

O'DUNNE CHOICE IS CRITICIZED AT MEETING OF BAR

Newly Named Judge Quits
Session, But Returns
On Request.

RITCHIE MESSAGE IS READ BY BOWEN

Some Members Disapprove
Method Of Ap-
pointment.

Excitement, confusion and some dramatic moments marked the discussion of the appointment of Eugene O'Dunne by Governor Ritchie when the Bar Association met at the Merchants' Club last night.

Walter H. Buck, with some preliminary remarks, read a letter written by him and published in THE EVENING SUN yesterday criticizing the Governor both for the appointment and the manner of making it. Mr. O'Dunne was present as a member of the association.

Suggests Eligible List.

After considerable discussion on the usefulness of the Bar Association's committee on the nomination of judges, Vernon Cook proposed a resolution that the committee should select an eligible list of not more than five names, which should be filed with the Governor as the recommendation of the Association and from which the Governor could choose a judge in the event of another vacancy.

J. LeRoy Hopkins said he feared it might be understood by the public that the criticism of the manner in which the nomination had been made was a criticism of Mr. O'Dunne, which, he asserted, he believed was not intended. He proposed to add to Mr. Cook's resolution an indorsement of Mr. O'Dunne.

O'Dunne "Grieved."

There was much confusion during the latter part of Mr. Hopkins' speech. When Jesse N. Bowen, the president, restored order, Mr. O'Dunne was standing with hand upraised for recognition.

"I rise to a question of personal privilege," said Mr. O'Dunne. "Never but twice before in my life have I felt so grieved, and that was at the death of my honored parents. Never in my life have I felt so embarrassed.

"I might have been spared the embarrassment of being present tonight if my dear friend, Walter H. Buck, had been as frank with me as he has been open in his communication with the members of this association.

Approves Independent Spirit.

"When I read his published statements this afternoon I called him up on the telephone and congratulated him. I told him that was the independent spirit I had been fighting for for the last

Says Committee Was Defied.

Mr. Buck started the discussion at a time when it seemed that routine business had been about concluded and a motion to adjourn might be made at any moment. He said he hoped the members would believe sincerely that what he said had no personal bearing.

"The last time the committee on nomination of judges was put in action it was thwarted in its aim by defiance of the committee," said Mr. Buck. "There, perhaps, was some excuse that time, but there is none now."

Mr. Buck then read a copy of his statement which was published in THE EVENING SUN yesterday. In it he said that, ignoring the committee and the Bar Association, the Governor saw fit to make the selection in advance, and he was unable to get the committee of the association to approve the selection which he had made. He said the action of the Governor was a direct slap at the association.

Predicts Contests.

The selection of Mr. O'Dunne was made for political reasons, Mr. Buck charged, and is not approved by the bar and will cause contests for judge-ships at the fall election. He said the list of names "drummed up" and submitted in THE SUN yesterday morning was not an impressive one, and the very object of the Bar Association in adopting its new by-laws regarding the committee on nomination of judges was to prevent the undignified circulation of petitions.

Mr. Cook said the committee had understood that the Governor wished to appoint a Catholic, and they felt that that was right, but when they canvassed the field they found a comparatively small number of lawyers of that faith. They decided on four as promising timber, and then ascertained that none of them would consider accepting the appointment.

Give Him A Chance, Says Cook.

He said the Governor had received the committee courteously and listened patiently, but "pulled on us" a list of seventy-seven members of the bar who had indorsed Mr. O'Dunne.

"This cut the ground from under our feet," Mr. Cook declared.

"I voted against Mr. O'Dunne," added Mr. Cook, "but now that he has been appointed, I bow and sincerely hope he will be successful. Give him a chance."

LAWYERS CRITICIZE O'DUNNE SELECTION

Newly Named Judge Quits Meeting, But Returns On Request.

RITCHIE SENDS MESSAGE

Some Members Disapprove Method Of Appoint- ment.

(Continued from Page 28.)

they, Redmond C. Stewart, Albert E. Donaldson, Charles H. Carter, Sylvan H. Lauchheimer, Clarence K. Bowie, Charles Morris Howard, Charles F. Harley, Isaac Lobe Straus, Arthur L. Jackson, Howard R. Bland and many others.

At the meeting of the Bar Association committee yesterday I was advised by one of the members that he had discussed the matter with Mr. Jesse N. Bowen, the association's own president, and that Mr. Bowen had no objection at all to Mr. O'Dunne and thought that he would make an excellent judge.

Nor did I appoint Mr. O'Dunne without conferring at length with Chief Judge Gorter.

This certainly is enough to show that there is not the slightest excuse for saying that the appointment was an affront either to the bar or to the Bar Association.

As a matter of fact, I know the members of the Baltimore city bar intimately from years of personal and professional association with them. I have considered them all thoroughly on numerous occasions when I have had to make judicial appointments in the past. I know as well as anyone else does the lawyers who are available for judge-ships and those who will not consider them.

I do not believe there is a single lawyer at the bar, unless it be Mr. Buck, who thinks that I have ever been influenced in any judicial appointment I have made by anything except a real desire to appoint the very best man I thought I could get.

My appointments on the Court of Appeals have been Chief Judge Carroll E. Bond, Judge T. Scott Offutt, Judge F. Neal Parke and Judge William C. Walsh. On the Supreme Bench of Baltimore city I selected Judges James P. Gorter for Chief Judge, and my appointments have been Judge Eli Frank, Judge Charles F. Stein, Judge W. Stuart Symington, Judge George A. Solter and Judge Joseph N. Ulman.

I think these appointments speak for themselves, and I believe it fair to say that all of them have proved entirely satisfactory to the bar, including Mr. Buck. I have no doubt at all that the same thing will be true about Mr. O'Dunne's appointment. I would not have made it had I not thought so.

Says Committee Was Defied.

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Approves Independent Spirit.

"When I read his published statements this afternoon I called him up on the telephone and congratulated him. I told him that was the independent spirit I had been fighting for for the last twenty years. Had he told me then that he was going to make a report to the association tonight I might have been spared the humiliation of being present.

"Since Mr. Hopkins has offered a resolution indorsing me, I cannot remain at a meeting where it is being considered, and when I have finished the few words I have to say I will withdraw. Mr. Bowen told me this afternoon that he thought only some minor matters would be considered.

"Under this appointment and in the limited time which I will have I will endeavor to earn the respect from all the members of the bar, which I believe I have from a large number of those present. If in this time I cannot win the respect of Mr. Buck and all the other members of the bar I would no longer sit on the bench."

Returns When Requested.

Nearly all the members rose and applauded as Mr. O'Dunne finished his remarks and left the room. Mr. Bowen sent one of the members to ask Mr. O'Dunne to return. When the newly appointed judge came back he was applauded again.

"Mr. O'Dunne has come back at my request," said Mr. Bowen. "Mr. O'Dunne, Mr. Hopkins' motion is out of order—that need not be a reason for your going.

"Late this evening Governor Ritchie sent for me and told me he understood the matter of his appointment might be brought up at this meeting. He gave me this statement which he asked me to read in case there was discussion of the matter.

Reads Ritchie's Statement.

The statement of Governor Ritchie follows:

It ought not to be necessary for me to say that my appointment of Mr. O'Dunne to the Supreme Bench was actuated by no such reasons and was made in no such way as Mr. Buck states in his letter to this afternoon's papers.

The Bar Association Committee consists of Mr. Joseph C. France, chairman; Mr. Stuart S. Janney, Mr. Vernon Cook, Mr. Alexander Armstrong, Mr. John H. Richardson and Mr. Walter H. Buck, who also is secretary. Mr. Armstrong was the only member not present at the meeting, but his opinion was known. The chairman suggested that I regard the views of the members of the committee as confidential, but I see no objection to my stating that they were equally divided. Three made no objections to Mr. O'Dunne's appointment, and the three who did, did not unite in any recommendation.

Before making up my mind, I secured the views of nearly all the leading Baltimore city lawyers, and, in my judgment, the sentiment of the bar, as a whole, is in favor of Mr. O'Dunne.

Among the lawyers who urged me to appoint Mr. O'Dunne are William L. Marbury, George Weems Williams, William Lee Rawls, Arthur W. Machen, Jr., Omer F. Her-