firm of Carey, Piper and Hall.

Sweet And Savvy

Francis King Carey brought as much energy to commercial pursuits as he did to legal work. Excellence as a corporate lawyer led him to opportunities in business, and most of Carey's later years were devoted to business and public service.

Carey became president of South Carolina's Charleston Consolidated Railway Gas and Electric Company in 1899, spending three years in that position. Stories

1880 Class Ledger for Francis King Carey's graduating class



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in the *Baltimore Sun* attest to the vigor with which Carey attempted to build bridges between the two important East Coast port cities. On April 13, 1902, for instance, the *Baltimore Sun* reported on a planned celebration of Maryland Day in Charleston, noting Carey's suggestion that time of the ceremony be pushed back to 4:30 p.m. to "enable the merchants and other business men of Charleston to more largely participate in the demonstration than if the hour were earlier, when they would be engaged in their stores and counting rooms."

But the great adventure of Carey's business career was a more than 40-year association with the National Sugar Manufacturing Company. In *The Beet Sugar Industry in Microcosm: The National Sugar Manufacturing Company, 1899 to 1967*, a master's thesis written in 1980, Dina Sabin Markoff gives the best account of Carey's tenure with the company. When Carey was assigned the task of reorganizing the beleaguered beet sugar company for a new set of investors, she observes, the Baltimore attorney had more than a legal fee at stake. The large Corliss engine Carey owned—a German company's idiosyncratic payment for his legal services—was being used in National's beet sugar plant in Sugar City, Colorado.

To protect his investment, Carey quickly assumed control of the company and kept it until his death in 1944, handling much of the company's business from Baltimore. Markoff's narrative—based in great part on an extensive review of the company's correspondence and back issues of the town's newspaper (the aptly named *Saccharine Times*)—makes clear that Carey was the prime mover in the small beet sugar company's survival in a time of intense competition from cane sugar suppliers, interruptions of needed supplies of beet seed by World War I, and the climatic and irrigation challenges of agriculture in the Mountain West.

The challenges to the National Sugar Manufacturing Company were many, and the stakes were high. Not only did Carey and other investors put their personal fortunes in the hazard to make sugar, but the survival of Sugar City and its population of more than 1,200 also hung in the balance. Managing the company required much of Carey's skill and attention, but he also provided testimony to Congressional committees to negotiate political threats to the sugar industry, and he used his political savvy to secure precious water resources and improved infrastructure to irrigate Colorado farms. Obtaining the necessary beet seeds—which before World War I were imported largely from Germany, Austria, and Russia—even required Carey to engage in James Bond-like derring-do in 1914 as war broke out in Europe.

Markoff relates how Carey sailed to Europe with gold bars to pay for 10 million pounds of beet seed and had it shipped through the war-torn waters of the Atlantic back to the United States. On December 6, 1914, the *Baltimore Sun* credited Carey for saving the nation "if not from a sugar famine, then certainly from higher prices than it will have to pay for sugar next year." The article also reveled in the personal risks Carey took on his journey, including the fact that his vessel, the *Noordam*, "struck a mine in the North Sea and narrowly escaped destruction."

FRANCIS KING CAREY BROUGHT AS MUCH ENERGY TO COMMERCIAL PURSUITS AS HE DID TO LEGAL WORK. EXCELLENCE AS A CORPORATE LAWYER LED HIM TO OPPORTUNITIES IN BUSINESS.

BEET SUGAR SEED ON WAY

Francis King Carey's Enterprise Surmounts Big Obstacles.

SUPPLY COMING FROM GERMANY

This Country Will Be Able To Produce Sugar As It Would Not Have Been Without German Seed.

PHOTO PROVIDED BY CROWLEY COUNTY HERITAGE CENTER MUSEUM, CROWLEY, CO

Francis King Carey took considerable risks—both personal and financial—to ensure the survival of the National Sugar Manufacturing Company in Sugar City, Colorado.

FRANCIS KING CAREY FOR DRY REVISION

CAREY WARNS CONGRESS

Baltimorean Opposes Removal Of Duty On Sugar.

SAYS IT WOULD RUIN INDUSTRY

American Refining Company Urges Reduction In Tariff—Others Advocate Free Entry.

Rebuilding And Relief

As years passed, Carey often volunteered his talents to even larger causes.

After Carey's family was rocked by an outbreak of typhoid fever in March 1916, which killed his daughter Emily Carey and sickened Carey, his wife Anne, and his son Frank as well, the attorney took up a cause with continuing relevance today: compulsory health insurance.

Addressing a civic committee formed to promulgate the cause, Carey argued the United States had already fallen behind many European nations in adopting universal health insurance. Carey was quoted in the *Baltimore Sun* as telling the committee, "I am strongly of the opinion that there is no form of social insurance that is more humane, sounder in principle and that would confer a greater benefit on large groups of our population and upon the Commonwealth as a whole than health insurance."

But the entrance of the United States into World War I pushed the health insurance issue to the back burner, and Carey was tapped to lead Maryland's efforts in both the Hoover Food Conservation Campaign and the Red Cross War Fund Campaign during the conflict. When the Great Depression took hold of the nation, Carey became involved in efforts by the Baltimore Emergency Relief Commission to spur commerce by pairing out-of-work craftsmen with those needing home repairs. In a radio broadcast that aired in January 1935, Carey spoke of the "Baltimore Better Housing Program" as a means by which the power of commerce and contract could aid both struggling workers and the value of Baltimore's real estate.

"We remind you," Carey said, "that at the present moment there is more actual money in Baltimore than at any time in its history. Our Baltimore banks of deposit have together hundreds of millions of dollars on deposit, but the vast proportion of it sleeps idly, while our home owners who have deposited most of it, sleep idly too, while their homes depreciate for want of modest expenditures or fall further and further 'out of date.'"

Carey's radio address also stressed another part of his character that grew more pronounced as he aged. The one-time reform Democrat had become a more bipartisan figure, occasionally supporting Republican candidates and seeking middle ground on hot-button issues such as Prohibition—on which he dubbed himself a "conservative wet" and a "liberal dry."

"We have yet to hear any criticism of our Program by New or Old Dealers," he quipped about housing repair effort, "and there can be none, because it is a deal as old as civilization itself—that of bringing buyer and seller together."

Carey's push to consensus and the reasonable middle proved essential in work as chairman of a committee to revise Maryland's corporation laws in 1908 and during two stints as chair of state commissions to revise taxation. It also led him, as a member of the centrist League to Enforce Peace, into efforts to steer America on a middle course between hawks seeking to enter World War I

Highly regarded in the field of corporate law, Francis King Carey was a natural pick for the executive committee appointed by Baltimore City Mayor E. Clay Timanus to oversee the city's recovery, as depicted in a political cartoon of the time.

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Out of the ashes: Baltimore's ravaged business district, looking west along Baltimore Street from Calvert Street, was impressively transformed, just two years after the city's Great Fire.

and isolationists and pacifists opposing the conflict. Carey also served as a member of the executive committee of Maryland's branch of the League of Nations Association, which supported President Woodrow Wilson's ultimately failed efforts to have America join the international body.

In his quest for a better, safer, and more prosperous Baltimore, Carey proved a formidable, and even ferocious, advocate who took few prisoners when it came to civic advancement. It was this quality that came to the fore in his efforts to help Baltimore rebuild after the Great Fire of 1904.

As a member of an executive committee appointed by Mayor E. Clay Timanus to oversee the city's recovery, Carey was a key figure in pushing through an ambitious platform of investment in civic infrastructure—a sewer system, paved roads to replace cobblestones, new docks and enhanced green spaces—many of which were vigorously opposed by powerful special interests in the city. Among the most contentious of the issues was a proposed widening of Baltimore Street, which was made imperative not only because the narrowness of city streets had aided the spread of the Great Fire, but also because of the persistent congestion in the city's core.

Property owners along the street who stood to lose land in the widening were among the main opponents of the plan, but in an impassioned address to a committee hearing arguments on the move, Carey deployed sharp-tongued satire to scold them. "To abandon the widening of Baltimore Street is to leave Hamlet out of the play," Carey jibed. "Every reason which can be brought forward for the widening of other streets applies, it seems to me, with tenfold force to Baltimore Street."

Securing approval for loans to pay for the improvements moved Carey to decry naysayers to the city's rebuilding efforts in terms both biblical and martial in an April 1905 address. "In Heaven's name let us drive into outer darkness the few camp followers who are hanging on the outskirts of our army of progress with no other cry than that of 'I object.' Let us for once forget our differences, political, social, business and sentimental; let us forget our doubts, jealousies and suspicions and stand and stay and fight together in the common cause of the public advancement."

In an article, "Baltimore Reform and the Baltimore Fire," published in the Spring 1970 edition of the *Maryland Historical Review*, James B. Crooks dubbed Carey "one of the most energetic of the evangelists for planned public improvements" and noted that in a speech on the first anniversary of the fire, Carey had declared that "a city will be great or small in direct ratio to the greatness or smallness of the character of its people."

For the lawyer and businessman and law school alumnus who addressed the commencement of the 1906 class, the fire was a defining moment. And in summarizing the moral that he felt the conflagration had burned into him and into the city, Carey brought his audience back to the vision of a community where business and law and service blended into harmony:

"The extraordinary emergencies of our Great Fire taught our people a lesson in cooperation which they will be slow to forget. We have learned to our infinite satisfaction that no community can be a great one unless each member of it rejoices almost as much in the prosperity of his neighbors as in his own." ■

IN HIS QUEST FOR A BETTER, SAFER, AND MORE PROSPEROUS BALTIMORE, CAREY PROVED A FORMIDABLE, AND EVEN FEROCIOUS, ADVOCATE WHO TOOK FEW PRISONERS WHEN IT CAME TO CIVIC ADVANCEMENT.