



Governor Mandel leaves State House after announcing he will reassume his office.

Mandel resumes governorship until tomorrow

By DONALD KIMELMAN
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Annapolis—Marvin Mandel resumed the full powers of the governorship yesterday afternoon, permitting him the "inner satisfaction" of leaving Maryland's highest office tomorrow the way he first entered it 10 years ago.

"I came to office as a governor with a great deal of pride," Mr. Mandel said at a morning press conference called to reveal his much-awaited decision. "I want to leave that office with the same feeling of pride."

The 58-year-old governor, whose conviction on political corruption charges was overturned by a federal appeals court last Thursday, insisted that he will not make any appointments, grant any pardons, communicate with the legislature or take any other official action in the short time remaining of his term.

"I'm not trying to prove anything," he said, in taking back the powers he voluntarily ceded to the then, and once again, Lt. Gov. Blair Lee 3d on the eve of Mr. Mandel's second trial 19 months ago.

"In my own mind I feel I've come this far under some difficult circumstances. I want to leave as I came in," Mr. Mandel said.

After several days of considering his options, Mr. Mandel arranged for the invisible gubernatorial powers to return to him at 2.30 P.M. yesterday—just moments after Mr. Lee swore in Louis L. Goldstein to a sixth term as state comptroller.

He could hardly have chosen a more opportune setting.

When the appointed hour arrived, Mr. Mandel and his wife, Jeanne, were sitting in the front row of the packed chambers of the House of Delegates, listening to Mr. Goldstein's inauguration speech. Mr. Lee and Governor-elect Hughes were sitting behind Mr. Goldstein on the podium.

John C. Donohue, a friend of Mr. Goldstein who was acting as master of ceremonies, waited until the speech was finished, then announced to the audience that the time being 22 minutes before 3 P.M., Marvin Mandel was now "governor of Maryland."

The crowd rose to its feet, politely applauding, prompting the Mandels to stand up and wave their hands in acknowledgment.

The whole assembly then joined in singing "Maryland, My Maryland."

Immediately after the ceremony, Mr. Mandel disappeared into the speaker of the House's office for a private chat and photography session with Mr. Lee and Mr. Hughes, who had launched his successful anti-corruption campaign for governor by dramatically resigning from the Mandel cabinet.

Afterward, Mr. Mandel told a pack of reporters who had waited outside the door that, in their first meeting since the appeals court decision, he and his successor

Mandel's letter

January 15, 1979

Honorable Blair Lee III
Acting Governor of Maryland
State House
Annapolis, Maryland 21404

Dear Governor Lee:

On June 4, 1977, I advised you that I was temporarily unable to perform the duties of the Office of Governor, and, in accordance with Article II, Section 6-(b) of the Maryland Constitution, I notified you that you should serve as Acting Governor until such time as I was able to resume my duties.

This letter shall serve as notice to you, in accordance with Article II, Section 6(b), that I am now able to resume the duties of the Office of Governor and that I revoke the delegation of June 4, 1977, effective at 2.30 P.M. today.

I wish to express to you my deep and sincere appreciation for the excellent service that you have rendered to all of the people of Maryland during these difficult 19 months.

Sincerely,
Marvin Mandel
Governor

had talked about "the weather."

Mr. Hughes described the talk as "a little friendly conversation" about such matters as the budget and the state personnel system, while the always quotable Mr. Lee described it as "the simplest kind of social chit-chat you ever heard in your life."

Mr. Hughes, who had left Governor Mandel off the invitation list to the inauguration before the reversal in his fortunes, has apparently decided not to change that decision.

Mr. Mandel gave him an easy exit from that uncomfortable situation by telling reporters at his morning press conference that he has no desire to attend the inauguration, with or without an invitation.

"It's his day and I don't want to interfere," Mr. Mandel said. "One of the reasons, quite frankly, fellows, is you see this crowd [of reporters] here, I can just see what would happen on inauguration day that would detract from the pleasure he would get out of it."

Asked if he felt slighted by the guest list snub, Governor Mandel said, "No, gentlemen, I don't feel slighted a bit. The way

Mandel back as governor for two days

MANDEL, from A1

I feel right now a little slight won't hurt me."

Having been briefed on Mr. Mandel's remarks, Mr. Hughes said after the Goldstein ceremony, "He says if invited he would not be there. He doesn't want to detract from my day. I thank him for that."

Mr. Lee responded with characteristic good humor to the turn of events that stripped him of his gubernatorial powers two days ahead of schedule.

"I'm continuing to roll with the punches," he said after Mr. Mandel's announcement, complaining that his main problem will be finding an office to use for the remainder of his term.

"Marvin's going to be in the governor's office and Fred Wineland [the secretary of state] has my old office," he said. "I may have to roam around the State House looking for an empty chair."

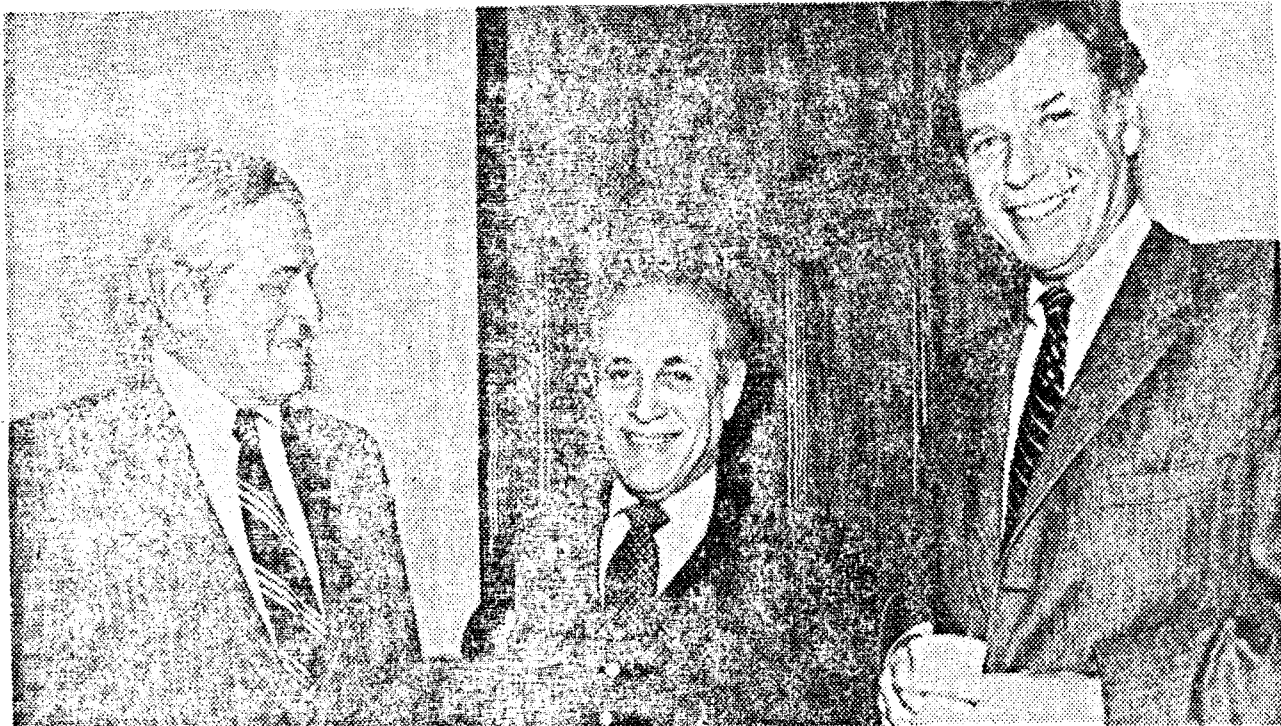
Mr. Lee broke up the audience at Mr. Goldstein's inauguration when he noted that the rabbi who gave the invocation prayer had paused after blessing "the governor."

"I thought he was going to say, 'Whomever he may be,'" Mr. Lee quipped.

Adjusting quickly to changed circumstances, he autographed three programs handed to him by well-wishers, "Lieutenant Governor Blair Lee 3d."

Mr. Lee learned of Mr. Mandel's decision to return to power during a meeting Sunday afternoon at Mr. Lee's estate in Silver Spring, Md. But the details of timing were not worked out until a few minutes before the 10 A.M. press conference.

Mr. Lee was the first to arrive at the governor's office yesterday morning, and



This week's governors: Blair Lee (Sunday-Monday), Marvin Mandel (Monday-Wednesday) and Harry Hughes (Wednesday on). AP

he quickly recognized a potential problem in bringing about the orderly transfer of power. There was no longer a desk in the room, his own having been sent back to Silver Spring Saturday.

He quickly ordered that a desk and chair be brought in—a small, weathered secretary's desk was found for the occasion—then lit a fire and waited for Mr. Mandel.

Thomas J. Peddicord, Jr., Mr. Lee's chief legal adviser, had drafted a letter returning the gubernatorial powers to Mr. Mandel as of 10 A.M. But when the governor arrived, the two men agreed on the later hour to allow Mr. Lee to preside at the Goldstein swearing-in. The letter was quickly sent down the hall for retyping.

Then, with Mr. Lee sitting behind the humble new desk and Mr. Mandel sitting across from him, the soon-to-be-reinstated

governor signed the letter and the two men went out to meet with the press.

The uncertainty over exact timing had caused problems for Marvin Bond, Mr. Goldstein's public relations man, as well. Uncertain over whose name to put on the formal programs distributed at the swearing-in ceremony, he finally decided to print up two full sets of programs, each with a different governor administering the oath of office.

Mr. Mandel began his press conference by apologizing for being so mysterious about his decision and thereby inspiring a great deal of needless speculation.

"It wasn't a question of being indecisive or trying to evade any questions," he said. "I was trying to do what I thought was the right thing."

He said he wanted to ensure that his return to power would not adversely affect any pending matters of state, nor be inconsiderate of Mr. Lee, whom he praised for his performance as acting governor.

He said he was seeking legal advice on permitting Mr. Lee to preside at this afternoon's swearing-in of Rita C. Davidson as a judge on the Court of Appeals. Mrs. Davidson, who once served in the Mandel

cabinet, was appointed to that high post last month by Mr. Lee.

George A. Nilson, the deputy attorney general, said yesterday that he saw no legal obstacle to that delegation of authority. But Mrs. Davidson was concerned enough about the uncertainty to make a special visit to the State House late in the afternoon to find out where she stood.

Having promised to do absolutely nothing for the remainder of his term, Mr. Mandel said he expected to spend the two days "enjoying the sights of Annapolis, the area, the people and my friends and associates and answer the telephone if any calls come and accept the well wishes."

"And for God sake's," he continued, "don't go writing any sensationalist stories. We don't need a riot and we don't need any problems that someone would have to take care of because then I would have to take care of them."

After the press conference ended, he returned to the Governor's Mansion to visit with the servants who waited on him during his 8½ years there. Then he went down to the mansion basement for a final haircut from Simon Avara, his barber.