

## CHARLES E. PHELPS.

Judge Charles E. Phelps, of this city, as announced in THE SUN, died early yesterday morning, after an honorable career and a long, useful and somewhat eventful life. He was born in Vermont in 1833, and came to Baltimore with his mother at the age of 8 years—namely, in 1841. After that time he was a citizen of Maryland, and served his adopted State with loyalty and distinguished ability. He entered political life before the Civil War at a critical time in the affairs of Baltimore city. This city had been suffering for some years from the supremacy of a lawless and turbulent element of the population. In 1860 there was a popular uprising, and the rule of the "lewd fellows of the baser sort" was ended. In that reform movement Mr. Phelps took part as a candidate for the Council. He was elected, and took the lead in the reform measures with which the Council had to deal. When the war began he took the Northern side and entered the Federal Army. As he was a native of New England, this was the natural thing for him to do. In the war he commanded a regiment of volunteers, and won credit for his personal courage and his military capacity. In 1864 Colonel Phelps retired from the army because of severe wounds he had received in battle, returned to Baltimore and was elected to Congress. In the House his conduct was patriotic and highly honorable. He lived up to his profession that he was a radical in war and a conservative in peace. He voted against the extreme radical measures of the Republican party. It was his aspiration that when the war was over there should be peace, and he did what he could to promote it. To the present generation Judge Phelps is best known as a member of the Supreme Bench of the city. Since the adoption of the Constitution of 1867 the most exciting judiciary election was that of 1882. This was the election which followed the end of the terms of the judges who had been elected in 1867. At that time the Supreme Bench consisted of five judges. Those elected in 1876 were T. Parkin Scott, George W. Dobbin, Henry F. Garey, Campbell W. Pinkney and Robert Gilmore, Jr. Judge Scott died in 1873, and George William Brown was elected to succeed him for a term of 15 years. In 1882 there were four judges to be elected. The Democratic convention, under the leadership of the late Governor Whyte, nominated Judges Pinkney, Garey and Gilmore for re-election. The fourth was William A. Fisher. This was called the "Old Judge" ticket. In opposition to this ticket an independent movement was started for nonpartisan judges. The call was signed by 350 leading citizens, and 200 members of the bar afterward gave public support to the independent or "New Judge" nominees. The "New Judge" ticket was nominated at a mass meeting over which Mr. J. Hall Pleasants presided. The speakers at this meeting were William Keyser, R. D. Morrison, R. M. Venable and L. L. Conrad. The nominees were William A. Fisher, William A. Stewart, Edward Duffy and Charles E. Phelps. All of them were Democrats except Mr. Duffy. This ticket received the support of Mr. S. Teakle Wallis, Mr. Bernard Carter and other leaders of the bar. It was indorsed by the Republican convention. But a few days before the election a straight Republican ticket was announced, the nominees being Luther M. Reynolds, George C. Maund, John C. King and John R. Kenly. These candidates did not receive more than 1,000 votes each, and the "New Judge" ticket was elected by an average majority of 11,022. Mr. Fisher, being on both tickets, was elected with practical unanimity. From 1882 down to 1908—a period of 26 years—Judge Phelps served on the Supreme Bench. At the close of his first term, in 1897, he was re-elected without opposition, although at that time he was within six years of the age for retirement. The General Assembly extended his term, which would have continued him on the bench until 1912. But by an act passed in this present year he was retired on full pay because of his impaired health. On the bench during his long service Judge Phelps was absolutely nonpartisan. He had a nice sense of honor, an unblemished character and a clean record as a citizen, soldier, statesman and judge. Those who came into his court for remedy of injury done to person or property received that to which they were entitled under the Constitution of the State—namely, "justice and right freely without sale, fully without any denial and speedily without delay according to the law of the land."