

GIVES STATUE OF LEE

**Mrs. Elizabeth B. White Wills
Property For Shaft In Park.**

SOUTHERN COLLEGES BENEFIT

**Many Other Bequests Contained In
Document Filed In Orphans'
Court.**

"A handsome equestrian statue of Gen. Robert E. Lee," as she states in her will, to be placed in Druid Hill Park in her name (Elizabeth B. Garrett, as she also states), is provided for in the will of Mrs. Elizabeth B. White, filed for probate in the Orphans' Court yesterday.

To pay for the erection of the statue Mrs. White's fee-simple property 12 East Mount Vernon Place is to be sold as soon after her death as convenient and as much of the proceeds of sale as may be necessary is to be used for the statue. For the sale of the property "the most complete powers" are given Mrs. White's executor. The estimated value of the property to be sold to pay for the statue is between \$25,000 and \$30,000.

\$20,000 To Virginia Schools.

This is not the only indication in the will of Mrs. White's Southern sympathies, as she bequeaths \$20,000 to Virginia educational institutions, as follows:

Washington and Lee University, Lexington, Va., \$10,000, or its equivalent in Baltimore and Ohio Railroad common stock of the market value of \$10,000.

Randolph-Macon College, Ashland, Va., \$5,000.

University of Virginia, at Charlottesville, \$5,000.

In the three bequests named Mrs. White particularly requested in the will that her wishes be carried out and the money used for scholarships to be known as the Elizabeth B. Garrett scholarships.

Gives To Local Homes.

The following legacies, aggregating \$12,000, to institutions in Baltimore are to form part of their endowment fund, and the income used in furtherance of their work:

Home of the Friendless, Druid Hill avenue, near Lanvale street, \$2,000; Presbyterian Eye, Ear and Throat Charity Hospital, 1007 East Baltimore street, \$2,000; Baltimore Orphan Asylum, Stricker street, near Lexington, \$2,000; Home for Incurables, Guilford avenue and Twenty-first street, \$2,000; Young Women's Christian Association, Franklin street and Park avenue, \$2,000, and Indigent Sick Society, having an office in the Bible House, S East Fayette street, \$2,000.

All Mrs. White's paintings, particularly the ones selected by her and her brother while abroad, and all the statuary in her residence 12 East Mount Vernon Place, excepting the bust of her father, Robert Garrett, are given to the Peabody Institute. The bust of her father and her silver service are given to Mrs. White's great-nephew, Robert Garrett, son of the late T. Harrison Garrett.

Other Specific Bequests.

Other specific bequests in the will are: John Gerson, "friend and faithful coachman" of Mrs. White, \$1,000, or its equivalent in Western National Bank stock of the market value of \$1,000; in the perpetual care of the monuments, tombstones and lot of Mr. White's family in Greenmount cemetery, \$900, in addition to the \$100 she had previously paid the cemetery company; Charles Nitze, the large yellow vase and pedestal in the parlor of Mrs. White's residence; John W. Garrett, son of the late T. Harrison Garrett, and a great-nephew of Mrs. White, all her family portraits, her silver cake basket and her library and bookcases; Mary E. Garrett, niece, all Mrs. White's silver not specifically bequeathed to Robert and John W. Garrett; Julia Brock Garrett, daughter of Robert Garrett and a great-niece, a diamond watch and chatelaine and diamond card case; Robert Garrett, Jr., son of Robert Garrett and a great-nephew, the plush plaque in Mrs. White's parlor, with the mosaics and miniature of the Pope on it.

Katharine B. Garrett, wife of Robert Garrett, round plush plaque immediately under the other one; Mrs. Joseph T. Smith, the cabinet upstairs in Mrs. White's residence; Dr. Joseph T. Smith, the John Brown spike and head and Confederate gun; Mrs. Wallace King, Sr., a likeness of Dr. Leyburn, grandson of Rev. John M. Duncan, whose christian name Mrs. White could not recall, a promised portrait of his grandfather.

Balance In Executor's Hands.

The balance of Mrs. White's personal effects she gives to her executor to dispose of as he may deem proper and expedient. The residue of the estate is given by her will to Mrs. White's niece, Miss Mary E. Garrett, and her great-nephews, John W. Garrett and Robert Garrett, in equal shares.

Because of the death of Miss Mary E. Garrett, niece of Mrs. White, a codicil to the will revoked the bequests to her of the balance of Mrs. White's silver and a share in the residue of the estate. Mrs. White's great-nephew, Robert Garrett, is given by her codicil the remainder of the silver. The codicil also gives one-third of the residue of the estate to John W. Garrett and two-thirds to Robert Garrett.

Great-Nephew Beloved.

Mrs. White stated in her will that in consideration of her affection for her great-nephew, Robert Garrett, and his kindness to her it was her intention that he should receive the share of her estate given to her niece, the late Miss Mary E. Garrett. Robert Garrett, great-nephew of Mrs. White, is named in her will as executor without bond.

MRS. E. G. WHITE DEAD

She Was Daughter Of Founder Of Firm Of Robert Garrett & Sons.

The funeral of Mrs. Elizabeth Garrett White, daughter of the founder of the firm of Robert Garrett & Sons, will take place this morning from her home, 12 East Mount Vernon Place. Mrs. White, who died on Tuesday, was 90 years old, but in spite of her advanced age she retained all her faculties to within a short time of her death.

Mrs. White was a sister of the late John W. Garrett, for many years president of the Baltimore and Ohio Railroad, and an aunt of the late Robert Garrett and his brother, T. Harrison Garrett. Miss Mary Garrett, who died two years ago, was also a niece, and Henry Garrett, who died last year, was a nephew.

Robert Garrett, banker and philanthropist and the present head of the firm of Robert Garrett & Sons, and John W. Garrett, who is in the diplomatic service and is at present Minister to the Netherlands and Luxemburg, are her great-grand nephews.

For the last 35 years Mrs. White had lived in her home on Mount Vernon Place. Of late years her only diversion was a daily drive in Druid Hill Park, where her victoria was a familiar figure. Her husband, Dr. Edward White, who practiced medicine for many years in Baltimore, was a native of Salisbury, and was identified with important business interests here.

The Proposed Statue To General Lee In Druid Hill Park.

To THE EDITOR OF THE SUN—Sir:

Within a recent period it was announced in your columns that a lady of Baltimore had made provision in her will for the erection of a monument or statue in Druid Hill Park to perpetuate the fame and preserve the memory of General Robert E. Lee. Beyond the simple statement in THE SUN, I have no information, and amid the care and distraction incident to the prevailing world war, a prolonged period may pass into history ere the design can assume an organized or definite character with an assured hope even of its remote establishment. Still, with the approach of Lee's birthday, January 19, the discussion acquires at least an innocent and harmless relevancy, and may serve as an agreeable diversion from the unrest and the discordant note which is the echo of an engrossing conflict.

I am not guilty of conscious exaggeration in affirming that for all the purest and noblest ideals of the artist, Lee reveals the most perfect type present in our modern life and development; no more striking confirmation of my untempered assertion can be suggested than to stand, awed into restless silence, before Valentine's recumbent statue in the chapel of Washington and Lee University. There was exhibited in the form, figure and outward presentment, as well as in the moral and intellectual character of our hero, a harmony, a blending of varied excellences, the spiritual charm casting its radiance upon the manly grace and physical beauty which marked his daily routine or illumined his simplest functions with a light and sweetness unborrowed and his own. A discerning eye cannot fail to observe in Lee a realization of that vision of the antique classic world, the unity and correlation of moral excellence with the rhythmic perfection which in rare and isolate instances confronts us in the human form. When has such a subject been placed at the disposal of an American artist? Have we not illustrated the mystic union, when "God and nature meet in light"?

Above all, it is devoutly to be hoped that when the design ripens into reality its practical execution will not be confided to uninspired, unenlightened and irresponsible "art societies" or organizations whose misguided zeal has strewn out foremost cities with caricatures and travesties of the illustrious dead, the abomination of desolation in the guise of sculpture, standing in our hallowed places. May a benign fate deliver Lee from the ill-starred auspices which have transformed Key, as viewed from a distance, into the image of a colossal dragon-fly poised for flight. A Baltimore artist whose fame has passed far beyond all local limitations has produced a portrait of Key marked by her characteristic grace of conception and skill, as well as delicacy of execution. Yet the likeness is within the range of a narrow circle, while the "dragon-fly" is ever present as an obtrusive reminder and illustration of our failure to body forth, by the shaping spirit of the sculptor, the form and features of the poet whose song, forever linked with our own history in its origin, is now echoing round the world.

HENRY E. SHEPHERD.

Baltimore, Dec. 28.

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TO DISCUSS MERGING FUNDS FOR STATUES

Municipal Art Society Officials To Confer With
Robert Garrett

FEAR LEGAL DIFFICULTY

Would Combine Bequests For
Single Monument To Honor
Generals Lee And Jackson

Whether Gen. Robert E. Lee will be commemorated with two statues or merely share honors with Gen. Thomas J. (Stonewall) Jackson in one monument will be the question tomorrow night when officials of the Municipal Art Society confer with Robert Garrett. An effort then will be made to reconcile the stipulations of two wills providing for the erection of the memorials.

Robert W. Williams, president of the art society, said last night "he was very much afraid" that plans to combine the sums left by J. Henry Ferguson and Mrs. Elizabeth B. White, Mr. Garrett's great aunt, would prove difficult if not impossible.

Fund Grows To \$40,000

Mrs. White's will, executed in 1917, provides for the erection of an equestrian statue to General Lee. The funds stipulated have grown from \$19,000 to \$40,000 since that time. A proviso in the will designates Druid Hill Park for the site of the monument.

The art society was left \$100,000 by Mr. Ferguson in 1928 to erect a statue commemorating the parting of Lee and Jackson before the Battle of Chancellorsville, in which Jackson was mortally wounded.

May Clear Away Difficulty

With the suggestion to combine the sums for the erection of one memorial coming from several quarters the meeting tomorrow night may do much in the way of clearing up the difficulty created by the differing stipulations of the wills, Mr. Williams said.

Regardless of whether or not the legal obstructions may be ironed out, he said, the plan to erect the dual statue of the generals will be carried out at some future date.

LEE MONUMENT BEQUESTS NOT TO BE MERGED

Committee Decides Fer-
guson-White Funds Be
Kept Separate

OBSTACLES RAISED
BY TERMS OF WILLS

Plans Pushed For **Statue**
Of Jackson's Parting
With His Chief

Two Gen. Robert E. Lees will not blend into one in a monument in which the South's most beloved hero is to be pictured bidding farewell to Gen. Thomas J. (Stonewall) Jackson, a committee considering \$140,000 in bequests for two **statues** decided last night.

In 1928 the will of **J.** Henry Ferguson provided \$100,000 for a statue commemorating the parting of Lee and Jackson just before the Battle of Chattanooga, and eleven years earlier a fund which since has grown to \$40,000. was left by **Mrs.** Elizabeth B. White for an equestrian statue of Lee alone.

When the Ferguson money became available as a result of the death, on October 10, of Mrs. Ella F. Ward, his sister, it was suggested that the two funds be combined to provide one monument.

Meet At Marburg Home

Last night's meeting to decide the question was held at the home of Theodore Marburg, 14 West Mount Vernon Place. It was attended by a committee of the Municipal Art Society, the advisory committee named in the Ferguson will to arrange plans for the Lee-Jackson monument, and by Robert Garrett, executor of Mrs. White's will.

Robert W. Williams, president of the Municipal Art Society, said after the meeting that there were very serious difficulties in the way of accomplishing a combination of the two funds.

Separation Specified

"In the first place, Mr. Ferguson's will specifically states that his bequest is 'to be kept as a separate fund and used without being mingled with any other funds or moneys derived from any other source,'" Mr. Williams said. "That alone would seem to prevent joining the Ferguson fund with the White fund."

Although Mrs. White's will is not so specific, Mr. Williams explained, it says that the **Lee monument should** be erected in Druid Hill Park "in my name." That clause, too, the committee seemed to think, would make the erection of a joint monument difficult.

"The general feeling was that while combining the two funds might be desirable, it was felt that both wills contained direct expressions that the funds given were for erecting separate monuments," Mr. Williams said.

The subject was not closed, however, the committee indicated, although little hope of joining the funds is entertained. Meanwhile, the advisory committee named by the Ferguson will stated it would name an advisory committee of artists and sculptors to assist in preparing plans for the Lee-Jackson monument.

COURT RULES ON BEQUEST

Acts On Use Of Fund Created By White Gift

Judge William L. Henderson yesterday ruled that a \$78,000 fund created in the will of Mrs. Elizabeth B. White for the erection of a **statue** of Robert E. Lee in **Druid Hill Park** was a bequest to the city and left the determination of the type of memorial to the executor of the estate and municipal officials.

The ruling was made on a petition filed by Robert Garrett, great-nephew of Mrs. White and executor of her estate. Phillip Perlman, attorney for Mr. Garrett, asked the court to allow the fund to be used for the development of a public recrea-

tional area in the Lake Roland vicinity.

Cites Previous Gift

Mr. Perlman stated that a gift of \$100,000 for a joint equestrian **statue** to Lee and Stonewall Jackson had been left by the late J. Henry Ferguson and that another **statue** to Lee would be superfluous.

Judge Henderson refused to pass on the type of memorial but construed the bequest as one made to the municipality.

Mr. Perlman said that Mrs. White died in 1917 and her will directed that her home at 12 East Mount Vernon Place be sold and the funds used for a **statue** to Lee.

Property Sold For \$18,000

The property was sold for \$18,-

000, which was considered an inadequate amount for the proposed memorial. The money was invested and a total of approximately \$78,000 accumulated, he said.

Mr. Perlman told the court that if the fund reverted to the estate, it would be subject to heavy State and Federal taxes.

LAKE ROLAND TO BE SITE OF \$80,000 PARK

City To Build Recreation Area After War, In Hon- or Of Robert E. Lee

The city will erect a park and recreation area around Lake Roland at a cost of approximately \$80,000 and dedicate the work to the memory of Robert E. Lee.

Unlike many municipal postwar construction projects, the money for this one will be available when the City Council adopts an ordinance ratifying an agreement under which the city will assume responsibility for spending the fund for a Lee memorial from the estate of the late Mrs. Elizabeth B. Garrett White.

Favorable Report Due

The Council's Committee on Legislation will give the Council a favorable report on the ordinance Monday. Councilman Jerome Sloman, committee chairman, said yesterday that Council approval is certain. The contract already has been approved by the Board of Estimates.

Mrs. White, who died in 1917, provided in her will that her home at 12 East Mount Vernon place be sold and the proceeds appropriated for erection of a memorial statue to General Lee. Her nephew, Robert Garrett, was named executor.

The sale of the house yielded only \$18,000, which was invested by Mr. Garrett. In the interim a statue to General Lee and General Thomas (Stonewall) Jackson has been provided for in the will of the late J. Henry Ferguson.

Heads Recreation Group

Mr. Garrett, who is chairman of the city Recreation Commission, received permission in circuit court to have the money from his aunt's bequest used for city recreational purposes at Lake Roland instead of reserving it for the erection of a monument.

Investments of the original \$18,000, meanwhile, have increased the fund to the approximately \$80,000 which is now available.

The city owns approximately 50 acres of land around the lake.