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# **Review of Decision In Snowden Case**

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## **Opinion On File in Office of The Clerk Tells Story of Lower Court's Refusal To Reverse Its Decision**

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Nothing so shocked the people of the state of Maryland in general and the people of Baltimore in particular as the decision of the Court of Appeals in the case of John Snowden, which was numbered ninety-five on the docket for the October term. All of the judges of the court were present and the opinion was delivered by Judge Burke.

The first phase of the case answered in the decision, which was delivered last Thursday, was as to whether or not the appeal was taken in time. To this the Court of Appeals answered:—

"It appears that the appeal was taken in time, and that the exceptions were prepared by the counsel for the accused with reasonable promptness, and submitted to the judge on two occasions within the time limited by previous orders regularly passed. This was all that was required of counsel, and under the circumstances stated, it cannot be held that delay in submitting exceptions or transmitting the record was due to any fault of the appellant or his counsel. We said, in *Wilmer vs. Baltimore*, 116 Md. 328, that in cases at law, it is the practice of this state in the event of disagreement between counsel, for the trial judge to determine the record.

"The motion to dismiss the appeal will therefore be denied."

By this means Snowden won the right to have the Court of Appeals pass on the question as to whether or not the lower court in Annapolis had granted him a fair trial.

### **NO ERROR FOUND**

In rendering its opinion, the Court of Appeals noted that Mr. A. T.

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