

VOL. XI

MINUTES
OF THE
SUPREME BENCH
OF
BALTIMORE CITY

January 1, 1944

TO

December 31, 1945

MINUTES
OF THE SUPREME BENCH OF BALTIMORE CITY

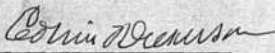
A Special meeting of the Supreme Bench was held on Friday, January 7th, 1944, at 11:45 A. M. All of the members of the Bench were present and the Chief Judge presided.

Messrs. John H. Dill, 4110 Sthland Avenue and Guatav E. Wiedeman, 4011 Ridgcroft Road, were selected as members of the Grand Jury for the January, 1944 Term, in the place of Messrs. Henry Scott Baker and Alan P. Longcope, Jr., who were excused from service. The Bench then adjourned from the session in Chambers, to the Court Room, and held a Memorial meeting in honor and in memory of members of the Bench who had died during the preceding year.

Memorial minutes were presented by Er. Michael J. Kanley, President of the Baltimore Bar Association and Mr. Charles C. Wallace, Chairman of the Memorial Committee, - which were seconded by Mr. Hilary W. Gans and Mr. Walter H. Buck. Judge W. Conwell Smith, responded on behalf of the Bench.

There being no further business, the meeting adjourned.

**Memorial Services For The
Deceased Members Of
Bar Held Yesterday**


" secretary

Memorial services were held yesterday afternoon in the Court House for member* of the Bar who died during the month of 1943. The ceremony was arranged by the Bar Association of Baltimore City and took place at a special hearing of the Supreme Bench of Baltimore.

Mr. Michael J. Kanley, President of the Baltimore Bar Association, presided at the exercises and introduced the speaker, after which Charles C. Wallace, Chairman of the Grand Jury's Memorial Committee, presented the Memorial Minute Book. The Memorial Minute Book was presented to the Bench by Hilary W. Gans and Walter H. Buck.

Chief Judge Samuel K. Dennis presided at the services and the report on the work of the Bench in 1943 was made by Judge W. Conwell Smith.

January Term Grand Jury Organized Yesterday In Criminal Court

The Grand Jury for the January Term was organized in the Criminal Court yesterday before Judge John T. Tucker. J. Beaucy Wolfe, Sr., was named foreman of the body and J. Addison Fowler, assistant foreman. Judge Tucker also designated the following members to serve on the Venue-tentory Committee: O. Howell Parr, chairman; Melou Fleischer, Victor P. Struck, Ucorse W. Seboonhls and IL Hoy Hale. The Supreme Bench appointed Constable Wiederaut, 4011 Ridgecroft road, and John H. Dill, 1310 Ethelind avenue, to serve on the Grand Jury in the place of the late Henry Scott Baker and Alton P. Loticope, Jr., who were excused.

The Grand Jury was organized follows:
Bragc, Arthur Milton (c), 339 Bloomington.

Clertkof, David W., 4400 Springdale Avenue.

Cordror, Charlea M- 110 North Centre Street.

Cromirell, B. Frank, 1804 West Lexington Street.

Dill, John H., 1310 Kthliiml nTenno. Flelwher, Milton, 2401 Bntnw place. Fowler, F. Addison, 5020 Old Frederick road.

Bale, n. nor. 010 West UnlTOrilj Parkway.

Hurley, Frnk c., Sr., MM Liberty Belchts avenue.

ollman, William D., 2223 Eiiat Pi⁰⁰⁰ton itrect

Parr, O. Howell, Wnrrlnpton Alkirt-monts, 1008 North Charles street.

Prhmus, James, 3307 Richmond ore-
-nne.

llabll, LouLA, 5306 St Albaos Waj. Ratn, Bobert F., 27D1 Elnlnore ave-
-nue

Sclioenhls, OOTRO W., Hillen rotd
nd 3Srd street.

Scott, -William it.. 310 Townnj road.

SUDELECT, T. Rowland, O Club rond.

Stoctwr, Carl N- 208 Ettat Onlrer-
-illy Parkway.

TranUoan, William T., MOF Gibbon*
-VENUE

AVUlicmn, Gimuve B., 4011 KIdei*
-craft road.

Wittlg, Ednard A., IT10 East Lanvalit
street

Wolfe, J. Rennpy, Sr., 4403 Roland
-VENUE

Struck, Victor P., 4303 Bereer ave-
-nue.

RULE 32

For the Common Law Courts of the Supreme Bsooh of Baltimore
City, us /.mended January /1J , 1944

MOHONS TI JBHST 07 JDEG13ST 0% 703 HK7 TKIAL.

Every motion in arrest of judgn^ut or for new trial shall be filed before four o'clock on the third day succeeding that upon which the verdlot shall have been rendered, and shall stand for Hearing, without notioe, on tin next suceedng las day. .ill the reasons for the said motion shall be filed in writing within the time limited for filler, of said motion, and no other shall thereafter be assigned without leave of the court. When tbo third day is oatiataj, or t» legal holiday, the motion shall be filed before four P. M. of the next uouolar day not a holiday.

The provisions of this Rule shall likewise apply to motions in arrest of judgment or for new trial In all oases of judgments entered by direction of a Judge sitting without a jury under Trials Rule 9 of the Court of Appeals adopted January SO, 1941.

New Rule Of The Supreme Bench Of Baltimore

RULE 32

For The DeMinion Late Court Of The
Supreme Bench Of ISaUmorc Oll.
As Ammited January 10, 19-H*

MOTIONS IN ARREST OF JUDGMENT OR FOR NEW TRIAL

Every motion in arrest of Judgment or for new trial shall be filed before four o'clock on the third day succeeding the day on which the verdict shall have been rendered, and shall *maxid* far heurial, without notice, on the next succeeding day. All UJC reasons for the said motion shall be filed in writing in the time limited for filing of said motion, and no other shall thereafter be received. The court will grant leave of absence on the third day, Saturday, or a legal holiday, the motion shall be filed before four P. M. of the next secular day not a holiday.

The provisions of Rule 31 shall apply to motions in arrest of Judgment or for new trial in all cases of judgments culcated by direction of a jury without a jury under Article 9 of the Court of Appeals Act of January 30, 1941.

SAMUEL K. DRAXIA,
EUGENE HANK,
KOCXE O'DESXC,
J. ANKES SATUU,
ENRICH T. DICESSOX,
J. CBAIO MOLANAHAN,
W. CONVTKXU SMmi,
BUONV B. NILZB,
JOCT T. TOOKEB,
GILABXS B. MOTLIK.

Deceased Members Of The Bar Are Honored At Memorial Services Held In Court House

Memorial services for members of the Baltimore Bar who died during the past year were held by the Bar Association of Baltimore City before the judicial council of the Supreme Court of Baltimore City on Friday, January 7th, in the Court House.

The ceremonies were opened by Silas J. Manly, president of the Bar Association, who introduced the speaker, after which the Memorial Minute and biographical sketches of the deceased members were presented by Charles C. Wallace, chairman of the organization's Memorial Committee, with the request that the Bench receive them and spread them among the permanent records of the Court. Seeding address were delivered by Hilary W. Gans and Walter H. Buck.

Chief Judge Samuel K. Dennis presided at the exercises and Judge W. Conwell Smith responded on behalf of the members. Among those mentioned in the services were the deceased attorneys, Court clerks and members of the Bar.

FDIOWIDC IB a complete report of the proceed I BRH :

The MAJESTY of UIOHAEL J. MANUSY

PRESIDENT OF THE BAR ASSOCIATION OF BALTIMORE CITY

Mai it plcati iour honor*:

In accordance with the custom of the City Court, the meeting of the judicial council of Baltimore City was called for the purpose of paying tribute to the memory of the lawyer who died during the preceding year.

The Memorial Committee of the Bar Association of Baltimore City has prepared its written report, memorial minute and a biographical sketch of the deceased members of the Bar, which will be presented to the Court by Mr. Charles C. Wallace, chairman of the Memorial Committee. Many of the names whose names appear on the list of deceased lawyers were present last year. It is fitting and proper that we honor the memory of the departed members of the Bar.

The chairman of the Memorial Committee will move that the memorial sketches be made part of the permanent records of this Court. Mr. Hilary W. Gans and Mr. Walter H. Buck will second the motion.

THE BAR ASSOCIATION OF BALTIMORE CITY

*To the Honorable, the Judges of the Supreme
Court of Baltimore City:*

During the past year three members of this Bench—two who formerly served here and one in its service at the time—have died: Hon. Henry DOTY, Unruh, who was Chief Judge from 1868 to 1915; Hon. Charles T. Bond, from 1911 to 1931, and Judge Joseph N. Utz, from 1931 to 1944. Because of the illness of the latter, their biographies were not included in this report.

The Association will publish the record of these proceedings and a copy thereof will be sent to the families of the deceased lawyers and others interested.

During the past year three members of this Bench—two who formerly served here and one in its service at the time—have died: Hon. Henry DOTY, Unruh, who was Chief Judge from 1868 to 1915; Hon. Charles T. Bond, from 1911 to 1931, and Judge Joseph N. Utz, from 1931 to 1944. Because of the illness of the latter, their biographies were not included in this report.

The member* of the bar, -with dtdw of dcilth nnd acomiuniyDg jdemo-
 th.IK follow:

<i>Xamo of Deceased Lawyer</i>	<i>Date of Death.</i>
Jjibbn ajmrks	January 1,1013
Cuapln A. Ferguson	January 13,1043
WUUnii Uf -Merkku	January 12, 1048
Franklin r. Barrett	January 14,1043
Frederick J. SvllonSwin	February U, 1013
J. Seymour T. Waters	February 18, 1043
Charles T. Busby	April 0, 1043
O. Milton Ulckercon	April 10, 1043
Ben -> Seltuun	April SO, 1043
George Dobbin Icinlmiii	April 25, 1041
Inrael S. Gowliorov	M* y12, 1048
W. AlusworU Parker	June 2,1043
Leon K. Greeubauin	June la, 1043
Stephen J. JcDdotiougH	June 20, 1043
Thomas W. BruntI'c. Jr.	June 28,1043
3. StrnlUi Irlrseo.	July 0, 1043
Chester F. Morrow	July 0, 1043
William A. Goodhnt	July 14,1043
Willam W. Vnney	July 80,1043
Louis Tlollauder	August 2, 1043
Joseph W. Hrlrstor	August 10, 1043
W. Edward Bultmi	September 21,1043
William G. Tower, Sr	September 22, 1043
Edwml H. Mechlun	October 22, 1043
George L. Hridolou	November 13, 1013
Thomas E. Conloii	October 20, 1013
Milton Durilleil	November 2S, 1043
Ell S. ICrteu	December 7, 1043
James W. Chappuin, Jr.	December 13, 1048
Heritor C. Forrester	December 16, 1043
David Stewart	December 1. 11H3.

MINUTE BY COMMITTEE

The practice established some years ago by the Supreme Bench to annually hold a session in memory of those of our profession in who city who have died is altogether fitting. And the proceedings today nm but a brief taken of IDspot for thM who have insacd on during the yi-r. Some may bare gained greater professional prominence (but other*, but nil lal useful lire* and all are entitled to recognition by the Oourt of which they wt-ro moniora.

This basla -if our governmental structure te that we suall be a govemkDt by Ian. Lovryra, then, as to, eroap should be responsible, more than any other perhaps, for the prewarution of that structure.

lo when members of that croup who have taken part in the maintenance of our system of government, and nil ilo ID more or lean degree, puss on, their Memory should be honored by their >otwdatM.

The Committee mores the adoption by our Honor of this memorial proceeding to the cud that It may become part of the records of this Court.

Respectfully,

OUAUXIS c. WALLACE

Chairman,

H. TVARKS DCKDKX, JB.

Jjuntus GOULD,

QunB MONSUAIC,

aamcK.S. KCTVCOUOL

*Memorial Committee,
 Bar Association of Baltimore City.*

REMARKS OF

HXLBY W. GAWS

Map (I please your honor:*

In rising to sound the motion of Mr. Wallace, I would like, with the Courts l'mmuvion, to Mate briefly some of the reasons why I thluk it In fitting and proper that the resolution of the Memorial Committee and the biographical T-kech* of the members of the Bar who died during the iwm year should ito made in part of the permanent record of the CourL

The legal profession nTordii ooo. of the most ooble employments lu ->one can eupige, for there is nothing more Important or necessary to the preservation of our democratic institutions than the most efficient and honest administration thereof. When aud <only men of learning, lulegrity and independence and there exists amongst the members of the llur high sunidurds of professional ethics and public moailly in the people he assured of the proper functioning of the Judicial syMcti.

This opportunity for public service enjoyed by members of the profes on necNurly linporvs upon ilium u In my reponsibility to the community which requireth that they conduct themelves not mi Uouipr engaseli in a private enterprise for their own profit, but rather as public officiate charged with the imble responsibility of xafvguanlin: ual maintaining the dignity and honor of the Cimru and the fran-st nnd ethical trcnUufuit of the affairs of their clients.

A member of the Bar who nbnse* his position as such or bilniyn hi* trust is rightfully required to nppcar before this Court to Justify bis conduct <in pubi of being Nbnjct to public reprimand and censure, often accompanied rtil forfeitu* of the privilege of practicing his profession.

It would, therefore, <wra only flitnkM nj prizr that members who have finthfully, foitwntiously) and mclrl-urously -Idscurred the high duties of Uiclr calling should upon their death be accorded some appropriate public n-copititOD and honor by tills Court. The permanent records of this Court will stand as a monument in the memory of the members of this Bar who lifte devoted their lives to the bndldng and maintenance of the Jijih Blnlning; which the llur of this Court enjoys.

Am like an ever rolling stream ultimately bears all of its sons nwny. I In the lark year Um In preceding years many distingu'ed members of the Bar of this Court live IIPHCII <wny. The character and achievements of each of these men are fresh In the minds of the Court go Uiat no cloctc* -> necessary. Suffice it to xuy that their parsing is a timore of di-c per-l n-ral regret to all of us who wore privileged to know them M- Intimately. Each of these fellow-nimilMIS is ca- titled to the honor proposed by this Committee of the llurorial Committee, um, -I the privilege of Kc '99 to be record* ur Mr. Williiii- condng the motion.

REMARKS OF

WALTER H. BUGG

Uit-v ngnln we gitlicr here to recurd our rVkiect tot the memory and wri-ces of tho* of our in-ss-son In this city who have pwtH-d timj-d urine I hi' precedens year.

It is tribute to the Supreme Bench of Baltimore City and to the Bar Association of Baltimore City that this annual ceremony was inaugurated some years ago.

The spirit of brotherhood and of solidarity at this Bar is when in the painstaking care and effort which have been made to prepare and submit for record here today the settimr im' Individual record of each of our in- > fouloual JIrothers who died In 1043.

Despite the titirings and eononHum IK-tween lawyers met at the llur, the solidarity of our proccium inn nly-v-97 lufii important uad tve should niver permit the orpuuuuious of our llar to be controlled or unduly influenced by outside interests and tonders. Today, with tin-tMKitni: exjuilHum or govern(denti) JMktit: and vlvll the v-9-wth of our <enetic and other pivurs the soldardrily of the Bar IK vital in onk- (lint Its J-ulatory influence niny Jim- (th) pro-cur weight.

Observantis of tin-ent* of IKIUU r-illud us shurply thli. liberti- mt wiganiv It came Into belug through tin effort* and De courage and hiwyrn, crowned In the pritelijies or tic (inn- ion law who lwleवल in the right or trul by Juy. Todiy as we in (ft here for ill IM ceremony in honor of our demarited hrothi-,* sileneii by d-illi. let i-e rentlie tin' h-ivy duty upon ns as Inwvnt to pn-t-r liberty fluni ul the v-ll fores which thr-ll-t-u it. km, wng that fur true Americans th- uil-llout liberty would be Indeed Im- > living tenti.

BESPONSE OF

JUDOS W. CONWXL SMITH
It bos i&K&n our Juit) It fur novi-nil
years just hi one meeting together to
Inner tite memory of those members of
our (rofeAdon whose careens have been
tercaluated by death. It fs nu occasion,
to near to our parting from their time.
our hear U ac still charged with fresh
memories fed by the admiration ami
IXKctou which we felt for them during

III

For them so more the blighting hearth
shall burn
Or boys' chaoticic 'S IKT o'raini care
No child's run in IJLI I Self tire's
return
Or climb lil' km? th' eviled kiss to
share.

The breac call of Iweno EKlating
noon
Thr •••)••• villicciBS (row Uc straw
built 'nod
Dij cocka 'irill cUrLd. or (be echa-
ling born
No more shall cross them from their
lony toil.

The boast of licraUtrj, tht jump of
power
And all that boasts, all that wealth
e'er givs
Await alike the inevitable hour
The path of glory lead but to the
grave.

f. During the year UIM tench lust ouit
of its Nudge member*, as well us two
former Judges, one a chief Judge, win
at his iclatii was the last survivor of
the commission which built this Court
House in which wo meet toity. Among
the lawyers whose memory wo hot
Are those whose services M the com-
munity and the profession mark UJLI
for special distinction. But nil bear
tills common likeness: It was their prv-
y UtrU to spend their lives in closest con-
tict with the courts, and to contribute,
each in hk cin way, according to his
ability, to the peaceable determinatio
or nettlement of conflicts and disputes
by the orderly proewes of law. They
bare n= well cmlit fur (Ho liberally
IOD of our proct*lnal rules a helii
afford wider opportunity fur the redr-
of grievances in our courts more
quickly, more purely, and At more
roedmt*coots; since credit for thew
lehnget: In duo almost entirely to the
Bar.

As we enter our third year of world
wide wnr, tht heroic deeds of our flist-
log men Inpire us with a confident
hope of victory and peace. We hope to
eay a reljim or law la Uic Intrcontionel
Ocd; and we hope no l=cc for o re-
turn to Inv aad lit enforcement it
our own uation. Great dink-ullice lie
Dd the path or both. Indeed, the prob-
lem which lies close at hand seems the
harder. The demands of sclctui iroisins
nnone us have not been set n rect by
nppasowor and postponement, but Jivo
crown more insistent. So that the
loosonlup of the restraints ImpoKU by
war may, when peace come, result in
domestic dlmmlr. Yet it would be in-
tolcmlio to have those restraints fasten
ttioniscl's upon us to Urnly n; to be-
comen pennantion.

Abb condation has Tenuled from a
[sw]es pattern in which favor has
been RihHilluced for justice The sub-
stitution will not be marked by all or
our peopl, but to Uic lawyer It la n
unmistakable departure. It In the law-
yers, therefore, edictiofll nnd tinned
la the law, sworn to uphold and defend

the conHtuUon, who will: whett booo-
ennoll. tMsir the more oerlual ««Twin-
sillibitl to make all aware of it, and
to (orop) any temporary advantage
which might be Rained by followinr It
The temporary expedient* "hlich war
IXM fisted upon us arc, I am hlply (o
my, dinststefnl to most lawyers, am
I tni condent (lit innT's will be in
the rntfront of the movement to abol-
ish tlicm.

In facins thesc problcmf, we smlll
hope to meet them with *oloinpic and
ninterslndinc but with detcrmlnHoii
that inlvwivMw rttill to rEtrnllnll
and order maintained. In that task,
we nbnll Uvc conrrp from the emm-
plicity of the lives of those lawyers whi
have bcfore us.

The report of the committee, the
memorial infnnte and the addresses of
the members of the Bar will be received
and preserved among the permanent
records of this Court.

Biographical Sketches

LALAN SPARKS

Lalan Sparks, who was a prominent
HOJUILT of the Burs of Baltimore City
and UalUmorc County, died ox his home
at Sparks, Baltimore County, on Janu-
ry 24, 1913. He was sixty-eight year
of age and while he lived his entire life
in Baltimore County, where he wag
icctivo professionally, his law offices
were always maintained in Baltimore
City. He was the son of (Slnrdnc O.
and Sil'Mann S. Sparta.

Mr. Sparks received his* law degree
from Columbian University, now
George W^htit,ou Uulvemly. In 1890
and for forey years was a law partner
of the Inte Duuel 9. Sullivan. At the
time of his death, he was engaged in
the gi-nrcnl practice of law with Paul
C. Wolman and Daniel S. Sullivan, Jr.
He was especially an "office lawyer"
and in such m distinguished by his
fair dealing and sound judgment. He
was a Kcutliuan of the "old school,"
steeped in the principles of common
law. He was a member of the City,
County, Stale and American Bar As-
sociations, and was at all times ready
to CSIHMC fearlessly the best interests
of his profession.

Mr. Spark had numerous interests
in addition to a very active and lucra-
tive law practice. He was at one time
secretary to former Congressman
Albert A. Bkcey, and was a candidate
for Outgrow on Uic Republican ticket
in 1912. He furwl for some time as
chalmra of the Baltimore County Ito
Imblin Executive Committee. Ik was
chulmra for a number of years of the
IL-iltmore County Welfare Board. At
the time of his death he was president
of the Maryland Stalo Fair and Agricul-
tural Society of Baltimore County.
Better known as the "Timoulin Fair,"
Tila was (i position of trust and im-
portance which he enjoyed to the
utmost; because he was always closely
identifilic t-lith the agricultural, espe-
cially ritly, interests of the State. The
tonn on villic tie lived and died and
which hours the nam of IJN family,
WSH Mtld liv Uti ancestors in 1770.

In ndiHun 1., hH Inherent honesty.
Mr. Spark* mo* outlrdntid charac-
teristics which made him a host of
friends, imd* h* ever-in-sent Jovint
Nplrit and Huc NCUM of honory. He
was always a Impy nnt-t to "ny occa-
sion.

Thio POSKIDK of Sir. Sporks Is keenly
rdt by his many friends. His passing
IB a distinct lms to ttiofosl pofec-

tion a natio ato'communlty. WIKT h
colorful tond Inpivwlv jwmnally was
always felt.

Mr. Sparks In Kintivil by his widow,
Stu. Grace W. S)erks.

—On C. Willvr Cole.

OHAPIN A. FEBGDSON

Chupn Alesuuder IvvKusou, who
died on January 15, 1913, was the son
of the late Itobert and Frances UcdDoti-
hil Feruuvu. Ue was born 1- 1PaO-
laorc on Fdn-nry H. 1873, where he
attended public schools and the Dn-
iv-sLU of Mryruind IJIV School. He
HHH admitted to the Bar lu 1000 and
that same year he married Alberts
Lauer of Bel Air, Maryland.

As a young man, Mr. Ferguiss was
aUL7 In all winter sports, and was a
member of the old Ariel Itownit Club.
A irriat lover of m=de, he van for
many yere a member of the Kennd-
nollit Ulub and d-ins in several chur-
chulr", hvovc received his vocal train-
ing from Itressxor Harry Dceiv.

Mr. FerRiRon pnccted Inv In Balti-
more for orr forty-in-o years, having
Npedalized In juicnt nnd divorce ca.
He is survived by his wife, Mrs.
Chupn A. Fenniflon, Jr., a daughter,
Mrs. Frances Fet-Mon P'cc, and a sis-
ter, Mm Abel Ferguson. Three
grandchildren also sm-W.

—IV Jutina* Goull,

WILLIAM MERRICK

William Ix= Merrick TM bora in
Bullimore, 3id., on April U, 1858, the
oldstv mm at the late William Merrick
and Julia Merrick, his wife.

He received his wily educatou in
the public echnoi of Baltimore, Brad-
uillit from the Baltimore polytechnic
liouUite. He licit enrolled at the
John Hopkins Unlverity, mid upon
completion; or his thudc* he received
his degree of bachelor or nrts, Class of
IITU. At the Hopkins, he was a mem-
ber of the track team, and mis a leader
in the student V. M. C. A. Following
his gr-ndition from the Uopkitts, he
entered the Law School of the Univer-
sity of Maryland, receiving his low
de-Rcc lu the Class of 1023. The name
yvir he (van admitted to practice ut
Uic Bar.

Since both his father, the late Will-
iam Merrick, and his grandfather,
the Inlv James Merrick, had been en-
gaged lu the r.cit eituitc liustowM ror
many years, and IIs father wiv then
one of the most prominent and n'pved-
ed realtor* of that day, it was but Bat-
tuni that William A. Merrick became
prominent lu Uic same field. Becoming
an associate of his father's real estate
firm, he soon developed a high degree
of competence, especially on the eal-
st-ator or Indutrial real estate. Like his
father Iwfor him, WILLIUM to Merri-
cken became an expert lu the Held of
real estate approlvl, and his ndrlcti
and counsel was constantly sought by
Uic larnest Industrial entonitnefi of thU
city, especially public Uullij- com-
municated rail roads. Ho appraisod
much of the public utility property of
this city and frequently twiftd as a
fixtprv witness on valuation in rate
nntkut; erns- In mich cni'ctly, he
ivns very effective lief-cer Court or Jury;
licentiAc of his absolute honesty, el-
eracity and firmness. He was n direc-
tor of the Maryland Title Guarantee
Company.

Following the death of IIs father,
he occupied offices in conjunction with
his uncles, Charles Loo Merricken, Esq.,
and Frank M. Merricken, Estj., promi-
nent members of the Baltimore Bar.

William LeeMerriken is the possessor of 3 modest demeanor, and a character of the highest sincerity, which endeared him to all who enjoyed the privilege of knowing him. His sudden death on January 12, 1885, was a great loss to his many friends.

He is survived by two uncles above.

He is survived by his wife, Jim. Ithul Parr Merriken, and two young daughters. He is also survived by two younger brothers and sisters.

—By OharlCM F. Blein, Jr.

FKAIFKLIN PHXXJF8 BASSETT L Jtamkliu Phillip* Icim-n, «-is bum (Aegist i), IMC, in Biltimurw, Mary-J>»d, OK-m, t William L. K. Uorroll and xantik Wyckliffe Barrett, tie was educated in Tho public sc

schools of Baltimore City, graduated from the Baltimore City College in 1820 and received his Tan degree from Unlv-erKity of Maryland in 1023.

As youth, as in later life, lie was n t landng athlete, a lover of the Oill-ions, and particularly of nil water sport.

His HSSCd of n ir-mling personality, good analytical mind, he was highly regarded by his friend* and gno promise of his future career at the Bar.

He died January 14, 1W3, Jem'ing mirrlivng him his widow, Mm. Delia L. narreu, formerly of Nashville, Tennessee, a sister, Mm. Helen B 61c mere, and a brother, William L. K. Barrett, Jr., MmGWrak- of the Tronic Court of Baltimore City.

—By Jutilwi Ooult.

FREDERICK J. SOBOSOSTEIK

Mr. Sch-SKach wiv born in 1811; Wittemnu, BmIunur, Cauchy, n was educated in the public schools of tto county. After engaging in buidn- as a young man he became a student of the old Baltimore Uw School (which later merged with the University of Mryhmd), from the time he graduate! in 100A Prom the firm of hie era dun lion lie actively praUCed law until his retirement about two jearw afte. lib donth occurri-d of Baltimore, February 11, 1871. He was survived by his widow, Mrs. Una SchloMeth, and a daughter, Mrs. Ernest W. AidCld.

—By the Committee.

J. BETIMOUÉ T. WATERBÉ

Mr. J. Seyouar T. Water*, ouu c, the oldest llnl noit learned niembrs of the lialtimore Bar, dqunt-d this lift on the 18th day of February, 1873. Bom in Baltimore on August Tib, 1804; he wan the wu of Willm S. nud Unislar Tallncro Watcra. His father, like himself, wau an able and jearw lively early age cut sford a profes- sional career, which U lie had suc- ceed might have earned him a reputation as one of the leaders of our Bar.

The subject of Uils nek(d received his early education of Mr. Atkinson's hnt, and van a graduate of the Law School of Uio University of Maryland, no was itn'ded to the Bar of the Suprvm Bench at itAltimore on Octo- ber17th, 1830; and from Uio time of his admission luu shared offices with the late Maurice Gregg for a period of nearly M yrs until the latter's death in 1872.

As a lawyer, Mr. Waters' most hrik- ing characteristic was his profum- learning. He was never an active tria- lawyer, but tie Wms wne hind wne an excellent Morpover, his Scholarship was by no means confined to the law.

He was an extensively, and varied reader, of humor, and a delicate taste.

In 1834 he married Miss Mary J. Donahoe. Mrs. Waters died in 1858. Mr. Water was lu fourth president of the Library Company of the Balti- more IWR-4 possidod for which his learning and love of books admirably qualified him.—lib predecessor B in that office being John V. L. Ucllan. George William Brown and the Into Arthur W. inclien. He Grred ot pttwdent from December 22, 1816; to April 10, 1810; and nKln from April 9, 1017, till April 11, 181d.

He was a member of the Society of Colonial Wars, and the Maryland His- torical Society, and the Maryland Uis- clety. He was a Maryland gentleman of the finest type, and a true representa- tive of the best traditions of the Maryland Bar.

He is survived by two daughters, Mr. Lon-S Bar Fllin, of Wilmnton, Delwarr*, and M-Lw Lindny T. Water*, of hie city, OR wj an bj four Brand- children.

—By Arthur W. Vanhci, Jr.

OOBLES T. BAOB T

Utlurw T. Higly died Ajprl 0, 187M. Born Md in 1800, in King and Queen County, Virginia, he was the second of six sons—four of whom became lawyers—of Uic late Gov. Dir. Alfred Buggy and Sarah June O'llard Buggy.

After auemlins Uic public school of his native county, he came to Balti- more when sixteen years of age, and in six-eklog employment, beginning on Baltimore street at the Falls, he en- tered every business place of both sides of Baltimore. Next to the corner Sharp street, where he was engaged, lie then attended, and grad-uicd from, a busi- ness college. Before his majority he established a furniture manufacturing business, the volume of which grew from \$18,000 to \$350,000 per year. In 1867 he organized the Bagby Fur- niture Company, which operated the business while Mr. Uugby attended the University of Virginia do stinly law.

There he was a member of the Phi Delta Phi, a national law fraternity. GmtunUur in 1800, he returned in HalUmur and WUN admitted to the Maryland Bar and U-cna the practice of his profession. In 1801 he became the hi-ncr member of the law firm, the junior member of which was his brother, George P. BajAy, coditor of the first Munlnd Annotated Code, and later president of the West-ern Uarrland Ithilwly. Though in active practice but a few years, Charles T. Bagby ins eminently successful.

In relation he was a Baptist. A member of Uic SeconU Hipid Church of Baltimore, he served more than fifty years on Ua official board, and was chairman of the building committee which creald the present edifice at North avenue and St. P'ml etroel. He was recognized an energetic, prudent, philanthropic and of uncommonly high order of mind.

Mr. BIRbj married Miss Anne Eng- lah, who emCecM him. Do was survived by hln wns, I-r. En'lib BIRbj and Charles T. Ba'by, Jr., tudy by a

brothrHT, Airred Bagby, Jr., of the Hatti- more bar.

—By Alfred Hagby, Jr.

CG&ALS MILTOD DIOESBBOB C. Chnk-i Miliou Dickerson w* bom? November 21-b, 1867, at DiOitcon, n'ntiunary C'mny, Maryland and died in Bnllmore City QU April JOU, 1913. He was the son of William a UJficers, fi «rchant and farmer of Montgomery County, and Elizabeth E. Dickerson (nee Trandle), of Frederick County. Itc w* connected with UM (B'n'wivB «-rvice of the Baltimore A %10 Itailroad Company and The So- linnl Air Linu for twenty years.

On December, 1015 he left the service of the Southern Air Line by Fre- sident to ItalUuicor and began ut- study of law lu the office of his brother, Jmgl- Kdwu T. Dickemson, of the Sa- m'ic iteneb of Bottinori City. In 1910 he em-cred the Uw School of U; Unlversity of Maryland, and w* grad- uated from that school in 1023, and lie lie name year w* admitted to the bar. He wun admitted in the pne- s-ht of hie firm with hie brother, then ultit the firm of DlcctKor & Nicv, and after the election of Honorable Larry W. Nicv as OoTurov of Maryland, in 1911, the firm of Dickem-on, Nicv & Soto.

In 1010, he was married to Mrs. Jmry H. Mlckitl, Of Ohio. He is sur- vived by M* widow; Lillian Dickem-on, a sister, and i'wlvn T. Dickemson, li brother.

He was active in many of the or- ganizations and was u member of the M'rine, Comminclry and Uioe Ihoice Mimone opric40it'ic in Jefferson Col- lege, Baltimore, and in Koolich Ith- Masony in Baltimore City. He was also a member of the Order of Odd Fellows.

—HadirH T. Dlpnati
Max Sokol
Ueelp K. Xic.

BEN B. 8BUJUAN

Mr. Sellwii wv t, n'iecmht C, J.m, and attended the public (school of Italtimore City. lie graduated from She Baltimore CUy College and the IJW School of the Unlvrsity of Mary- Uuit, receiving his decree in 1024. Lu Unit year lie w* admitted to the Bar.

He immediately engaged in the prac- tice of law and was associated with Samuel S. I-crin, Esq., who was lu- l-er-extended in religious and civic work.

On April 1, 1901, lie die in nadequy at the age of 37. He only thirty-nine, leaving a wife and two children, the former M-S Vay Gi-TM-h, and two children.

—By JULIUM Quaid.

OEOHOE DOBBIN PEKNTMAN

George L. hbuli Uioitliun, COUHQCI for the Juttlunuw Uio Uio Itailroad Com- pany, at Italtimore, Maryland, was born, June 27, 1811, in the maldCCE or hix n'nnUnth, tin- l'ite Oucrgo W. Uiblin, at I-cwyers Hill in Howard County, Maryland. His father was Nicholas G. Tenunlwn, of Baltimore, 9-i-ncur uicMKT of the hardwre im- (Hirling and dNributitlr flon of It' Onlin- in Itroth-n. His mother wtt lit- tleuc Ilic Dobbin. She wN a fitted n'nnNclai nml n l'io Uipulcl. 3'n (En- n'nnlun) attvild the public Cmbe-un of Hultimore until hie itinl year in Itull- jundr City Colles which lie lie to Hully and-r a tutor in order to matriculate wne, mudeby tie J-c'm Booklyn Un- icrsity, gnuiliun; fann tutt Itxtitlu tior in Jan., 1841. He hSKn the m d. ing of law in the olect-h of his uncle, (tie line Itobcr A. Dobblu.

Judge McLanahan to Superior Court Part 2

Judge Moser to Baltimore City Court .Part B I

It was decided to hold the annual memorial service on January 10th, et 12 o'clock noon. Judge John T. Tucker was requested by the Chief Judge to Etake the response on behalf of the Bench.

It was decided that the moving of the Judges to their new Courts should be done on January 10th.

Judge Moser called the attention of the Bench to the condition of Mr. Rutter, bailiff serving in his Court, and it was the aense of the Bench that he could continue to accept the servic of Mr. Pelt?., a bailiff under Judge McLanahan, as prior hereto, and to make such disposition of the case of Mr. Rutter that he should think best.

It was decided that objections to the proposed new rules should be made by the members of the Bench in writing, addressed to the Chief Judge prior to January 14, 1946.

Certain observetions made by Judge Moser, with regard to the taking of bail bonds, were discussed, and Judge Moser was authorized to take up with the Magistrates Associetionm&ttersof procedure in connection with the taking of bail bonds at the station houses. Judges Moser, Moylan and Niles were appointed as a special committee to investigate the present rules governing the placing of bond\$ and to draft and present to the Bench any proposed rules governing the aubject.

There being no further business, the meeting adjourned.

Corwin Dickerson
Secretary
Supreme Bench of Baltinore City.

Mr. John O. Rutherford, Clerk of the Baltimore City Court, submitted for the approval of the Bench the following appointments in his office:

Mr. Edwin J. Dickerson to succeed the late Mr. Charles F.J. Carroll, as Chief Deputy Clerk.

Mr. Robert Henry Bouse to succeed Mr. Edwin J. Dickerson, as Court Clerk.

Mr. Joseph S. Bopp to succeed Mr. Robert H. Bouse, as Writ Clerk.

The appointments were approved.

Hon. J. Bernard Wells, State's Attorney of Baltimore City, submitted for approval of the Bench the appointment of Mr. Alan Hamilton Murrell, to succeed Mr. Thomas N. Biddison who has resigned, as Assistant State's Attorney.

The appointment was confirmed.

The Bench was displeased that information regarding these appointments had been given to the public press prior to confirmation by the Supreme Bench, and the Secretary of the Supreme Bench was directed to communicate with Mr. Rutherford and Mr. Wells to this effect, and also to write to all of the Court Clerks, requesting that no publicity be given to appointments hereafter prior to confirmation by the Bench.

An order was passed assigning the members of the Supreme Bench to the several Courts of Baltimore City for the year 1946. The regular rotation under assignment was changed in the following respects, viz:

Judge Manley to remain in Circuit Court No. 2

Judge Sayler to be assigned to Baltimore City Court Part 3



State's Attorney of Baltimore City

J. BERNARD WELLS

BALTIMORE 2

DECEMBER
TWELFIE
NINEIEEH
FORTI FIVE.

DEPUTY STATE'S ATTORNEY
WILLIAM H. MAYNARD

ASSISTANTS

THOMAS N. BIDDISON
MORRIS H. BUCHNER
ARSELM SODARO
BERNARD S. PETER
JOSEPH G. FINNERTY
JOSEPH KOLODNY
JOHN C. WESS
SAUL A. HARRIS

HON. W. CONWELL SMITH,
CHIEF JUDGE AND MEMBERS OF
THE SUPREME BENCH OF BALTIMORE CUT

Honorable Sirs:

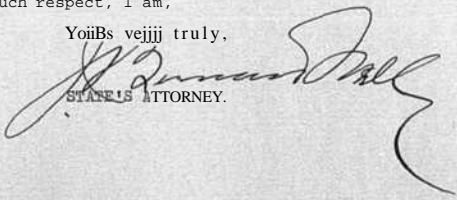
Due to the resignation of my Assistant, Thomas N. Biddison, effective the 19th of this month, a vacancy occurs in my office, to fill which I am naming Alan Hamilton Murrell. Mr. Murrell comes to me recommended by some of our own Judiciary-members of the Federal bench, and many members of our local Bar*

At this time he is Enforcement Attorney for the OPA and has taken part in the prosecution of some very important Government cases. He is a veteran of both World Wars, and at the termination of his service as Lieutenant Commander in World War II was cited by the Commander in Chief of the Atlantic Fleet for meritorious service. During this last War his duties with the Atlantic Fleet extended over a period of twenty-nine months.

From what I have learned of Mr. Murrell I am certain that if his appointment as Assistant State's Attorney be confirmed, he will fully measure up to the requirements of that very exacting position. I trust that your Honorable Body will see fit to take such action.

With much respect, I am,

Yours very truly,



STATE'S ATTORNEY.

JBffsB

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December 14, 1945.

Hon. J. Bernard Wells,
State's Attorney of Baltimore City,
Court House, City -2-.

Dear Mr. Wells;

I beg to advise you that the Supreme Bench, at its meeting today, approved your appointment of Mr. Alan Hamilton thurrell, as an Assistant State*a Attorney, to fill the vaoancy ooused by the resignation of Mr. Thomas N. Blddison.

The Bench was displeased that information regarding this appointment was given to the public preBS prior to oonfirmatioa by the Bench, and I am directed by tho Benoh to request that hereafter no information be glvon to the public press ^{or the} ₁ regarding appointments until after they are confirmed by the Bench.

Very truly yours.

Secretary.



^Baltimore fltly Court

JOHN O. RUTHERFORD, CLERK

December 12, igM-5

Hon. W. Conwell Smith
Chief Judge and the
Associate Members of the
Supreme Bench of Baltimore City

Gentlemen! In re: Clerk's Office Balto. City Court

Effective December 15, 1945 I submit herewith the following appointments subject to the approval of the Supreme Bench of Baltimore City.

Edwin J. Diciterson, 3803 Fairview Avenue is appointed to succeed the late Charles F. J. Carroll as Chief Deputy Cleric.

Robert Henry Bouse is promoted and appointed Court Clerk. Baltimore City Court Part II. Mr. Bouse resides at 325 S. Ann Street and recently returned to this office after almost five years military service. He entered as a private and left the service as captain in the infantry*

Joseph S. Bopp, 14 E. Randall Street is appointed a Writ Clerk to succeed Mr. Robert H. Bouse. He was employed as a Writ Clerk in this office for about twelve years from 1923 to 1935. He resigned to accept a position of responsibility and returns well recommended.

On November 16, 1933 the Supreme Bench through Judge Dennis wrote in part, "the Supreme Bench holds to the view that the positions are in career jobs for competent men. We are confident you are in accord with the foregoing policy."

It is with pride and pleasure that I submit these names and I am sure you will agree that this office has always cooperated with you in all matters.

Respectfully,
BALTIMORE CITY COURT CLERK

December 14, 1945.

John O. Rutherford, Esq.,
Clerk of Baltimore City Court,
Court House, City - 2-

Dear Mr. Rutherford:

I beg to advise that the Supreme Bench today approved your appointments of -

Mr. Edwin J. Diceerson as Chief Deputy Clerk
Mr. Robert H. Bouse as Court Clerk
Mr. Joseph J. Bopp as Writ Clerk.

According to our records, Mr. Melvin Weil was appointed by you as temporary clerk when Mr. Bouse entered the Service, and this appointment was confirmed by the Supreme Bench on November 9, 1942. If you intend to re-employ Mr. Weil in his present position, I suggest that you also notify the State Comptroller, as all salary arrangements must have his approval. I also suggest that a further confirmation of Mr. Weil by the Supreme Bench be requested.

The Bench was displeased that information regarding these appointments was given to the public press prior to confirmation by the Bench, and I am directed by the Bench to request that hereafter no information be given to the public or the press regarding appointments until after they are confirmed by the Bench.

Very truly yours,

Edwin T. Dikerson.

ENTERPRISE FUEL COMPANY

ANTHRACITE C O J^A L BITUMINOUS

FUEL OIL,
1514 MARYLAND AVENUE
BALTIMORE-1, MD.

J. HARRY WEST, PRES.
J. WALBACH EDELMAN, VICE-PRES.
I. G. KAGANOFF, VICE-PRES. & GEN'L. MGR.
HARRY HODGES, TRGAL.
EDD. W. BEYER, SUPT.
E. S. FARSON,
MGR. FUEL OIL DEPT.

BALTIMORE YARD, W. M. B. B.
BOSTON YARD, F. R. B.
MILLEN YARD, W. M. B. B.
BOSTON PAKE YARD, W. M. B. B.
BOSTON YARD, F. R. B.
TAMPA YARD, W. M. B. B.
CHICKENVILLE YARD, F. R. B.

October 10th, 1945

Supreme flench of Baltimore City,
Court House,
Baltimore, - 2, lid. (Attention: Honorable Edwin I, Dickeraon)

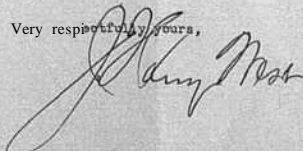
Gentlemen;

Last spring, one of your members asked me if I would serve on the Grand Jury* and after acme discussion, I agreed to servo* Some weeks ago, this honorable gentlsmon told me - with some embarrass- ment, - that I was not eligible for jury service having learned that I was over seventy years of age. I am not sure that he told me that this was a ruling Df the Bench, or that it was a matter of law, but as seventy years is not a disability, I feel sure that it must be a ruling of the Bonoh.

You have known me for a great many years, and I am sure you know whether or not I have the necessary qualifications to serve as a Juror. If you fool that I am competent to act in thia capacity, I wont to serve because I am one of those perverse individuals that always wants to do the thing that be is told he can't do, so I am asking you to take this matter up with your Board and have them decide the question.

Waiting to hoar from you, I am,

Very respectfully yours,



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October 11, 1945.

Mr. J. Harry West, President,
Enterprise Fuel Company,
1514 Maryland Avenue,
Baltimore -1- Maryland.

Dear Kr. Wost:

I received your letter of the 10th instant this morning,
relative to aervice by you on the Grand Jury.

I should unhesitatingly vote for your selection, notwithstanding t^e fact thnt you are more than three score years and ten.

I shall take a great deal of pleasure in sendine in your name as one of my nominations, and will present your letter to my associated on the Benoh when the Jaauery 1946 Grand Jury shall be selected.

With kind personal regards and best wishes, I am,

Sincerely,

Edwin T. Dickerson.

December 14, 3.945.

Mr. J. Harry West,
President, Enterprise Fuel Company,
1514 Maryland Avenue,

Baltimore -1- Maryland.

Dear Mr. West:

The Grand Jury for the January Term 1946 was selected by the Supreme Bench today.

It was my pleasure to nominate you, and In connection there- with I read to the Bench your letter to me of October 10th and my reply thereto of Octbber 11th.

There were many splendid expressions of high respect for you as a man and a public spirited citizen, and no-one oan, in any way, question your ^ualitioations to serve well as a Grand Juror, but the Bench felt that it was inadvisable to break a long established precedent of not naming to the Grand Jury men who had passed their 70th birthday. The statute gives an exemption to men over 70, but does not disqualify them.

I regret very rau<^ that I was unable to seoure your selection aa a member of the next Grand Jury.

With kind personal regards, I am,

Slnocerely,

Edwin T. Diokerson.

KLOUIS

OF THE SLIPRAS BEHTL O? BALTIUONS CITY

A Special testing of the Supreme Bench was held on Friday, February 4th, 1944, at 10:00 A. K. All of the member os the Bench mere preBent and the Chief Judge presided.

The following were admitted to practise before the Courts of Baltimore City:

EHROBC P. MnrUu. Jr., Itoui Vr>
jdulu Kenilnl nnil Stntor H. Wileir
sick wro ndmtleil tn pmclle an theol-
jbra of the nullmore Bar by the Su-
prew Bench of Ballmore)sterday.
upon He respecuro motiaan of Itccor
X Clottl. JOMI* n. DrrMt ami noil
Hnmottd.

Er. J. Bernard Sells, State's Attorney for Baltimore City, reported to the Bench that Ur. Paul C. Woluan, an Assistant State's Attorney, had resided, effective February 10th, 1944, and that ha had appointed Hr. Sal Harris to fill the vacancy caused by the resijiation of Ur. ,7olman. The resignation and appointment nji/tf'approved.

lr. Sugene Creed, Jr., tendereu his resignation as a Bailiff under the Supreme Bench, serving under Jud^e O'Dunne, and his resignation ms accepted.

Kr. K. Luther Pittaan, Clerk of the Superior Court, reported to the Bench that he had appointed Kr. Sugene Creed, Jr., as a Deputy Clerk to fill the vacancy caused by the appointment of Er. Lawrence R. Hooney, -as Deputy Clerk to the Supreme Bench, which appointment was caused by the resignation of Er. 'V. Albert Kenchine. Both appointments were approved.

(over)

December 14, 1945.

Henry J. Eipperger, Esq.,
Clerk of Clroult Court,
Court House, City -f-

Dear Mr. Rlp^erger:

At a meeting of the Supremo Benoh today, I was directed to
oosunicBte v/lth the Clerks of the several Courts and with
the State's Attorney of Baltimore City, and request that no
publicity of any kind be given to any appointments lc their
offices, either to the public or to the press, until after
confirmation of suoh appointments by the Supreme Bonah.
This has been the praotioe followed heretofore, and this
letter is an expression of the attitude and desire of the
Supreme Benoh.

Very truly yours.

Secretary.

December 14, 1945.

Frank C. Hobey, Esq.,
Clark of Court of Common Pleas,
Court House, Baltimore -g-

Dear Mr. Robey:

At a meeting of the Supreme Bench today, I was directed to
consult with the Clerks of the several Courts and with
the State's Attorney of Baltimore City, and request that no
publicity of any kind be given to any appointments in their
offices, either to the public or to the press, until after
confirmation of such appointments by the Supreme Bench.

This has been the practice followed heretofore, and, **this**
letter is an expression of the attitude and desire of the
Supreme Bench.

Very truly yours,

Secretary-

December 14, 1945.

Edward Gross, fs:i.,
Clerk of Criminal Court,
Court House, City -2-

Dear Mr. Gross:

At a meeting of the Supreme Bench today, I was directed to communicate with the Clerks of the several Courts and with the State's Attorney of Baltimore City, and request that no publicity of any kind be given to any appointments in their offices, either to the public or to the press, until after confirmation of such appointments by the Supreme Bench. This has been the practice followed heretofore, and this letter is an expression of the attitude and desire of the Supreme Bench.

Very truly yours,

Secretary.

December 14, 1945.

M. Luther Pittman, Esq.,
Clerk of Superior Court,
Court House, City -f-

Dear Mr. Pittroan:

At a meeting of the Supreme Bench today, I was directed to communicate with the Clerks of the several Courts and with the State's Attorney of Baltimore City, and request that no publicity of any kind be given to any appointments in their offices, either to the public or to the press, until after confirmation of such appointments by the Supreme Bench. This has been the practice followed, heretofore, and **tbis** letter is an expression of the attitude and desire of the Supreme Bench.

Very truly yours,

Secretary.

December 14, 1945.

John S. Clarke, Esq.,
Clerk of Circuit Court, No. 2,
Court House, City -2-

Dear Mr. Clarke:

At a meeting of the Supreme Bench today, I was directed to communicate with the Clerks of the several Courts and with the State's Attorney or Baltimore City, and request that no publicity of any kind be given to any appointments in their offices, either to the public or to the press, until after confirmation of such appointments by the Supreme Bench. This has been the practice followed heretofore, and this letter is an expression of the attitude and desire of the Supreme Bench.

Very truly yours,

Secretary.

(Blrrha <Offt<

Clitmt of (ffcnmui Pleas

Baltimore Md.

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Hon.Edi'dn T.Cickerson,
Secretary,
Supreme Bench of Baltimore City

L^B.T Judge LickerEon-

I em in receipt of your letter of December 14th, in which you request that no publicity or cny kind be given to eny e-ppointeints, either to the public or to the press, until after confirmation of such appointments by the Eupreae Bench.

Please be advised taut since I have been in office, no publicity of any nuture has bean given to the press or to ^he public concerning appointments in ny office, it being my understanding that that fe&tture v/es handled by the Supreme Bench.

In line with your request, I shell continue to follow this practice.

Respectfully your?,

Frank Robey
Clerk.

FCR/is



Superior (ttmtrt
of Baltimore City
Baltimore 2, Md.

December 17, 1945

Hon. Edwin T. Dickerson,
Associate Judge,
Supreme Bench of Baltimore City,
Court House,
Baltimore 2, Maryland.

My dear Judge Dickerson:

I beg to acknowledge receipt of your letter, in which it is requested that the Clerks withhold any publicity on appointments in our office until approval by the Supreme Bench. I am happy to inform you that I have always followed this practice, and to assure you of my future compliance with the wishes of the Supreme Bench.

May I take this opportunity to wish you a very Merry Christmas and a very Happy New Year.

Sincerely,

Bisbarmafit proceedings against Samuel Krelow were begun but were not concluded, and are to be resumed on Saturday, February 5th, 1944, at 10 o'clock A. I. The Banch then adjourned until -Saturday, February 5th, at 10r00 A. M.

William W. ...

Secretary

Appointments In Superior Court Are Confirmed By Supreme Bench

The Kupivine Bench of Baltimore yesterday confirmed the appointments of Lawrence H. Jicway as Deputy Clerk to the Supreme Bench and of Hosene Creed, Jr., as Court Clerk in the legal department of the Superior Court, which had been submitted by Luther Pittman, Clerk of the Superior Court.

Mr. Mooney, who was named as an associate of W. Albert Menchine, who resigned the position to engage in the private practice of law and who is now serving in the armed forces, was associated with the Record Office of the Superior Court from 1920 until 1924, when he was named as a deputy clerk and secretary to the late Judge Joseph N. Ulman. He is associated with Judge Ionian until his appointment in November, 1941, as a deputy clerk and secretary in the Superior Court. Mr. Mooney is a graduate of the University of Baltimore Law School, being admitted to the Bar in 1924. He is married, has one child and resides at 1618 East 31st street. Mr. Jicway, who was appointed to succeed Mr. Mooney, resides at 333 Painesville street with his wife and son. He was a member of The Sun staff from 1929 until 1935 when he was appointed as a bailiff to Judge Eugene O'Dunne, succeeding in that capacity until he was appointed to his present position on February 1st, last. He received his law degree at the University of Maryland School of Law and was admitted to the Bar in 1935.

Supreme Bench To Resume Hearing This Morning

The Supreme Bench of Baltimore will resume the hearing of disciplinary proceedings instituted by the Bar Association of Baltimore City against Samuel Krelow, at 10 o'clock this morning. G. Van Velsor Wolf and George S. Yost are appearing on behalf of the Bar Association, while Wendell D. Allen and Duane C. Joseph are representing Mr. Krelow in the proceedings.

The Bench will also hear arguments on the following motions for new trials in criminal cases: Mary Boone, Katherine Hughlett, Lawrence E. Queeney and Raymond H. Watson, found guilty of bets on horse races; Jerome Green, convicted of larceny; Paul Lawrence Allen, found guilty of assault on rape, and Franklin Grant, convicted of burglary.

Motions for admission to the Bar will be entertained at this session and such other business as may be properly presented will be transacted at the meeting.

SUPREME BENCH ASSIGNMENT

Friday, February 4-, 194*

(Disbarment Proceedings)

George S. Yost
G. Van Velsor Wolf

Bar Association
vs.
Samuel Krelow

Wendell D. Allen
Daniel C. Joseph

Disbarred
2/5/44

K I M U T 3 E

OF THE SUPREME BENCH OF BALTIMORE CITY

An adjourned meeting of the Supreme Bench was held on Saturday, February 6th., 1944, at 10:00 A. M. All of the members of the Bench were present and the Chief Justice presided.

Mr. William D. Schaefer, was admitted to practice before the Courts of Baltimore City on the motion of his father, Mr. William H. Schaefer.

The Supreme Bench of Baltimore City
Saturday morning William D. Schaefer
admitted to practice as a member of the Baltimore Bar, upon the motion of his father, William H. Schaefer.

The disbarment proceedings against Samuel R. Kreloa, were concluded, and the Bench recessed to consider the case. It was unanimously decided that he should be disbarred, and an Order to this effect was signed and filed with the Clerk of the Supreme Bench.

The motions of Liary Boone, Katharine Hu'hlett, Lawrence S. Queeney and Raymond H. Watson from their conviction of taking bets on races, and of Paul Lawrence Allen from his conviction on assault to rape, were argued, submitted and overruled.

The motions of Jerome Sreen for a new trial from his conviction of larceny, and of Franklin Grant from his conviction of burglary, were argued, submitted and granted. There being no further business the meeting adjourned.

W. P. in Dickerson

Secretary

**SAMUEL KRELOW BISBAHED
BY SUBBEMB BENCH FBOM
PRACTICE OF LAW**

Still Hud Krelow, olio jw* tiocn H mem-
ter of the Bar since Scjictnlirr iSlli,
1014, wns iitKharrn from Hie further
practice of lmv by [he Judges of U¹⁰¹
Supreme Bench of Bnltinorc City iiii
Saturday.

Tin- nctlmn of the Bench WHK tuU¹⁰¹
Jiftr li-irnk clmr¹⁰¹cs wilch irore Died
jhr the Bar Association of lntltm¹⁰¹
Citr. In irilid Mr. Krelow wns accused
of highly improper conduct in CDDPC
tion with ccrnlru ronal estno tran-
tion for one of iin clcni.

Georsu S. Tost nml G. Van Vclsor
! Wolf represented thr Bar AMocintlon
of Baltimore.

**Motions For New Trials
Are Decided By The
Supreme Bench**

The Saprcic licndi of Bnltinorc an
Satrdnr cmnted the motions for nsw
trials of Frnkllii Grfnt, who imi
convicted of burctry mid Jcrtinc Green,
found pully of Irccny.

The licndi oao overmlod the new trial
DioUns or Jury loonc, Entlirriic
IliiKblett, Liwrenc V., Qaccm-s uml
nayinoml H. Wlnoi, who tvrrc
convicted of bom on liorch mcni and l'aal
LowmiC Allen foaid guilty of nsuult
to rape

A. Milton Miller wnn the atlorotr
for Grunt, while Jost-jih Itoscttial and
Leo H. Alpert rncrcwncd Green. As-
atctinc State's Attomr-T¹⁰¹ Thiouns X.
Biddison nod John O. Welt* upiwat-0
on behalf of [he Sufio in li-c other
cases.

18

SUPREME BENCH ASSIGNMENT
FOR
Saturday, February 5, 1944

Nicholas L.J. Biddison State
Joseph Kolodny

vs.

William Curran Mary Boone
William Ingram Katherine Hu-blett
Lawrence E. Aueeny
Raymond K. Watson

Ho. 5072, 5074 Sept Terra 10A:
Motions for new Trials
From: O'Dunne, J.
Charge: Bets on Horse racing?
Verdict: Guilty as to each.
Papers read: January C, I.K.S.

overruled

NO above two cases in one record.

Bernard Q. Peter State

vs.

Joseph Rosenthal Jerome Green (c)

to H. Alpert

Ho. 5490 Sept. Term 1943
and Jan. Term 1944
Motion for new Trial
From: Tucker, J.
Charge: Larceny, etc.
Verdict: Guilty 1st Count
(Larceny) Not Guilty 2nd
Count.
Papers read: Jan. 18, 1944

granted

Nicholas L.J. Biddison State

vs.

Joseph W. Evans Paul Lav. Tonce Allen(c)
William Freedman

Ho. 502G Sept. Term 194C
Motion for new Trial
From: O'Dunne, J.
Charge: Assault to nr. pe.:?U
Verdict: Guilty 1st Count
(Assault to Hcpe)
Papers read: Jan. 10, 1944

overruled

Bernard G. Peter State

vs.

Hilton Miller Franklin Grant(c)

Ho. 46 January Term 1944
Motion for new Trial
From: Tucker, J.
Charge: Burglary (Ch. 7.1. in
law)
Verdict: Guilty
Papers read: Jan. 25, 1944

granted

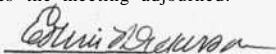
MINUTES

A Special Meeting of the Supreme Bench of Baltimore City was held on Wednesday, February 23rd, 1944 at 3 o'clock P. M., to conduct a Memorial Service in honor of the late Judge Henry D. Harlan, under the auspices of the Bar Association of Baltimore City. The Chief Judge presided and all the members of the Bench were present, except Judge Saylor.

A Memorial Minute was offered by Senator George L. Radcliffe, which was seconded by Messrs. Carlyle Barton, D. K. Siste Fisher, James T. Carter and Charles I. Arfcell. The Chief Judge responded on behalf of the Bench and ordered the minute adopted and recorded among the records of the Court.

The texts of the various addresses are attached hereto as part of these Minutes.

There being no further Minutes the meeting adjourned.



Secretary.

High Tribute Paid To The Memory Of Judge Harlan By Bench And Bar

High tribute was paid to the memory of former Chief Judge Henry D. Harlan at memorial services which were held in the Court House yesterday afternoon, at a special meeting of the Supreme Bench of Baltimore.

The services were arranged by a Special Committee of the Bar Association of Baltimore City in cooperation with the Supreme Bench. Speakers included United States Senator George L. Mitchell, James T. Cotter, D. K. East, F. A. H. and Clair U. Murkell, Carlyle Barton and participants in the ceremony as a representative of the Board of Trustees of Johns Hopkins University. Among those who attended the exercises were Governor Herbert H. O'Connor, Mayor Thomas I. Jackson, retired member of the Supreme Bench of Baltimore, members of the Harlan family, and many of his friends and associates, members of the bar and Court officials.

Chief Justice Samuel K. Deussen presided at the ceremony and responded on behalf of the Bench.

Bench And Bar Pay High Tribute To Late Chief Judge Henry D. Harlan At Memorial Services

Memorial services for former Chief Judge Henry D. Harlan, of the Supreme Bench of Baltimore City, were held on Wednesday afternoon, February 23rd, in the Court House, at a special meeting of the Supreme Bench.

The ceremony, which was attended by many Government, State and Municipal officials, was arranged by a special committee of the Bar Association of Baltimore City, in cooperation with the Bench. Members of the committee who participated in the exercises were: Unlinc States Senator George L. P. Cliffo, D. K. Esto Fisher, James T. Drier and Charlv. Markril, Curly Burton, prominent member of the local Inn, also took part in the ceremony. QH representative of the board of trustees of John Hopkins University.

Chief Judge Samuel K. Dennis presided and the excreta responded in behalf of the Supreme Bench.

Among those who attended the service were: Gornior Herbert I. O'Connor, Olhyor Theodore I. Jckeldln, former Mayor Howard W. Juckoio, Judge Eli Frank, president of OIL Maryland State, nrr Atwoclon ml former incubor of the Supreme Bench; Judge IV. Calvin Chesnut, of the Distrlct Court of the United States for the District of Maryland; Dr. falnh Bowswn, president of Johns Hopkins University; Atomy-Cenemi Willlm C. Walsh, Kev. Arthur II. Klnaolvnp, BlBhoji NoWe C. Powell; Judges Robert F. Sranlon, Duke Dond and O'ennr Lwer, former mcnlrw* of the Supreme Bench; Michael J. Mnny, president of the Bar Association of Baltimore City; S. Italph Warken, fonnr president of the Association; cbrnlw H. lln>jcr, J. AINU Zleddormn and E. Stanley Gary.

Following is a complete report of the proceedings:

REMARKS OF

SEN. GEOBOE L. BADOLIXFE

May It Pleas the Court:

Henry David Harlan. In whose memory we are meeting today, was one of the most conscientious, one of the most useful and one of the best beloved men who have ever lived in Maryland. His death on September 9, 1935, in the age of 51, brought to us end a long, useful, and distinguished career.

When plans were under consideration for this memorial meeting, it quickly became obvious that the activities of Henry David Harlan had covered many many fields that it would not be feasible to stress in one meeting all of the many lines of endeavors in which he rendered invaluable service. Out of his many activities the committee has selected several which seemed to be outstanding. Each one of my associates in this committee will present a memorial record of one of them. I will, in this minute, make brief reference to HOU of his typical activities and to a short statement designed to illustrate the rare and happy combination of characteristics which made Judge Harlan one of the most versatile and efficient men in the history of Maryland.

He was born on a farm near Churchville, Harford County, Maryland, October 23, 1883, the son of Margaret Beilwe and D. David Harlan, a Surgeon in the United States Navy. On December 10, 1880, he married Miss Helen Atlemus who with their four children live with us today, except David who is in North America.

He graduated in 1906 with highest honors from Saint John's College, from which Institution he received the degrees of A.M. in 1911 and LL.D. in 1916. He was given an honorary doctorate in law in June, 1935, by Saint

John's College which he received the degree of LL.B. in 1911. He has never been surpassed in that Institution. He was admitted to the Bar in 1911, sharing law office with his late father James P. Gorier, later Chief Justice of the Supreme Bench of Baltimore, and Henry Arthur Stump, who later became a member of the Supreme Bench.

Upon appointment by the late Governor Ellihu Jackson, he became Chief Justice of the Supreme Bench of Baltimore City on October 22, 1888, at the earliest age possible; that is, one day before his thirtieth birthday. No one else has ever reached the Supreme Bench of Baltimore City at such an early age. He presided on Chief Justice until December 31, 1913, when he became a director and general counsel, and later a vice-president, of the Federal Trust Company of Baltimore.

From the time of his appointment as Chief Justice of the Supreme Bench of Baltimore City on the assumption that his primary duty was that of a judge, and he permitted nothing to interfere with the discharge of his judicial duties in a impartial and highly successful manner. His record as a judge was in strict adherence to the highest traditions of the bench. He looked to the Ideal Judge. He exemplified him.

He found countless opportunities to live, to know his keen interest in civic, public and national affairs. Throughout the years he was able to accomplish much more than his judicial lines for the Kent and lasting benefit of the City of Baltimore and of the State of Maryland. His course, every line of action was marked always by unerring sense, by wisdom and of perfect propriety—always in lucid, in true, earnest sense of the word—always and in the most useful and useful.

So versatile was his mind in his activities that it is difficult to realize the full range of his pursuit. I have referred to some of them. I will mention a few more. He was a member of the Court of Appeals, which supervised the construction of the building where his memorial exercises are being held, a very valuable factor in its successful erection. Much of the credit in due Judge Harlan that was constructed on a common and beautiful plan, and yet it cost less than the amount contemplated and authorized.

Only a short time before his death he prepared with his usual accuracy a series of biographical sketches of distinguished lawyers who were referred to in the panel of this Court House. These sketches were a basis of an address delivered at the Maryland Historical Society, and later were printed in the magazine of that society.

For some time he was a member of the Public Improvement Commission of Baltimore City and also of the Finance Commission of that city. With painstaking and careful care he has studied the ever-changing needs of Baltimore City. His contributions to the success of those commissions was invaluable.

He was appointed a trustee of the Johns Hopkins Hospital in 1903, and served as chairman of that board from 1903 to 1911. He was trustee of the Johns Hopkins University from 1901 until his death. During those many years, the inestimable value of his participation in the molding of policies, and in the guidance of the affairs of the Johns Hopkins University, and in the soundness and wise continuity of policy.

He was the most prominent lawyer in the Protestant Episcopal Church in Maryland and was a member of its Standing Committee from 1912 to his death. For a long time he was director in the Northwestern Mutual Life Insurance Company. Only reasons beyond his control ever prevented him from attending in Milwaukee the meetings of the board of directors of that insurance company, notwithstanding a very long and illustrious career. He was a director of several other important duties of such an office.

His record as a teacher and officer in the University of Maryland and in the School of Law, a very long and successful one. For instance, from 1912 to 1916 he was professor of Domestic Relations. He was professor of Constitution in 1917 from 1900 to 1913. From 1913 to 1916 he was treasurer of the University of Maryland. He was dean emeritus of the law school.

With the innumerable years of Judge Harlan's life, he lived a life of never-ending. On the contrary it quickened and widened in scope. He met with many of these occurred within a year or so of his death. An president of the Maryland Historical Society, I had the honor to be a member of the committee of that society. He accepted with alacrity, and promptly took up his duties as an official of that organization with keen interest and enthusiasm.

About the same time I had the opportunity, which came to a United

State* Senator once in several years, to rromvend wine otc to ku-dxt the mind of the OnItM Slnctz Treasury at Philadelphia. Judge Hnrlnn, upon ray request, was appointed for such a mission. Again he accepted readily, no spent several weeks in Philadelphia, butly engaged in Inspection. I can con- cend that no one else who has ever Inspected (tho mint took n keen or In- tro-it in hln tank, was mare tllent in his effort*, or learned a* much in so short a time. Acult unit again, hnt* his return, I had the pten ears of lis- tening to Lin accounts of what he had so- cored fit the Philadelphia Mint. His ob- servorulous on that subject embodied many constructive suggestions.

It is significant that the two indol- ent* to which I have limt referred oc- curred-after Judge Hnrlnn hnt It vet I a loog "ff of constant activity during which h* limt devoted himself moat conscientiously and vigorously to the performance of duties, exacting In nature and of far-reaching importance. Yet he still had the desire and tic energy at the URO of S3 to inke up Important new duties, and to handle them with his ac- cumulated resourcefulness, enemy and inblHr.

And so it was thnt the pawing of the years brought to Judge Hnrlnn no leas- ening In his, and in fact, an en- ergensness in find out now ways of being useful, of undergoing new experiences, of learning now thing*, and of nqnr- linn ncn- quo if dent ions that he might add to his unnsnally lnrge repertoire of use- ful roles.

Throughout a bnsy life his position I brought him constantly before the pub- lic, in his life and in the subject matter to what Woodrow Wilson once referred to as "pitiless publicity." Tet this pub- licly pever disclosed a single instance where he had failed to avail himself of an opportunity to render useful scrv- lceji or In display the highest trjw of "CIZCZMhip.

It In characterllic of hns versatility that the freshness and humorey of his ever-cant In nine enthusiasm should ho prompted him to take and retln h* active intere It In athletic sport. It Is not at all surprising that his eightieth birthday found him still ready Ue a member of a Rome or coti.

One before I was student of law at the University of Maryland, I had the opportunity of knowlpn him. For over- flftr yearn It WOH my prlvllce nnt "pleasure to tic In clone contact with him, and memories of our warm friendship throughout nil of those years. I will always treasure very deary.

In my day and In any flenent on the enter of Judge Hnrlnn would have been Inspirational. Conditions of tody ntkk the trample which he set so ad- mirably of special constructive value to us. Let me oglnn thlnstrate.

The urgent need for post-war plan- nng Is nntmally always with us. Sh far we know little concretely or what no Rong to do and lens tin to how that little In to be done. Or thn, how- ever, we can ho frue-we will never do our Job rRbt. If we disregard the teach- ings of experience. We will bavo some entirely nprv probndnt, and some new- nntly-oc of old problems, but no most of th* dticlonlity which will car up for idclrlcluatatun will, in their thul esSttw. he as old us the proverbln: [Jilll Tin- lenchlnpi of history will be Indispensable as we ntelnpl' to work coai poit-n ar araoRcmnts]

Judge Hnrlnn never Mrcifwll JnlKlco for exdclbnce. He met new conditions with an open and brave mind, but he never temporised with lnuic conviction, nor xvntered when It WAS necessary to amld lnuic. Tho handling of our pott-

wir problem* will bring lileensjnt ami ever-mounting pressure upon us to cut loose ourselves from old moorings and to cruise In untired waters. The wis- dom of the Ancients* and sound IOSHOIS which experience teaches may often un- fortunately be derided and discarded. Judge Hnrlnn's completeness of poise was unflinching, his keen sense of tro- pical form and of overall winds, and his values was fullness. Such qual- ities will be Ind-er-emblo to un when- ever we try to read just ourselves to Klot-wir conditions. Hto teach It ic, his example we should keep in mind an- tlnsh' guides to us nnt ke attempt to thrust through dlntlnp paths thumk the trying days Just ahead of us.

The Psalmist says, "Mark the perfect man, and hchoil the upright; for the man of that man Is peace." Or no other man who has lived for generations In this world, can he be said thnt his han- dlings convolve a more appropriate descrip- tion. We realize that perfection Is always to be sought, but U never to be fully attained. The limt Hatlo lack if enough of suitable opportunities and if he never yet-obvnted ex U to see of inadequacies. In human nature, al- ways, probably be obstacles In tho way of tht attainment to the full of per- fection. The Psalmist In his sagacity renlled that fact. He knew, however, that a few men and women attain such an extraordinarily high degree of de- velopment that It Is appropriate to as- cribe to Ucka the term perfection. Whatever may be tho technical or meta- physical obstacles to reaching per- fection, certainly we ore all fully In Accord itb the statement that of no man who as lived In Maryland for many years can It be said the term perfect Is more suitable or appropriate than It Is of Henry David Marian.

The Psalmist concludes, "the end of mt man Is peace." To our sorrow we must realize that language of termina- tion Is necessary In describing the earthly career of Henry Dmwl Harbin, lie died, universally respected, and he- by everyone with whom he came In contact. Most assuredly It Is true, thnt "None know thee but to love thee, thnt named thee, but to praise!"

Although Judge Hurl an will no longer n* vllt us In personal contact nnd asso- ciation, who will say that the end of his acclvtiv* has been reached? His work for the bench, for the bar, tho Church, universities and hospitals, for private business interests, and In au- ther lines of endeavor has created an enduring foundation upon which the best of the worthwhile activities of coming generations In this com- munity. His emmpie will always be before our eyes as a gleaming goal. How he fully and how It will wely. Man- ifestly, he has done will be a con- tinuing factor In the lives of the peo- ple of Baltimore and of the State of Mary- land. In no small sense Is It true that the stuff of his thoughtK has become an Integral part of the stuff of the thoughts of the people of no more.

Some cur- once said that a certain type of old age might be typified by an old man sitting In a dim chimney corner and droving with lllB engine to the lreary decadence of a fading memory. Certainly n one observing even the slightest decree of nccney could nt- trltle such a type of old nge to Henry David Hnrlnn. Tho old he lived, the more we w* his Judgment, the more wonder s bis outlook upon life and the more we w* stnt was bis dcflr and attempt to pny an active, and rlorona role.

Inexpressive dignity and genial infor- mality of manner found Is bIm ran and happy combination, nls friendly and warm-arc nature, bis fsothlew Road

V | and a fulfilling sense of propriety, his remarkable sense of balance, his keen enthusiastic and constructive interest in life, his boundless energy and his many-sided abilities were among the qualities that Oled Henry David Hnrlnn to lead one of the most useful and noble lives which Maryland has ever known. It was said of Alton Hen Ademt that his growing dory was the fact that he loved llls fellow men. Most tAsuredly that can ho hold also of Henry David Hnrlnn. It can be added truthfully that in looking to that one also, never, with a- cl. DurinR all the dnys of his life tic sought In clouOy- to do llt* duty at all times, and he never failed to succeed In that quest. Most acRurdly It can W said of him that his heart WAS always eager, his hand ready for the work.

I move Unt thn mtntn be accepted by this court and spread upon it* records.

SEMABKPI OF OARLYU/ BABTOK

Mutit plomc the Court:

I hike prl In tbvu Memoril, I-cr- tific I-HIH- OHP the nrvlclntiv' of the two llopbns, iyylllilolol* which which Judge Hnrlnn nits so long Ident- uled but I think, us I IK* trauded this room, that It was probably my privilege to have associated with him, of nmc of his varied netivUrs than any other man served.

I have served with him on the Board of Trusts, Lit at the luvcrUly fur Mxican years and for a short- l time n tin- Hoard of the Uooplnl. I ap- peared before him In this courtroom as a member of the Bar and I studied Under him at the University of Mary- land IJW School.

I was associated with him In the Council of this Diocese of the ProtcsHnt Episcopal Church and hi- and I were the only two persons who took part in the consecration of Hllopid Powell in a few years ago. I walked together In Ue Ecclesiastical Procestion in the term In- tation of the writ; and I recall sr- ell bow heartily he Joined In slnslns the old familiar hymn n* we came through the church aisle.

Judge Hnrlnn retired from this llnch to ltemm associated with the Fidelity Trust Company a few years after I came to the bar and my contact with him nnt nrticlfR In my r nnt; Judge was lntll hrted and Infrquent but In my time at the Law School he served as Dean In addition to lectur-

ing to the itiuK'tiU; tuwrd the end of my first year I had the opportunity to be assigned to a task and my con- tact with him nnt nrticlfR In my r nnt; Judge was lntll hrted and Infrquent but In my time at the Law School he served as Dean In addition to lectur-

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Judge Harlan WM a UDDlr mho. (W)Hn, In 1030, without rscottrcn, nEnt relatives or friends, the artist who had painted bis portrait for presentation to the Law School died, be nfringed for bis burial In his own lot In Greenmount Cemetery.

Judge Hrnlrn had a kindly humor. When he returned a little more than a year ago from ana of Uic meetings of (he Hoard of Trustees of Uic North-western Mutual Life Insurance Company In Milwaukee he recounted wllh enthusiasm bis pleasure In attendance on the dancer nt which, I believe, he served an a host to his fellow members. War Ume transportation bad delayed bis arrival In sufficient time to attend the business meellcic tint he had enjoyed the social gathering and the conversation wllh HU associates. Comment lind been made that be was the oldest member of Uiat Hoard In Ume of service and he In turn had told the story of the clergyman who, exhorting 'bis hearer', called for n showing of hands by n wish to go to heaven, whn he found Himself confounded In-njen n member of Uic audience Inquired: 'But, Reverend, you hmo not raised your hand, do not you yourself want to go to heaven?' 'Why yes,' [said he,—but I nm In no particular hurry.

I He was companionable with his friends, and his life was one of clow companionship with bla wife. In his address before the University Club, K, which I have alluded, he attributed Uic absence from the onenln; of Uic Club November 23, 1887, to the fact that It, addition to other activities In which he was then engaged he was, be wrote 'diligently' seeking to engage the affections of a lady who honored mo by becoming my wife In 1860, nud hnt, ever been my helpmate nud comrade In-lthout whose aid and encouragement I could have accomplished little. Between my home, my profession nud my Law School I then had little wh. to give la Club life, nud did not go frEqntly to any Club.' I nm mire that Aurs, Harlan was In bla mind when be quoted the following words found In a Maryland Report In which the Court expressed Uic idea of what a wife's I Judonship to her husband should be:—

"A flURUn inert orer Lit life pcclding Inlabllc nil Jay* and LU care* Ifmlrnir." For many years Judge Harlin took pleasure In Uic meetngs of the Maryland Bar Assn. In Almltic City. There be nm mnd Hrnlrn mlxl with xelt In all that traditionally has —ctcrlxed those gutherlnfn. The drive through the Maryland countryside altvaya brought memories of places and events from year gone by. The last lmo that we traveled down the highway we stopped one Sunday afternoon at Spectula churchyard where members of his family rest. The western nm slanted through UB beeches across the bright green lawns to the darter pint*. It was n quiet lovely summer afternoon In June, n year ago. Well, Judge Hrnlrn said, with his whimsical smile, all drive down to the Bar Association meetings (ncl) again and Uicn you can come up here with me." Do bad no intimation nt that time that sncl might be to eaw. Bnt mere he lies In tin same lonely countryside where he came to Baltimore to study law.

(1) Address by W. Calvin Cherrant on the occasion of the presentation of the portrait of Henry D. Harlan to the Supreme Bench of Baltimore City, May 23, 1920. The Daily Record (Baltimore), May 24, 1920. For further characterization of Judge Harlan, see Biographies of Chief Judge Samuel K. Dennis on the occasion of his presentation to the members of the Bar to the Supreme Bench of Baltimore of the portrait of the late Judge Albert J. Owen, January 29, 1915—The Daily Record (Baltimore), February 5, 1915. (2) Memorial Services of the Supreme Bench of Baltimore for the late Chief Judge James P. Garver held December 4, 1909—The Daily Record (Baltimore), December 5, 1909.

REMARKS OF OHAUUS MAB3XLL

After the coupletment of a lone and distinguished enrei-r, Uere tsunly nre * living vbo em rewentwr llw In-fowning of the carver. ThK In exjltlnlnrue of Judge HrnlrnV Judicial eerly >, trcausc it lcggn nt such an early age.

A lawyer nmv under W rver pcclded Uicrc Judge Hrnlrn. So Mary-lander Judge now In cQct WCN member of the Bar when Judge liar lln became a Judge. His lmuifdntc predecessor, Judge Gwrgc Willmn Ircwson, was llnyor of lltlthfrane at the outbreak of the Civil War. Judge Hrown, after other public services of high order, served as Chief Judge for lltwcn years, by extension of fbi term for flx years after be reached the age of seventy. Judge Harlan succeeded him nt the constitutional minimum age of Uicrlly, anl after twenty-x years ended bis Judicial service a year before the age at which Jtdgo lwn bad lx-pn his.

Judge Hrnlrn took bis *eat six years ter the Now Judge movement In 1882. Three of his lfrst four ikwoclat* wllh elected In that movement. In which leaders of the llnr nud of the people If Dnlmore had successfully main-lined that Judges must be independent If political Influences.

When Judge Hrnlrn went on (he Brltch, he had nil the pi nil (lent lons of a Jtdgp—except yram nud experience; m due time these were ridde In a bundle. He was a scholar and a student, a lny and in letters. At the Law School he had demonstrated hln capacity to lranu the law and to expound It, by taking both the prude ure anl the thesis prize. ni* UUR-are ability In holt respects had nlrndy been further cultivated by his work as a teacher. Hi* opinions are models of clear, concise statement and logical reasoning, wUout ornament. Inm. In item he named all lllOW. His style, however, was no lCM adapted to other kinds of writing. It had n literary flavor which was more manifest In his utterances In lighter or ller vein than his Judicial opinions. scholary and lltentry trmlts arc flmmtnted In two addresses delivered after he was eighty years old. One blc nnddnIn. In this court room was memory of bis life-long friend, Judge (orter), the other his address before the Maryland Historical Ha-let on the Maryland lawyers whoc electum adorn the frieze of the Supreme Hctch court room.

It hot been said of Judge Alvey (when lw was ripe In years nud wd-dom) that bis august presence on the Bench left a deep In press lln on Uicoc who nmw him. Judge Hrnlrn from the llt'annlng looked 'b'c l'art of Uic Jlnlc. I remember him on the Bench almost forty years ago: I can readily imagine him fifteen year* earlier, nis young, strong, strikingly handsome face, bis head leaning slglitly to one side In a listenus attitude, his dem-nr on the bench, made him the personification of the cllco and the lllentia of a Judge. He not only llnrn ngunnt-ni patiently, but listened Intentively. Sometimes he would Inter-ject pointed (mentions. Frequently, [after argument* he would dylve of 'n'ense from the Bench In a mntce 'well-considered oral opinion. Hut he In'ncr Inceded Bo'oon's dictum thnt 'n'ner-neaking Judge llnr no lrcil tuned cymbal. In-Aldgo Harlan, Judicial temperament (an expression of lln'orerworded) was tm pose and tin-terenerity of a nlnne dedicated and Intntioned to the tank of 'truly and In-differently ministering InMlciv.' < Such a nature was as nmlpe a* llt was rare. It combined character, fclhmlr or personality, n local mind and a seme of proportion, and It wmf unllled by a deep and atldng religious faith. Of Judge Barlin ran l'K said what Dnuk Webster said of John Jay: 'Wlcn the spoUcu crmltic of Hlt' Judicial robe fell on John Jay, It touched nnting lent tpaltes than Uelf."

In a Judge character Include* not only moral Integrity but Intellectual Integrity. Judge Hrnlrn expressed blow n measure of Jndklnl Integrity wllh ll he snll of Judge Gortier that "be cr-sought to do equal and Impartial justice to the rich and to the poor, lo the powerful and to the weak, to the arnucant nud to the meek." Such Inturlul justice cm >e based only on law. Judge Hrnlrn never would—or could—distort the law, us he found It. lie could no more do so In the name of "social justice" than be could to please a politician or to appease a mob. He had no Illusions of certainty In the law or of Infallibility In Judges. To tm the uncertainty of the Inv Intd Uic fillbillilly of Jnden were nol n temptation to distort the law with Impunity. Itatber they were an Incentlvo to fo'n'nculous study to mniter legal principle!), nud to apply and develop them by Uic npl'cUou of rousou to experience, as CarkHud In Judicial precedent*. After concler, UOIN study nud decision bo was content to leave change!! In the lmv to the l-cslslature nud wrcctulo of cr;ars to the Court of APPTAK HO was none the less lncrocted In darification and Immlro-erant of Uic law. He was a member of Uic Amor lon Law Institute regularly attended In meetings* and lln nm active and Audl' Inter-est In the work of the lltstntement of the Law—and In the Maryland nnotations.

AUUr tweitir-llyo jenn on UK-BencJi Jaden In lln service. Bnt scrlce ended on the tint day of the year 1913; If he had not resigned, he could *ave

wired from the constitutional rationale of thirty to the maximum age of seventy, a period of forty years, equal to the combined actual tenure of both Judge and himself. By extension of his term he could also have continued to serve eight years longer, forty-eight years in all.

He resigned with regret; he sold his land home to serve until he reached his retirement age. He was wholly free from love of money and from involvement in business. He had, however, found it impossible to maintain his family on the salary of a Judge. A few months after his resignation his salary increased to the salary from \$100 to \$200. He was wild to have remarked that if even this small increase had been made before he resigned he would not have resigned.

The resignation of such a Judge, in the belief of his coworkers, after twenty-five years of experience, seems a public waste. Certainly it is a public loss. But Judge Harlan's judicial ability and experience were not wasted. He fore and after it is resignation (one of the same qualities that made him a noble Judge) also made him an able and rain to tutor and adviser in business and financial affairs—of a hospital, a university, a law school, a life insurance company, a savings bank—or his City or his Country. Sound judgment, character, a sense of proportion (including a sense of humor) wisdom—these are qualities widely needed in many spheres besides judicial office.

By his resignation Judge Harlan did not reverse the roles of Judge and advocate. He seldom (if ever) actively participated in the trial of a litigated case. In becoming General Counsel for a national and Admiralty Institution of high standing, he chose a field where, through wise counsel, he could exercise his judicial talent and utilize his judicial experience in maintaining the daily course of business. His performance of legal duties and observation of legal rights.

In effect, though Judge Harlan resigned the office of a Judge thirty years ago, he never stepped out of the character and qualities of a Judge. He was a wise Judge; he became a wise man. As has been well said, "he tested proposals and for him, not on the basis of their cleverness alone, but on the basis of their wisdom and their integrity." As was recently said in this court room, "much of the time of his life is spent in correcting the mistakes of the good. When a man is both good and wise, he has a combination of qualities of which the world stands sadly in need." The world always needs a man like Judge Harlan.

Judge Harlan! He did not die but made him a redeemer and the charm of his personality. He had a large and expanding capacity for friendship. As the number of his contemporaries advanced, he extended his friendship—and his hospitality—to younger persons, whose parents or even grandparents would have been his contemporaries.

This is not an occasion for record for a friend, but rather for thought for the completion of the life to which we would do honor. We may well say of Judge Harlan

words that he said of another in this court room: "The note of triumph for such a life is predominant over the note of inutility." "V noble man, a Christian gentleman, a Just and upright Judge, a faithful public servant, a lifelong friend, has passed to his reward."

RESPONSE OF CHIEF JUDGE SAMUEL K. BEHRENS

It is sufficient of our day. Justice is not enough to our quality of volume; as if many of our former pupils of Justice who are here so well know. It is not only for our privilege to have known him for more than forty years. If allowed unlimited time, to speak with complete satisfaction, either in private or public, of the life of Judge Harlan. His unblemished life of his accomplishments during a long and vigorous life—stretched upon by others who have just passed—cannot be brutally recounted, and like the virtues of his spirit, they deserve the best literary skill.

His versatility, his capacity for practical, his physical and intellectual strength, that serene balance which never wavered whatever the shock, his kindness and never boasted interest in his students and the young, were simultaneous qualities, unions of which he unconsciously, intuitively nurtured. The Reverend Harry Emerson Fosdick might well adopt Judge Harlan for his ideal of one who succeeds in being a man and a person.

Those rich qualities which were of Judge Harlan's blood and being have not confused the judgment of anyone required to select for your attention the most worthy of them, when time does not serve today to tell them all. For this response must be short and fragmentary.

In simple words: Judge Harlan was a happy man, due to his "way of life" he early learned and followed always. Until near his end the weight of the accumulated years did not weary him. Illness at last battered his line, athletic frame until it became a shaken, crumbling ruin, but not his spirit. His courage, his affections and his interests resisted age and corrosion, to stay quick and wide and young to that end he foresaw and met with tranquil acquiescence.

When all factors have been computed it is to be doubted if the human history of this city offers any individual to its character and quality and usefulness of Henry D. Harlan.

His life and Bar in paying him his incomparable message of respect, seek to preserve for posterity some token of his life, and to make the best acknowledgment we are able of our lasting obligation to him. For Judge Harlan set an example for us of the length and life none perhaps can equal, but his will do us to follow. Think of it!

For sixty-two years as lawyer, ideal Judge, as guide, patron, friend to our young men and to his law students, of whom five have speaking parts at three ceremonies, in bond of the board of our great institution, as a public spirited citizen, author of an excellent law book, and on a humble, devoted servant of God, he gave the best, his all, to our country and made whole the culture, happiness and holiness of his beloved State. Always modest, with quiet dignity and unhurried deliberation, with scarcely a thought of personal gain, he perennially illuminated and elevated the lives of his fellows—and was satisfied.

M i H U I S S

OF THE SUPREME BENCH OF BALTIMORE CITY 3/4/44

A terra meeting of the Supreme Bench was held on Saturday, Kareh 4th, at 10 o'clock A. JE. The Chief Judge presided, and Judges, Smith, Saylor, Koylan, Henderson, Dickerson, licLanahan **and** Hilcs *ere present.

The motions of Charles A. Hunter and Theodore T. Thomas for new trials from their conviction of **murder** in the first degree, and of Vernell Collins from her conviction of lottery, were argued, submitted and over-ruled.

It was resolved thit until further action by a Court **of Appellate** jurisdiction, the policy of the members of the Supreme Bench shall be to follow the decision in the case of State versus Poehman, rendered in February, 1944.

Judge Koylan stated that \$1800.00 was needed for the salary of a white clerk in the Juvenile Court, as the Police Department has taken the man away who served in this position. The request was approved and referred to the Budget Committee.

Kiss Betty Young, lira. Catherine 3. Shea, . Hiss Aurelia Taylor and Hrs. l&ude Silliams, were appointed permanent employees of the Probation Department, as they have satisfactorily served their probationary period of employment.

KLNUTES (cont'd) 3/4/44

A Letter from Kr&. Lillie J. Regestar, relative to Eugene Edgett, and addressed to Jud^e Saylor, waa suumitted and ordered referred to the Grievance Committee of the Bar Association.

There baing no further business, the meeting adjourned.

Colvin Robinson

Secretary

**Motions For New Trials Are
Denied By Supreme
Bench**

The Judges of the Supreme Bench of Baltimore on Saturday denied the motions for new trials of Charles A. Hunt-er and Theodore F. Thomas, who were *ot)icted of murder in the first degree. The trial of Vencil Collins, who was found (ful)ly guilty of violating the Jot)ery Intva. J(=)p)ih 8- Fliincity, Awwsintt State** Attorney, uppenred on bclult of the Smtc.

SPPBEME BENCH ASSIGNMENT FOR SATURDAY, MARCH 4, 1944, 10:00 a. m.

Joseph S. Finnerty

State of Maryland
vs.

Albert L. Sklar
S. Milton Miller

Charles A. Hunter
Theodore T. Thomas

No. 5086, Sept. Term, 19*3

From: O'Dunne, J.

Charge: Murder

Verdict: Guilty

G. as to Armstrong, 3rd **defendant**

Papers reed. Jan. 26, 1944

Overruled

Joseph S. Finnerty

State of Maryland
vs.
Vernell Collins

S. Alfred Hund

No. 101, Jan. Term, 1944

From: Tucker, J.

Charge: Lottery

Verdict: Guilty

Papers reed. Feb. 14, 1944

Overruled

Joseph S. Finnerty

State of Maryland
vs.
Frank Brown

S. Alfred Hund

No. 350, Jan. Term, 1944

From: Tucker, J.

Charge: Bets on Horse Racing

li. G. as to Forbes & Wright

Papers received Feb. 14, 1944

Overruled

Baltimore, Maryland.,
March 6th, 1944.,

Hon. J. Bernard iFells,
State's Attorney for Baltimore City.,
Hon: Simon E. Sbbeloff,
City Solicitor for Baltimore City.

At a meeting of the Supreme Bench, on
Saturday, tba following resolution «aa passed,
relative to HaboaB Corpus proceeding invol-
ving sentenced prisonera of tbo Baltimore City
Jail:

B3S0LVSE that until further action
by a Court of Appellate jurisdiction,
the polioy of the members of the
Supreme Bonoh shall be to folios the
decision in the oaae of State versus
Postman renuured in February, 1944.

I wag direoted to adviss you of the pas-
sage of the resolution.

Sincerely,

etd/m

Edwin T. Cickurson



CIRCUIT COURT OF BALTIMORE CITY
DIVISION FOR JUVENILE CAUSES
ROOM 131 COURT HOUSE
BALTIMORE-2, MD.

March 3rd, 1944

Hon. Samuel H. Dennis, Chief Judge,
Baltimore City Court, Part 3,
Room 131 Court House,
Baltimore, Md.

Dear Judge Dennis:-

There have been several developments since the budget for the Division for Juvenile Causes of the Circuit Court of Baltimore City was submitted on October 1st, 1943, which we believe justify an increase in the personnel of the clerk's office of this Court, we are herewith asking Your Honor's permission to request the appointment of a clerk, at a salary of \$6000.00 per year.

We hope to procure the services of a white male, to assist in the general clerical work of the Court. Also, it will be part of his duties to witness the children who have been committed by the Court, and to transport them to the various institutions, or accompany them to 311 St. Paul Place, at the time they are given physical examinations.

In the past, and continuing until January 3rd, 1944, our staff included two or more members of the Police Department. The handling of the children was the responsibility of the members of the Police Department. Since January 3rd, 1944, we have had only one member of the Police Department, and have asked Commissioner Hamilton H. Atkinson if another man might not be assigned to this Court, and he advised us that at the present time it is impossible for such an assignment to be made.

Respectfully submitted,

Eric H. Bennett
Director of Probation and
Deputy Clerk.

Approved:

Chas. E. Maylan
Judge.



CIRCUIT COURT OF BALTIMORE CITY
 DIVISION FOR JUVENILE CAUSES
 ROOM 135 COURT HOUSE
 BALTIMORE-2.MD.

March 3rd, 1944.

Honorable W. Conwell Smith, Chairman,
 Probation Committee of the Supreme Bench of Baltimore City,
 Room S41 Court House,
 Baltimore, Md.

Dear Judge Smith:-

We wish to advise you that the following members of the Probation and Stenographic Staffs of the Circuit Court of Baltimore City, Division for Juvenile Causes have satisfactorily completed the probationary period of their employment -

	<u>Appointed</u>
Hess Betty Young —	September 1st, 1943
Ziers Catharine E. Shas,	September 1st, 1943
Miss Aurelia Taylor—	September 7th, 1943
Mrs. Maude Williams—	July 15th, 1943

We request that their names be submitted to the Supreme Bench of Baltimore City for permanent employment.

Respectfully submitted,

Bernard J. Bennett

Director of Probation and
 Deputy Clerk.

Approved:

Chas. P. Maylan
 Judge

SUPREME BENCH ASSIGNMENT FOR SATURDAY, MARCH 11, 1944. AT 10:00 a. m.

Joseph S. Finnerty

State of Maryland
vs.
Frank Brown

S. Alfred Uund

no. 350, Jan. Term, 1944
From: Tucker, J.
Charge: Bets on Eorse Racing
Papers reed. Feb. 14, 1944

Overruled

Anselm Sodaro

State of Maryland
vs.
Henry Florentine

R. Palmer Ingram

No. 5342, Sept. & Jan. Terms
From: Tucker, J.
Charge: Accessory After Fact
Papers reed. Feb. 16, 1944

Postponed

Anselm Sodaro
Bernard O. Peter

State of Maryland
vs.
George James

Harry G. Selden

No. 374, Jan. Term, 1944
From: Tucker, J.
Charge: Lottery
Papers reed. Feb. 16, 1944

Overruled

John C. Weiss

State of Maryland
vs.
Leonard G. Johnson

John A. Meyer

No. 15, Jan. Term, 1944
From: Saylor, J.
Charge: Manslaughter
Papers reed. Feb. 28, 1944

Overruled

M I N B T E S
OF THE SUPREME BENCH OF BALTIMORE CITY

A special meeting of the Supreme Bench was held on Saturday, April 1st, 1944, at ten A. M. All of the members of the Bench, except Judges Nilss and Tucker were present and the Chief Judge presided.

The following were admitted, on motion to practice before the Courts of Baltimore City:

The Supreme Bench of Baltimore admitted the following to the practice of the law: Robert R. Ruffin, Jr., Robert L. Eohirt, Jr., and Robert L. Plunk. Also admitted: Ald L. Boswell, Katharine M. Smith, and Magdalene L. Smith.

The motion of Henry Florentine, from his conviction as an accessory after the fact and of unlawfully breaking into a safe, was argued, submitted and granted as to the first count in the indictment, and overruled as to the second count. The motions of Angelo Perrera and Joseph La Terza from their conviction of Manslaughter in the Criminal Court, were argued, submitted and denied.

It was decided to hold the Term meeting on April 17th.

There being no further business, the meeting adjourned.

Supreme Bench Overrules
 Motions For (N) Trial-
 hi Criminal Cases

The Supreme Bench on Saturday overruled the motion for a new trial of Henry Florentine upon the second count of the indictment in which he was convicted of conspiracy, but granted his new trial motion as to the first count of the indictment in which he was charged with being an accessory after the fact. The new trial motions and motions for arrest of judgment of Joseph LaTerza and Angelo Perrera, who were found guilty of manslaughter, were denied by the Bench.

Anselm Solary, Assistant State's Attorney, appeared on behalf of the State in the Florentine case, while Assistant State's Attorney Thomas N. Biddison and Saul A. Harris, represented the State in the other case.

J. D. [Signature]
 Secretary

SUPREME BENCH ASSIGNMENT FOR SATURDAY, APRIL 1, 1944. AT 10:00 a. m.

Anselm Sodaro

State of Maryland
vs.
Henry FlorentineB. Palmer Ingram
Ellis LevinSo. 53*2, Docket 1943
Sept. & Jan. Terms

From: Tucker, J.

Charge: Accessory after the Fact, etc.
Papers reed. Feb. 16, 1944*Granted under the
1st Count and denied
under the second count*Thomas N. Biddison
Saul A. HarrisState of Maryland
vs.
Angelo Perrera and
Joseph LaTerzaJoel J. Hochjnan
Ellis Levin

Bo. 4-5, Jan. Term, 1944

From: Tucker, J.

Charges Manslaughter

Papers reed. Mar. 13, 1944

Denied

MINUTES

THE SUPREME BENCH OF BALTIMORE CITY

A Keeting of the Supreme Bench was held on Konday, April 17th, 1944 at ten o'clock A. K. All of the members of the Supreme Bench attended, except Judge Tucker, who did not attend the session in open Court, but did attend the executive session.

The motion of Beverly McCormick for a new trial from his conviction of carrying a concealed weapon, was argued, submitted and overruled.

The following were admitted to practice before the Courts of Baltimore City:

: 3 «mirnH«MIMav ft, John p. Heath and Mnrjoric I* Temple were nilitu-d to practice ns members of the Baltimore Dar My tue Supreme lk-oca yemerdny, upon the respective motiions of Paul K. Kaclic. ^, Carroll Sulh and Jamai B. Dlgsa.

The Grand Jury for the Kay Term was selected, and the Summer assignment of Judges was made.

There was a discussion with respect to impounding of pleadings containing scandalous matter, but no action was taken by the Bench; the matter being left to the particular Judge before whom such an occasion arises and disposition of same to be made by him, according to the circumstances and exigencies of the case.

OFFICERS:

MICHAEL J. MANLEY, PRESIDENT
 308 TITLE BUILDING
 WILLIAM R. SEMANS, 1ST VICE-PRESIDENT
 308 MERCANTILE TRUST BUILDING
 HENRY M. RIEDEL, 2ND VICE-PRESIDENT
 1420 MURPHY BUILDING
 CHARLES E. HOFFMAN, TREASURER
 642 BALTIMORE TRUST BUILDING
 HALLIE GIFFEN, SECRETARY
 308 MERCANTILE TRUST BUILDING

*The Bar Association
 of
 Baltimore City*

STANDING COMMITTEES

COMMITTEE ON ADMISSIONS
 JOHN J. NEUBAUER, CHAIRMAN
 COMMITTEE ON THE AMENDMENT OF THE LAW
 FRANCIS A. MICHEL, CHAIRMAN
 COMMITTEE ON PROFESSIONAL ETHICS
 EREN J. D. CROSS, CHAIRMAN
 COMMITTEE ON GRIEVANCES
 CHARLES T. LEVINER, JR., CHAIRMAN
 COMMITTEE ON JUDICIARY
 RALPH ROBINSON, CHAIRMAN
 COMMITTEE ON THE UNLAWFUL PRACTICE
 OF THE LAW
 STEPHEN W. LEYER, CHAIRMAN

April 8, 1944.

Hon. Samuel K. Dennis, Chief Judge,
 Supreme Bench of Baltimore City,
 Court House,
 Baltimore-2, Maryland.

Dear Judge Dennis:

The Bar Association of Baltimore City received an inquiry from the Legislative Council of the State of Maryland whether the Association had any objections or criticisms relative to the rules adopted by the Court of Appeals of Maryland, and requesting that we make known any changes which the Association thinks should be made in these rules*

At the regular stated meeting of the Bar Association held at the Southern Hotel on Tuesday of this week a resolution was offered that the Bar Association of Baltimore City recommend to the Legislative Council that Rule 6 of part three (rules applicable to law only) of these rules designated as "Instructions to the Jury", be rescinded and in lieu thereof that a rule be adopted to provide for the granting of written instructions or prayers by the Court in all cases tried by a Jury, in accordance with the procedure which existed prior to the adoption of said General Rules of Practice and Procedure. The resolution was not acted upon at the meeting and will probably come up for discussion and consideration at the next meeting of the Bar Association*

There are many lawyers who complain about the lack of consistency of the practice as it now exists in the various Courts in Baltimore City, and at the meeting Tuesday night a suggestion was made that we take the matter up with the Supreme Bench of Baltimore City to determine whether or not it would be possible for some rule to be adopted to make the practice uniform. Some Judges want written instructions and will not charge the jury on the law in certain cases unless written instructions are prepared and submitted to the Court. Other Judges do not rule on the written prayers after counsel has gone to a great deal of trouble in their preparation*. I am informed that in addition to the lack of uniformity regarding the different Judges, that some Judges want prayers in some cases and don't want prayers in other cases, so that the lawyer does not know what he should do in the preparation of the case*. See transactions of the

Maryland State Bar Association (1942), pages 9 to 46, and particularly the comment of ^{ur}, Robert R. Carman on page 46.

It is true that Rule 6 does not make it mandatory upon the Court to orally charge the Jury, and the Judge, therefore, would be justified by the rule in deciding after the evidence was presented whether the case should be submitted to the Jury on written instructions or whether an oral charge should be made. The difficulty about this is that the lawyer never knows in advance what course of action would be taken by the Judge. If the Court should decide to grant written instructions and the lawyer does not come prepared with his prayers he will not obtain any ruling by the Court on the questions of law applicable to the facts of the case. On the other hand, if he burns the midnight oil and goes to a great deal of trouble to prepare written instructions, it is rather disheartening to have the Court completely ignore and refuse to rule on the prayers as submitted.

The matter mentioned above constitutes one of the main objections that I have heard voiced by many lawyers.

Chapter 719 of the Acta of 1939, conferred upon the Court of Appeals the power to prescribe these General Rules. Paragraph 35C of that Act authorizes the Judges of the Supreme Bench of Baltimore City to establish rules governing the practice and procedure in the Courts of Baltimore City, provided such rules are not inconsistent with **the General Rules** adopted by the Court of Appeals.

Has the Supreme Bench of Baltimore City considered the advisability of adopting a uniform rule? If not, do you think there is any possibility that the Supreme Bench would give this consideration and adopt a uniform rule for the Courts of Baltimore City?

Very respectfully,



President.

April 17th, 1944.,.

Michael J. Manley, Esq.,
President, The Bar Association
of Baltimore City.,
309 Title Building.,
Baltimore, -1- Maryland.,

Dear Mr. Banley:

Chief Judge Dennis read your letter of the 8th inst., to him, before the meeting of the Supreme Bench this morning, and a resolution Has passed inviting you and a Committee of the Bar Association to confer with/Bench to discuss the method of instructing Juries in the trial of cases.

Wont you please arrange with the Chief Judge for such a conference at such a time as may suit the pleasure and convenience of your Committee and the Chief Judge, on behalf of the Benoh.

With kind personal regards, I am

Sincerely,

etd/m

gdsin T. Dickeraon

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SLIPRBIK BEKCH ASSIOHHEHT

Monax April 17 1044

Thomas N. Siddison

State of Maryland
vs.
Beverly Ucoroick

Joseph Bosenthal

!P. 932, Jan. Term, 1944
From: Tucker, J.
Charge: Deadly Weapon
Papers recd. April 8, 1944

Overruled

MINUTES

OF THE SUPREME: BBCH O? BALTIMORE CITY.

A Special meeting of the Supreme Bench was held on Monday, May 8th, 1944, at twelve o'clock noon, to fill vacancies on the Grand Jury.

Members: Messrs. Thomas C. McGuire, Henry J. Fehler; Irving B. Gray and Anton Hagel were selected in place of Messrs. Charles A. Riebling, William P. Hilgenberg, Glenn C. Bramble and Charles S. Otto, Sr., who were excused.

There being no farther business, the meeting adjourned.

Grand Jury For May Term Organized Yesterday By Judge Tucker

The Grand Jury for the May Term was organized in the Criminal Court yesterday before Judge John T. Tucker. P. Slinn was named foreman of the body and Charles A. Mullikin, tenanted 09 assistant foreman. The following members were elected to the Grand Jury: Messrs. Dore, Eltner, Gray, Irvine, Oliphant, Benham, Hammond, Hines, J. T. Louis, Lybhen, Uchsw, McMillin, McCloskey, Gerold, McGuire, Raymond, Robinson, Wiltm, and Stanlan.

The Grand Jury as organized yesterday consists of the following members:

- Alice A. Carl, 3003 Motterd Street
- Bonif. WUllm B., Euflj- Hill Apts- 101 W. Union Parkway.
- Dorroll, Hope ZL, Jr., 103 Ozerhill road.
- Baner, H. Diorc, Jr., 2001 Alrarailo Street.
- Benham, Harry P., 652 St. George's OIMC.
- Dore, Eltner E., 1203 East 3rd Street
- Fidler, Henry J., 8010 Uberty Street
- Gray, Irvine B., 601 Hollen road.
- Oliphant, Atbington, Jr., 601 Hillside road.
- HBRCL Anton, 3001 Crossland avenue.
- Hammond, WUllm J. (c), 510 North Arlington Street.
- Hines, Walter M., 100 Wejt Dulverton Parkway.
- J. T. Louis, 20H Violet Street.
- Lybhen, Lawrence, 425 North Chnd, 2nd lane.
- Uchsw, George C., Sr., 1KB North Montford avenue.
- McMillin, Chbarta A., 228 East North Street.
- McCloskey, Gerold P., 2111 Hemlock Avenue.
- McGuire, Thomas, c., 112 East 31st Street.
- Raywood, Harold Dale, 3811 Bdaor road.
- Raymond, Harry P., 2007 Loutic Avenue.
- Robinson, William, 47-11 Park Heights Avenue.
- Wiltm, H., 602 Wincate road.
- Stanlan, E. Murray, IMS Park Avenue.

Additional Grand Jurors Are Selected To Report For Duty Tomorrow

The Supreme Bench of Baltimore yesterday selected for the May Term Grand Jury the following members: Messrs. J. T. Tucker, in the Criminal Court at 10 o'clock tomorrow or nine and an effort will be made to organize the body. They will meet in the place of Messrs. A. Riebling, William F. Riebling, C. Driftle and Charles S. Otto, Sr. who were excused.

Estlin Robinson
Secretary.

MINUTES

OF THE SUPREME BENCH OF BALTIMORE CITY

A meeting of the Supreme Bench was held on Saturday, June 3rd, 1944, at ten o'clock A. M. All of the members of the Bench were present, but Judge Tucker took no part in the hearing or decision on the motion of Robert L. Grove, for a new trial from his conviction in the Criminal Court on the charge of receiving stolen goods.

The following gentlemen were admitted to practice before the Courts of Baltimore City:

West J. Ciffoa, Xuhn It. Crime, Virgil Van Street and Milton Caplan were admitted to practice by the members of the Baltimore Bar by the Supreme Bench of Baltimore on Saturday. Motions for admission of the candidates were made by John A. Fluolsun, President, Key Marray and Arthur H. P. J. Colt.

The motion of Robert L. Grove, above referred to, was argued, submitted and overruled. It was decided to hold a Term Meeting on June 19th, at ten o'clock A.M.

There was a discussion with regard to the rotation of Stenographers and the application of Mr. Charles G. Cavey, for a vacation* Judge Moylan undertook to consider the matter and report at the next meeting of the Supreme Bench.

There being no further business the meeting adjourned.

Edwin M. Dickerson
Secretary

Supreme Bench Overrules
New Trial Motion Of
Robert L. Grove

The motion for a new trial of Robert L. Grove, who was convicted of receiving stolen goods, was overruled by the Supreme Bench of Baltimore on Saturday.
Awlatnut Sift M. Attie - Jowpb O. Finnert appeared on behalf of the State.

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SUPREME BENCH COMMIT ASSIGMENT
Saturday, June 3, 1944

Joseph G. Flinnerty

State of Maryland
TS.
Robert L. Grove

Paul B. LSules

No. 457, Docket 1944
January Term
From: Tucker, J.
Charge: Receiving Stolen Goods
Papers rec'd. May 8, 1944

overruled

EXCERPTS

A Term meeting of the Supreme Bench was held June 19, 1944 at ten a.m. All of the members of the Bench were present at the session. In open court except Judge Tucker who was present at the Executive session. Chief Judge Dennli presided. The motion of Antonio Anbraguglla for a new trial from his conviction in the Criminal Court of Receiving Stolen Goods was argued* submitted and overruled* The Grand Jury for the September Term, 1944 was selected. A letter from Mr. Foster B. Fansen, Secretary of the Board of Visitors of the Baltimore City Jail reciting inconveniences occasioned to the Warden and his deputies through the signing of orders by members of the Bench requiring prisoners to be taken out of the Jail under guard for deaths, illnesses, etc. and the probable lapse of authority for the signing of such orders was raised* It was the sense of the Bench that orders be signed to take prisoners from the Jail under guard only for the purpose of testifying in or attending court proceedings. The question of a vacation for Mr. Carey, stenographer in the Juvenile Court was discussed and the matter was referred to Judges Smith and Hoylan to prepare an order covering the rotation of court stenographers with respect to vacations. Judge O'Dunne brought to the attention of the Bench the fact that magistrates in the Traffic Court have from time to time appeared in the Criminal courts as counsel in appeals from decisions* of other court magistrates. The Bench is of the opinion that it has no authority to order this practice discontinued but felt that it was not proper* Judge Sherbov brought to the attention of the Bench the difficulty in his court room of hearing witnesses and counsel and the matter was referred to him to investigate the cost and to see if the U. S. Government will allow the court to have hearing devices installed and to report the same to the Bench for further action. An Order was signed for the Clerks' of the various court offices

*Erwin Peterson
Secretary*

to do be at 3 p.m. beginning July 1 and continuing until Sept. 11, 1944. There being no further business the meeting was adjourned*

September Term Grand Jury Is Selected By Supreme Bench

The Grand Jury for the September term was selected by the Supreme Bench yesterday. They are called for Monday, September 11th.

Those selected to serve on the Jury are:

Abbott, a Webster, Jr., (Hil W. << finlrcsrly p.irkwuy.

Abrau, Suniul, 3301 Reistorstnna rout).

Aii5tin, Franklin C. 28E> FJIHI 32nd Btrevt.

Bramble, Glenn Oronty, Wymn Turk Apartments, 3015 Beecli avenue.

Cagey, Frank X. 3302 Allw nvenuc.

DeFoni, Albert R., «20 Clitlou rond.

Efcenraic, J. Loomrd, Pentridue Apunincals, Loch HUTCH tMrokvard and Arlington avenue.

Gnrrly, Bernard A. Sr., 813 Eust 22ml Htrect.

Gorman, Albert, Jr., 1(8 Weft 30ili street.

GraDam, Robert I*. Jr., 1705 East 3Dth street.

Green, Swoctscr L., 1705 Hilton street.

Gumlershclmcr, Milton E., Entaw place and Lake drive.

Hostlp, Irrlu R., 1020 Fairfax roud.

Kasivol, William S. 313T Siq. ink avenue.

Mnthievji, JnitiM S., ISW3 Chotfien rond.

MuCalio, Josoph A., 1312 H.mirwood ioTCiue.

< .ilcKcnuer, John H., 2410 Ken Oak rond.

Morris, George It., 102 Cotswold rond.

Pcrrn, G. Alfred, Glt Nortli Wood-lucton avenue.

Iteddck, Mi-bJn L. (coL), 4218 Stans Cuapl rd.

SkipjilT, COiarieo W., 1730 Tliomas a.venoe.

Straw, Henry C., 3418 Boncrott rond.

Williams, Earle L., 2615 East 33rd street.

Supreme Bench Overruled Motion For New Trial In Criminal Case

The Supreme Bench of Baltimore yesterday overruled the motion for a new trial of Antonio Ianrususlin, who was convicted of larceny.

Joseph A. Flinnerty, Attorney-at-Law, appeared for the defendant at the hearing.

Courts Are Authorized To Close At 3 P. M. By Supreme Bench

The Clerk of the Baltimore County Circuit Court has authorized the courts to close at 3 P. M. instead of 1 o'clock from July 1st until September 11th. The Supreme Bench of Baltimore yesterday. The offices will close at the usual hour of 1 P. M. on Saturdays during the summer months.

SUPREME BENCH COURT ASSIGNMENT
Monday, June 19, 1944

Joseph G. Finnerty

State of Maryland
vs.
Antonio Imbraguglia

Isaac Lobe Straus

No. 952, Docket 1944
January Term
From: Tucker, J.
Charge: Larceny, etc.
Pape? s reed. Bay 5, 1944

overruled



FOSTER H. FANSEEN
 ATTORNEY AT LAW
 461 CALVERT BUILDING
 BALTIMORE, MD. 2

June 17, 1914

Hon. Samuel K. Dennis,
 Chief Judge,
 Supreme Bench of Baltimore,
 Court House,
 Baltimore - 2, Maryland.

Dear Sir:

The Jail Board respectfully requests that you take up with the Supreme Bench a matter which has occasioned no little inconvenience to the Warden of the Jail, and offers opportunities for escape and legal complications which are not lightly to be borne.

The Warden of the Jail has been in receipt of orders signed by members of the Supreme Bench recently, requiring him to take prisoners awaiting trial and prisoners serving sentences out of the Jail, under guard, for various family reasons:- circumcisions, deaths, illnesses, etc., one covering a period of twenty-four hours.

Aside from the very great difficulty confronting the Jail in getting guards of quality for the normal management of the prisoners, it is almost impossible to get competent men to take prisoners to various points and on various errands outside the Jail.

The Jail Board is unaware of any Jurisdiction the Supreme Bench has to order the Warden to take prisoners out of the Jail on the errands mentioned, while conceding, of course, the Jurisdiction of the Judges to order prisoners out of Jail to testify or to attend court proceedings. It has also been suggested that if the Jail Board and Warden are subject to those orders of the Judges of the Supreme Bench, State Officials, the Board is equally subject to the Jurisdiction of Judges outside the City, also State Officials. The Jail Board is essentially a Municipal body.

The Jail Warden is afraid that prisoners under escort, under Court order, may escape and that he will be responsible, notwithstanding he disapproves of the practice; and is also apprehensive that if prisoners escape under such circumstances they are not guilty of breaking jail when out under void authority.

The Jail Board trusts it will be consistent with the practice of the Supreme Bench to discontinue such orders.

The Jail Board records disclose that up until about fifteen years ago such orders were issued from time to time, and that about that time the practice was discontinued. The Board is informed that the subject was then considered by the Supreme Bench and the practice discontinued on the grounds, or one of the grounds, above suggested.

While the Jail Board wishes to cooperate with the Supreme Bench in every way which is practical and lawful, it is thought in the present instances that the

Jail Board should request relief at the hands of the Supreme Bench for a practice BO lately resumed.

The Board itself, recognizes the reasonableness on extraordinary occasions of escorting prisoners under guard to places outside the jail, and has regulations covering the subject framed to meet emergencies when consistent with the proper organization, discipline and maintenance of the prison and its inmates.

Very respectfully.



Secretary, Board of Visitors
of the Baltimore City Jail.

PHP:D

June 19, 1944

Hr. Foster H* Fanacen,
461 Calvert Building,
Baltimore, -2, Md.

Sear Tosteri-

Your letter as Secretary of the Board of Visitors of the Baltimore City Jail addressed to Chief Judge Eemla van read at the Bench meeting today is that it was the action of the Board that orders for taking prisoners out of the Jail should only be signed for the purpose of having prisoners testify in or to attend court proceedings, with respect to other occasions the matter should be left to the policies and regulations of the Board of Visitors of the City Jail.

I OUIB very truly,

Supreme Bench
of
Baltimore flitg

SAMUEL K. DENNIS
CHIEF JUDGE

August 31, 1944*

(Copy to Hon. Edwin T. Diokerson)

Hon. John T. Tucker,
Hon* Charles E. Hoylan,
Court House,
Baltimore, Maryland*

Gentlemen»

X have this day appointed you member of the
Budget Committee of the Supreme Bench of Baltimore City*
The former members of this Committee, Judge
Frank and Judge Soltor, are of course off the Bench, and
the City Hall wishD our budget to be en bait tad.

X therefore respectfully request you accept
this appointment *and* collaborate on the preparation of
the budget*

Yours very respectfully.

Samuel K. Dennis
Chief Judge*

Supreme jBmrJ
of
Baltimore City

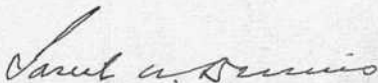
SAMUEL K. DENNIS
CHIEF JUDGE

August 21, 1944.

Pear Judge:-

Will you kindly attend, if possible,
a meeting of the Supreme Bench, herewith called
for Friday, Septambar 1st, twelve o'clock noon,
in the large Superior Court Room, when Judge Smith
will be inducted as Chief Judge of the Supreme
Bench of Baltimore City?

Yours respectfully,



rr

MINUTES

Sept. 1, 1944

OF THE SUPREME BENCH OF BALTIMORE CITY

A Special Meeting of the Supreme Bench was held on Friday, September 1st, 1944, at twelve o'clock noon, to induct Judge Smith into the office of Chief Judge of the Supreme Bench. All of the members of the Bench, except Judge Saylor, were present. Judge O'Dunne, presided as Acting Chief Judge until Judge Smith was sworn in.

Former Chief Judge Dennis presented Judge Smith for induction. The response on behalf of the Bench was made by Judge O'Dunne, and after taking the Oath, Judge Smith took MB seat as Chief Judge, and responded to the addresses previously made. Copies of the addresses are attached to these minutes as part hereof.

Judge Sherbow inquired whether the members of the Bench had used the loud speaker which he had had installed, and also inquired whether they desire loud speakers in their respective Court Rooms, which he said would cost about \$1400.00. The whole matter was left in his hands to make such arrangements as he should be able to do.

Judge Nilas moved that the appointment and induction of Judge Smith as Chief Judge gave pleasure to the Bench and pledged the support of his Associates. The Motion was unanimously carried.

The Chief Judge then proposed that the assignment of Summer vacations should rotate in the same manner that the Judges rotate year by year, starting with the Court of Common Pleas.

The Report of the Budget Committee was submitted and approved and a copy of the Report is attached to these minutes as a part hereof.

rt.

MINUTES (Cont'd) Sept. 1, 1944

There being no further business, the Meeting adjourned.



Secretary

New Chief Judge Of Supreme Bench Of Baltimore Qualified Yesterday

Oath Administered To Judge W. Conweil Smith Before Open Session Of Judges Which Was Attended

By Notables Of City And State

Timothy W. Conweil Smith, Klmlnstrlth yesterday to Judge IV. Con well Smith, recently appointed by Governor Iler- i- bort n. O'Conor (a tucd- l Chief Judge Samuel K. Dentil*, who retired by n. lltgulation on Thursday nH n member of (JO Supreme Bench of Baltimore. The ceremony took place in the Inrgc Superior Court Room on the second l door of Uic Court House. If Lutn- r plttman. Clerk of the Superior Court, administered the onUi to the new Chief Jaddie.

The court room was overflowing with members of the Bar, the general public and court attaches. Also present were Governor O'Conor, former member of the Supreme Bench, reprcsnt- tlvtos of the rations State and City Bar Associations, Federal Judges nml State nml City officials. Jud- o Smith's family and many of his personal friends added to the large gathering.

Judge Smith was presented to Uic member* of the Supreme Bench by tils predetctor, Chief Judge Dentils, and Jail go Eugene O'Dunne, as nenor member of Uio Bench, responded on behalf of the Court

Following the remarks of Judge O'Dimuc, the now Chief Judge was escorted to the Bench by Governor O'Coour and JudRo Penulis, wheroupu Jio dellcored a few remarks which ncl- reported below together with tho u- of Judge DeimH ami Judge UDann-.

•RyM* Tigh OP
CHIEF JTDQB OEKNIS

It is u jirtllt- t: mill gmlt lltupltit, to present to the neighbors of the Supreme Ucnch your ILLU LUU* Juddi, W. Conweil BMD.

Our first thought always IM for the infmbws of Uic UulUniore Jnr who n: fighting our fight for Ameron* freedom. We wonder if this cbango of guard on the Bench is U: them of any SealQeince cut trusteul sny to the dmanrte LibralUu of PurI* bwlv n Bnnull part of the vnst and orer- chunc- Ing pauitama of war, irarictly they lire poumt flourcs.

Certainly o Judge Sullti nid hit inretlccssor I U no supsurvitive: only n chan'p from UILL fumlMar J'p to twother for wu scclatun* cvllvlnns; we astm: the older old Yul it l: of prime Impurtance? EfdUrc curU cure many civic tils. enufound critter of Government.

The future of the l'ow ftrnt- Klms In the thick of the war (8 our responsibility, and of Itself uiuku It the mom Impcrlturo Uuit ire In this bade-

our utmost to set the thiur aright. Strong courts, mauncd by strong men arc necessary to dual promptly, wisely and well with U: problems of the peace. We learned too late uftcr the last war that those problems nrc only slrlitly less dangvrotv to civil liberty than the fortunes of war. When our Justicr- lawycrs come back we must kltill him at the liar, on the Bench, if they atm proud to call home, with security, opportunity and the Integrity of the courts nnsnrd.

Judge Smith will devote himself wllth Ills powers to those wholsomc and In a Kpirt that will prevail. POT JO one who knows Judge Smith's background of education, culture and character, no one who has been associated with him at the liar, on the Bench, or even at play, enn for an instant lmbt that In selecting him to head this court the Governor made n WKC choice: cvrd the Bench, the liar, and the public o' totn of superior intellectual gifts and one perfectly equipped by experience, learning and an innate Instinct for the right to earn the burden of Judicial responsibility which Is to be his, w hope, for years to come.

We trust he will be happy In that tank ami be will Hud him In the position to make him happy. The work of the courts In In perfect order. Equity cases arc heard as MOOP as counsel net them down. Criminal cases arc disposed of within a fetr day*. Dome times within a few hours, following Indictment. Common law cases lit Imue arc tried In ordinary course within two to four months. That extralrdinary condition, we believe, exists In no other comparable jurisdiction.

Nor box it always existed here. Eighteen year ago when your presld- lJC Judge nclcarcd the Bench he found Hint two to three ycon elapsed before caws ivcr tried; that occasionally the criminal dockets got so far behind Uic two or more extra Judds hnt to be n- slgnted to clean up the accumulation of nnt In the Jail awaiting trial. The Improvement noted Is in some part due to a temporary falling off of civil litigation, but In Jn larger part due to better trial technique on the part of the Justicr and the Courts. Judges* and law- work with r'rcnter precision and cclctry than ever heretofore: nnd the law' delay is n plague of the pant In Halt- more.

Judge Smith will notice many helpful changes In the ImIM of Court. I'c- which Im late Judge Stain, an In- fatigable ami practical pioneer, Is to most Inxtnces responsible. He will find n numb' of Jurisdiction, Department and Immltly open- on nml the Trust De- partment of the Bench reorganised and vlsitly Improved nith the help of am able committee of the liar. It is an matter of congratulation that the J- n- thm- Jc Jny system bus r'oscd every best In the State and Federc' Courts and In adDructed and copied In many

Jurisdictions. And we have excellent Jures.

Judge- Km I ti will be itrvrd by B MI of splendid court official*, competent, courteous, devoted but underpaid, on dntr In this building. Best of all lie will find In the ad mini strati on of Justice that your courts know no dl'- tinction in race or religion; that no color consciousness occurs when 110- gable or lawycrs of Afro-American origin appear. Ajid lie will find Lho lawycrs of the colored Dor, who arc on the whole exceptionally competent and dependable, worthy of his respect and confidence.

He will lie compensated for many dreary, monotonous days try I up nrr of tht mill cases by occasional causes which call for the utmost qualities of mind, capacity for research, strength and murgc: make the blow! and thoughts flow more freely. lie will be daily refreshed by contacts with member* of the Bar, especially the Junior members of Uio Bar: perhaps the most delightful feature of bio Judicial duty. These young men are a wonderful body: energetic, well educated and curact not to fall In respect for tin- Court and the amenities of A: great and ireful profession.

To refer to a hutely matter, it may be Judge Smith will succeed when others have failed in getting UHF poorly planned and over-crowded Court House building reconstructed. Thel Junior Bar suggested, after a survey, Uiat two additional courts be added? The City Hall has done much to nakv the bench more tolerable, to Improve: records for the ever-growing stock of records, to repair Uic c'upromclL Those amiable cruna, while oppre- clnded, arc inadequate. DrasUc trourment is needed most urgently.

Our Justice's greatest on- portunity and nonobscure will come 10 doubt when the gunlie craws nnd c'cthing manes of res Hess, scldm- minded men, who lack respect for the fundamental American Ideals, and apparently hold the tenets of Magus Carta and the Cowittulan lu contempt, will seek with added vigor to wreck the civlty of the courts. Al- ready they hvc done mist dmyte. They nre Eiecdy to avoid the sure, orderly and impartial operation of the courts by setting up administrative boards and other drcice to settle personal and propriety rights on lacs which arc alien. They d'cgnlie their nll- g'ccs and under many nlanck. Their r'wrr nnd quackery, and their no- c'c'rris Is exalcd and bawmle they Ray the cost delay and over-toIn- r'ntion of Judicial procedurVH hmp- t' no'alled progress. Competent courts destroy the validity of their argument. The Supreme Bench furnishes one bit of rebuttal evidence; supplies an antidote to Uicir pitiful. For now, by no method more real Justice he had so promptly and economically n' here.

It may be the gulfs will whid n'c down, and the courts will n- N on the flood ftll) other fundamental Faf- g'igns- f- way U' tlmntc freedom mti safety. We f- k wrr Urit In his sphere Judge Smith will twrn h* back to the burden will bare his hand to the militant flon and of Mr. Krlv to keep the Illarylnd Courts worthy of th' youu lawycrs now on the fighting front when they come home: and worthy of those who will not come back. Sod Is the fundly of the man.

And we of the Urn In loyalty and respect pven to you nI the Bench, your noble Chief, and your new Chief, W. Conweil Smith.

August 29, 1944.

To the Chief Judge and Associate Judges of the Supreme Bench of Baltimore City:

The Budget Committee respectfully reports that the active personnel budget of the Supreme Bench to be submitted to the Mayor and City Council for the year 1945 is \$160,875.00, an increase of \$500.00 over the amount requested for 1944. This increase represents salary raises granted two stenographers in the Jury Clerk's office of \$100.00 each, and an increase of \$300.00 to the deputy clerk of the Supreme Bench.

EXPENSE ACCOUNT

Supreme Bench Stationery, supplies, etc.	\$2,000.00
Medical Department supplies, etc.	300.00

SALARIES

11 Judges @ \$3,125.00	34,375.00
22 Bailiffs (assigned to courts) @ \$2,500.00	55,000.00
Folger (Jury Clerk)	3,000.00
Gardner (Jury Assembly Room)	2,500.00
Malsch (Grand Jury)	2,500.00
Kerr (Assistant to Trust Clerk)	2,500.00
11 Court Stenographers <? \$3,600.00	39,600.00
Grand Jury Stenographer	3,600.00
2 Stenographers to Jury Clerk @ \$1,500.00	3,000.00
Supreme Bench Clerk	900.00
Medical Service	
Dr. Guttmacher \$4,000.00	
Mrs. Weis 1,900.00	5,900.00
Watchmen	
Lee (Ct. of Common Pleas)	1,200.00
Gourley (Circuit Court No. 2)	1,200.00
Andrae (Circuit Court)	1,200.00
Fletcher (Baltimore City Court)	1,200.00
Grand Jury Matron	
Mrs. Webster	900.00

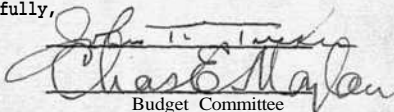
Total - - - \$160,875.00

The Retired Personnel budget for the year 1945 is \$311,425.00, a net increase from the amount requested for 1944 of \$1,334.60. This increase is due to a combination of circumstances* Two Judges who are receiving only a portion of retirement pay in 1944, will receive the full amount in 1945. Judge O'Dunne will retire in 1945 and, therefore, his retirement pay for part of the year is provided for, as well as an additional Bailiff, James U. Spencer. These increases, less the decrease of \$1000.00 per annum arising from the death of a retired court stenographer, result in the above mentioned increase.

REIHEMENT PAY

6 Retired Judges @ \$600.00	\$3,600.00
1 Retired Judge (Retiring In 1945)	325.00
5 Retired Bailiffs @ \$1590.00	<u>7,500.00</u>
Total	311,425.00

Respectfully,


Budget Committee

MINUTESOF THE SUPREME BENCH OF BALTIMORE CITY 9-11-1944

A Special Meeting of the Supreme Bench was held on Monday, September 11th, 1944, at 12:15 P.M. Judge Nilea, Tucker, Sherbow, Dickerson, Saylor and Moylan were present, and Judge Dickerson, in the absence of the Chief Judge and of Judge O'Dunne, the Senior Judge, presided.

Messrs. C. Webster Abbott, Jr., and Henry C. Straus, were excused from service of the September Term, 1944 Grand Jury. C. Milton Woolford, 109 Longwood Road and C. Harold Coulter, 2724 H. Calvert Street, were selected in their place.

Judge Sherbow reported that he had made requisition for seven microphone sets to the Director of the Budget, the cost to be included in the Budget., and that he had reasonable expectation of obtaining the sets. There being no further business, the meeting adjourned.

Cedric Dunne

Secretary and Acting Chief Judge

Two Additional Grand Jurors Selected By The Supreme Bench

The Supreme Bench of Baltimore restoring (wickets) C. Milton Woolford, 300 Lanswood road, and O. Harold Coulter, 2724 H. Calvert Street, to the Grand Jury for the 100th September Term.

They will serve in the place of C. Webster Abbott, Jr., and Henry C. Straus, who were excused and will report at 10 o'clock on Monday morning to Judge John T. Tucker. In the Criminal Court, when an effort will be made to organize the body.

Grand Jury For September Term Organized By Judge Tucker

The Grand Jury for the September Term was organized by Judge John T. Tucker, Jr., as foreman in the Criminal Court. George H. Morris was named foreman of the body and Eric L. Williams was designated as assistant foreman. The following members of the jury were selected to serve on the Preliminary Committee: Glenn C. Umulic, chairman; Frank J. Consey, Albert B. DePorl, Deming A. Harity, Sr., and Milton E. Gumlimbener.

Polio wine list of Lic
Abraham H. Sniou, 37 IH Hcis tern town
Aimin, Fmu Vln C. MM Eoat 32nd
Bnmlljc. Glenn Croaley, Wyman
Pnric Apartments, 3011 Beech nri-nuc.
Cnwv. Pnrlit J., 3502 Allim nrmnuc.
Confler. C. Hnrolit. 2724 North Cal-
wrt strtet.

Dpl'ord, Albert R., 4420 Clifton road.
Eckronit. 3. Leonutti. centridge
Apartmenta. Loch BnTcn honlvord nnd
Arlington BTogne.

Garrily, Bernard A., Sc. SU East
22nd street
Gorman, Albert, Jr., 203 TVeit SOLI
fitreet
Graham, ItoIwrt L. J., 1705 East 3Gth
street.
G'n. Swwtwir L. 1703 Hilton
street
Gmderulclmer, Milton B., Eutow
plnce and Tllas. Astwa.
Rosclnlp. IrTln It, 4020 Fairfax road.
Kncircl, William S., 8137 Swinala
avenue.
Motiown, James 3., ISG Orlelsea
raail.
StCaUe. Joseph A., 1312 Horaeood
atTcne.
SteKennoj. John U., 2410 Ken Oalc
rand.
Morris, George R., 102 Cotswold road.
Peters, G. Alfred, 630 North Woodling-
ton avenue.
nwllilek'sfelvln U (col. J., 4218 E*ansi
Cbnpel rand.
Skripper, Charles W., 173(1 Tiomms
avenue.
William*. Entlo L., 1015 East 33rd
stir*L
Wimford. C Silltrtn, 1W Lonewood
road.

HTH2 IE S
OF THE SUPREME BENCH OF BALTIMORE Cm

A Meeting of the Supreme Bench was held Saturday, October 7th, 1944, at 10 o'clock A. M.

All of the members of the Bench were present except Judge L'Olanahan, who has been sick during the week.

The motion of Philip P. Silbert for a new trial from his conviction of lottery in the Criminal Court, was argued, submitted and overruled. Judge Tucker took no part in the argument.

A resolution was passed suggesting that the Chief Judge write a brief memorandum on the grounds for refusing the motion for a new trial, and give his memorandum publicity - for the benefit of the Bar and Police Department. The Chief Judge agreed to do so.

The Report of the Committee on the Court House, Judge O'Dunne, Chairman and Judges Niles and Sherbow, was submitted and approved; with thanks to the Committee, which was authorized and instructed to give copies of the Report to the Press. A copy of the Report is attached to these minutes as part hereof. It was also resolved the Committee be continued as a Standing Committee.

The Probation Committee, Judge Niles Chairman, reported that they had no report to make. Judge Niles had been previously appointed Chairman, Vice Chief Judge Smith and Judge Lioylan. Vice Judge Dickerson, who had resigned.

It was resolved that a resolution of sympathy on the death of Dr. Beale Elliott, late colored Probation Officer, be drafted by the Chief Judge and sent to Dr. Elliott's widow, and that copies be sent to the Daily Record and Afro-American.

Judge Saylor suggested that step be taken to increase to salary of Trust Clerk, Mr. Howard B. Matthews. The matter was referred

to the Standing Trust Comiittee, from which Judge Niles, on this date resigned and the Chief Judge appointed Judges Sayler and Sherbow to serve with Judge Dickerson, the remaining member of the previous Committee.

It was resolved that the Judges of the several Courts request the Clerks of their respective Courts to purchase for the several Judges, copies of the West Publishing Company's Maryland Digest.

The Chief Judge submitted a proposed rule to govern the appointment of counsel in Criminal cases and it was decided to give such Judges as should desire to do so, the opportunity to prepare and submit for the consideration of the Bench at its next meeting, drafts of a proposed rule.

The schedule of assignments of the Judges during the Sumier vacation, submitted by the Chief Judge, was adopted, with the understanding that the Judges may exchange assignments with each other,if they so desire.

The application of Mr. Daniel C. Joseph for authority to take testimony as an Examiner, both at law and in Equity, was referred to the Standing Truat Committee, with instructions to report on it at the next meeting of the Bench.

An Order was passed repealing and rescinding Common law Rules, 26, 31, 42 and 47, and Equity Rules 4, 5, 6, 7, 8 and 9, because in conflict with the Rules of Practice and Procedure adopted by the Court of Appeals.

A copy of the Order is attached to these minutes as part hereof.

It was decided that the Special order of business at the next meeting of the Bench should be with respect to the use of oral and written instructions in Jury Trials.

It was decided to hold informal luncheons in the Supreme Bench Chambers at 12:30 on Thursdays, beginning October 19th, to discuss mutual problems and for social purposes. Judge Sherbow was instructed to make culinary arrangements.

It was the sense of the Bench that Kr. N. S. West and his employees should be permitted to use and copy from the records of the Clerk of the Superior Court, at all reasonable hours and in such a manner as not to interfere with the work of the Clerk's office, or with other persons having business with the Clerk's office and using the books and records of the office. The Secretary was directed to so advise Ur. Pittman, Clerk of the Superior Court and Mr. West.

There being no further business, the meeting adjourned.



Secretary.

65

Supreme Bench
of
Baltimore

October 6, 19U.

The Honorable,, The Supreme Bench
of Baltimore City,
Hon. K. Comroll Smith, Chief Judgo,
Court House,
Baltimore * 2, Maryland.

Gentlensm*

IsnettiAtely after oar appointment as a special Court Bouse Caanlttee
m made a coaplst* surrey of the interior of tba building. We interviewed the
Court Clerks, department beads, and others occupying space In the building. We
also conferred with the City Solid tor. Chief Engineer, the Buildings Bognear
find tho Superintendent of Buildings*

Oe find the present quarters ovor-crerdrd, idth nuoh needed space
unavailable for certain court clerks and other officials, while at the seas tine
ft great deal of apace is mated* Tba building is dirty and badly In need of wash-
ing and painting. Tho heating system is inefficient; sos» offices aw so cold In
winter BBployses cannot work in them, nhlle In eane parts of the building windows
Buat be kept open In old-winter because of the intense heat. Court clerics complain
of papers dry-rotting and crumbling because of tho heat. Dust from the ventilators
ia oo great the ventilators are kept closed.

Tho roof leaks in some plages, and the Bar Library and others have had
books land papers Injured by rain, while painting on tho nails has scaled from the
effects of the rain.

Some court room have eound proof oatorlals on the waJls and oeillnga,
Mle others do not Some court olerica have jadora fluorescent lighting i&lla other
offices and court rooma have an archalf Hflh^ig system with bulbs Biasing, oto.

Window shades throughout the building are missing, torn, or full of holes* Linoletim is rotten and in bad shape* Chairs are broken and not repaired or replaced.

Beautiful mural paintings have an accumulation of dirt and dust. Fins tiled floors are worn and broken in spots and are left mrepalred* Furniture and wood-work hare not been varnished or painted for years. The elevators are antiquated, slow, and frequently out of servioe for repair. Some court rooas have clocks that run, while others have clocks that have been out of servioe for years and not removed* In SON plaoss both serviceable and unserfioeabls docks hang on the walls*

The toilet facilities are disgraceful. They are Inadequate and In Beam instances worthy of the attention of the Health Department. Firs hose signs are on display, but the fire hose is g<off>fig-

The present conditions are not of recent origin, but result from the f sot that the needs of its various occupants for space have greatly increased since it was built, and ovar a very long period of time the building has been allowed to fall into a sad state of disrepair* In the rooent past the condition has been aggravated by material and man-power shortages caused by the war.

the Court Rouss is a beautiful structure, well-built, and only about forty-five years old. However the interior has been chopped up, sub-divided, re-built, and added to, from tine to tine, all without any general plan or scheme. Some court clerks have built mnianiTw floors for their expanding needs. In the State*a Attorney's Office a balcony was built that has destroyed the beauty of the office, and at the •me time provided Inadequate and uncomfortable spaos for his staff. Sis Sheriff has on* cell for the use of male and female, white and colored prisoners. So far he has •snaged by the use of good judgment to avoid any difficult situations-

The Record Office needs mors space for land records. Part of the staff Is on the third floor and part on the basement floor. The City Solicitor has his rtaff on three separate floors. She Probation Depsrtaent is scattered all over the

ground floor. The state's Attorney has his offices in separate parts of the first floor. The Grand Jury has a crowded, cluttered room with an even worse ante-room for waiting witnesses*

This is only a part of the picture, but it gives some idea of present conditions. That is a wasted area while there is an urgent need for more space*

Some time in the future a new Court House must be built, but we believe, with efficient re-arrangement of space, some structural changes, and capable management, the present building can be economically and satisfactorily used for a long time to come. We do not believe it will be necessary to add any new stories to the present building*

First we recommend—and that a competent architect be appointed by the proper city officials to make a complete survey of the building. At the same time the Supreme Bench should have a standing committee on the Court House*. Together they could plan for re-arrangement of offices, a more efficient utilization of space, and the preservation of the harmony and beauty of the structure. Building experts and heating engineers could make surveys and reports that would show what was needed for immediate repair and what would have to be delayed until materials could become available.

The architect could plan the re-arrangement of offices, etc., from an overall point of view*. For example, a complete rearrangement of the State's Attorney's Office, the Clerk of the Criminal Court, Grand Jury quarters, Domestic Relations Department of the State's Attorney's Office, could be made, so that ample space could be provided, the offices modernized, toilets installed, etc., and it is entirely likely that no additional expense would be required.

Another instance is the Record Office needs more room. We suggested to the clerk of the Superior Court that he consider including the corridor adjoining the Fayette Street side of his offices as a part of his space. As an alternative* a balcony over the center record library might be considered. He reports that his

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needs for nine years could be met by the first suggestion* and fifteen years by the second. Only a qualified architect could determine which plan is the most feasible* and which one should be adopted.

A plan for modernizing all the clerks' offices could be worked out. Filing experts could be called in to suggest plan for re-vamping the present system of keeping records and filing papers.

The Supreme Bench Committee could suggest and cooperate, and could also bear some responsibility for seeing that the work gets done*

We are pleased to advise you that this suggestion for the appointment of an architect has met with the approval of the various city officials whom we have consulted.

The Supervisors of Elections occupy a large part of the ground floor of the Court House on the West side* Their quarters are crowded and make-shift. We believe this entire department should be housed elsewhere, and the law changed to permit their removal from the Court House*. At the present time plans are being made for the proposed People's Court Building and other similar structures, we have suggested to the city officials* that consideration be given by the architect to inclusion of the Supervisors of Elections on the ground floor of one of these buildings*

If and when the Supervisors of Elections move from the Court House, space should be provided for the staff of the Juvenile Court. At present the clerical staff* doctors, social workers, etc., are located at 327 St. Paul Street. Children are required to make several trips from one place to the other. This situation is certainly in need of correction. However, we believe some thought should be given to either the Juvenile Court, even though an integrated part of the Supreme Bench, should be in the Court House at all. The original loan proposal was for a combined People's Court-Juvenile Court Building, and now is the time to make a study of the entire plan and decide what should be done.

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The loan ordinance for the People's Court Building also provides for space for Archive of the city. A plan should be worked out to provide for the removal of land records, old wills; court records, etc., prior to some pre-determined date to the proposed building. This would provide much needed space and at the same time would not work any undue hardship on title examiners, genealogists and students, because all the old records would be in one central, accessible place.

We believe that a long-range plan by a competent architect would obviate the need for a bond issue for a new Court House. Plans however would not be sufficient. It will be necessary to have the plans put into action,

we have received assurances from the city officials that the 1945 budget will provide funds for immediate pressing repairs, cleaning and maintenance. Rebuilding, etc., could begin immediately after the first of the year.

We have received detailed reports from all department heads, court clerks, etc. These reports are available to the architect and Council, but would only unduly prolong this report if included herein. As soon as an architect is appointed they can be used by him as a basis of study for the long-range plan. Meanwhile the city officials could proceed upon the immediate pressing necessities outlined above.

Respectfully submitted,

/s/ Joseph Shreiber

/ml & ory H. Klles

for . . . Eugene O'Dunne

Cowdette.

SUPREME BENCH COBET ASSIGNMENT

Saturday, October 7, 1944

Thomas B. Biddiscm

State of Maryland

William GreemCeld

TS.

Philip P. Silbert

No. 2171, Docket 1944
Hay Tens
Fromi Tucker, J.
Charge) Lottery, etc.

Overruled

Is Adopted By Supreme Bench Of Baltimore City

Following a lengthy discussion on Saturday the Supreme Bench of Baltimore City adopted a report submitted by the Special Court House Committee, composed of Judges Joseph Shattuck, Emory N. Nile* and Eugene O'Dunne.

The committee, after ranking a thorough survey of the interior of the building and interviewing the Court Clerks, department heads and City officials, found that the structure "has been allowed to fall into a state of disrepair," which has been aggravated recently by material and man-power shortages caused by the war.

After enumerating a number of defects in the building the committee recommends that a competent architect be appointed to make a complete survey of the building and plan a rearrangement of offices from an overall point of view.

The report of the committee in full follows:

To His Honor, The Supreme Bench of Baltimore City.

Ban. W. Conwell Smith, Chief Judge, Court House, Baltimore, Md., Maryland. Gentlemen:

Immediately after our appointment as a special Court House Committee we made a complete survey of the interior of the building. We interviewed the Court Clerks, department heads, and the various offices in the building. We also conferred with the City Solicitor, Chief Engineer, the Building Commissioner and the Superintendent of Buildings.

We found the present quarters overcrowded, with much needed space unavailable for certain court clerks and other officials, while at the same time a great deal of space is wasted. The building is dirty and badly in need of washing and painting. The heating system is inefficient; some offices are so cold in winter employees cannot work in them, while in some parts of the building windows must be kept open in mid-winter because of the intense heat. Court clerks complain of misery from dirt and crumbling material of the floor. Dust from the ventilators is so great the ventilators are kept closed.

The roof leaks in some places, and the Bar Library and other have had books and papers injured by rain, white painting on the walls has scaled from the effects of the rain.

Some court rooms have sound proof materials on the walls and ceilings, while other do not. Some court clerks have modern fluorescent lighting while other offices and court rooms have an archaic lighting system with bulbs and shades, etc.

Windows are broken throughout the building and are missing, torn, or full of holes. Linoleum is rotten and in bad shape. Windows are broken and not repaired or replaced.

Important moral paintings have an accumulation of dirt and grime. Kitchen floors are worn and broken in places and are left unrepaired. Kitchens are in a state of disrepair. Many of the woodwork have not been varnished or painted for years. The clerks' rooms are antiquated, slow, and frequently out of service for repair. Some of the rooms have clocks that run, while others have docks that have been out of service for years and not repaired. In some places both electric and unserviceable clocks hang on the walls.

The toilet facilities are disgraceful. They are inadequate and in some instances worthy of the attention of the Health Department. They are signs on display, but the one hose is missing.

The present conditions are not of recent origin, but result from the fact that the building has been in use for a long time. The building has been in use for a long time and over a very long period of time the building has allowed to fall into a sad state of disrepair. In the recent past the condition has been aggravated by material and man-power shortage caused by the war.

The Court House is a beautiful structure, well-built, and only about forty-five years old. However, the interior has been dropped up, subdivided, and milled to, from one to two, all without any general plan or scheme. Some court clerks have built mezzanine floors for their departments. In the State Attorney's office a balcony was built which has destroyed the beauty of the office. At the same time provided a handsome and uncomfortable space for his staff. The Sheriff has one cell for the wife of male and female, white and colored prisoners. So far he has managed by the use of good judgment to avoid any difficulties.

The record office needs more H.M.C. for land records. Part of the staff is on the third floor and part on the basement floor. The City Solicitor has his staff on three separate floors. The Probation Department is scattered all over the ground floor. The State Attorney has his office in separate parts of the first floor. The Grand Jury has a crowded, dirty room with an even worse ante-room for waiting witnesses.

There is only a small picture, and it is given only a small picture. There is much need for more space. The Court House needs more space.

Some time in the future it may be possible to have a complete rearrangement of space with structural changes, and capable management, the present building can be economically and satisfactorily used for a long time to come. We do not

believe it will be necessary to add any new stories to the present building.

First we recommend that a competent architect be appointed by the proper city officials to make a complete survey of the building. At the same time the Supreme Bench should have a standing committee on the Court House. Together they should plan for rearrangement of offices, a more efficient use of space, and the preservation of the historic and beauty of the structure. Roofing and heating equipment could be improved and reports that would show what was needed for immediate repair and what would have to be delayed until materials could become available.

The architect could plan a rearrangement of offices, etc. from an overall point of view. For example, a complete rearrangement of the State Attorney's Office, the Clerk of the Criminal Court, Grand Jury quarters, District Relations Department of the State Attorney's Office, could be made. A suitable space could be provided, the office would be installed, etc. and it is entirely likely that an additional space would be required.

Another instance: The record office needs more space. We recommend to the Clerk of the Superior Court, who should include, the corridor between the Fayette Street and of an office as a part of his space. An alternative balcony over the grand jury room might be considered. Reports that the need for nine new cells could be met by the first, second, and fifteen years by the second. Only a qualified architect could determine which plan in the more feasible, and which one should be adopted.

A plan for modernizing the clerks' offices could be worked out. Filing cabinets could be called in to rearrange plans for remodeling; the present system or keeping records and filing papers. The Supreme Bench Committee could assist and cooperate, and could also have none if financially for such as the work of the State.

We are pleased to advise you that the success for the appointment of an architect in the matter of approval of the building of the Court House we have consulted.

The Supervisors of Elections occupy a part of the ground floor of the Court House on the Lexington Street side. Their numbers are crowded and make-shift. We believe this entire department should be housed in one place, and the bin should be permitted removal from the Court house. At the present time plans are being made for the proposed People's Court Building and other municipal structures. We are surprised that the city officials that consideration be given by the architect to the inclusion of the Supervisors of Elections on the ground floor of one of these buildings.

If and when the Bupen-loom of Elections move from the Court House, jawwo should be provided for the staff of the Juvenile Court. At present the clerical staff, doctors, social workers, etc are located at 127 St. Paul Street. Children are required to make several trips from one place to the other. This situation is certainly to need of correction. However, we believe some thought should be given to whether the Juvenile Court, even though an integrated part of the Supreme Bench, should be in the Court House at all. The original loan proposal was for a combined People's Court/Juvenile Court Building and now is the time to make a study of the entire plan and decide what should be done.

The loan ordinance for the People's Court Building also provides for space for Archives of the city. A plan should be worked out to provide for the removal of land records, old wills, court records, etc. prior to some predetermined date to the proposed building. Tills would provide much needed space and in the same time would not work any undue hardship on title examiners, genealogists and students. Because all the old records would be in one central, accessible space.

Who better than a lawyer to plan by a competent architect would oblige to the need for a board of trustees for a new Court House, and however, would not be sufficient. It will be necessary to have the plan put into action.

We have received assurances from the city official that the Board of Public Works will provide funds for immediate preliminary cleaning and maintenance. Cleaning, mowing, etc., could be kept promptly after the first of the year.

We have received detailed reports from all department heads, court clerks, etc. These reports are available to the architect and committee, but would only unduly prolong this report if included herein. As soon as an architect is appointed they can be used by him on a study of the location and plan. Meanwhile, the city officials could proceed upon the immediate pressing necessities outlined above.

Respectfully submitted,

JOSEPH SIDLSON,
EMORY H. NILES,
EDWARD O'DONNELL.

Supreme Bench Reserves IIB Decision On Motion For New Trial

The Supreme Bench of Baltimore on Saturday renewed its decision on the motion for a new trial of Phillip P. Gilbert, who was convicted of robbery.

Thomson N. Uddson, Assistant State Attorney, represented on behalf of the State, while William Greenfold represented the defendant.

Supreme Bench Repeals Rules Superseded By Appellate Court

The Judges of the Supreme Bench of Baltimore adopted a resolution repealing ten Common Law and Equity Rules. The action of the Bench was taken because the rules have been superseded by the General Rules of Practice and Procedure adopted by the Court or Appeals of Maryland.

Following is the text of the resolution rescinding the rules:

It appearing to the Bench that Common Law Rules No. 20, subject, Commission to Take Testimony; No. 31, subject, Prayers and Instructions; No. 42, subject, Depositions; No. 47, subject, Judgments by Confession; and Circuit Court and Circuit Court No. 2 Rules No. 4, subject, Commission to Take Testimony; No. 6, subject, Directions and Forms for Executing Commissions; No. 9, subject, Written Interrogatories; No. 7, subject, Carriage, Execution and the turn of Commission; No. 8, subject, Habeas Corpus; and No. 10, subject, Commissions to Several Places, have been superseded by the General Rules of Practice and Procedure adopted by the Court and Appeals of Maryland, effective September 1, 1911. It is by the Supreme Bench of Baltimore City this 7th day of October, 1911.

RESOLVED: That Common Law Rules Nos. 20, 31, 42 and 47, and Circuit Court and Circuit Court No. 2 Rules Nos. 4, D. O. T. S and 0 be and the same be hereby rescinded and repealed.

W. OXWELL SURRA,
ESQUIRE ODDMKT,
EDWARD T. DICKSOX,
J. ADAMS SILTLD,
JOSEPH SHEBBOTT,
BOSTON U. NIUH,
JOHN T. DOKO,
CUBB UOTOUR.

Supreme Bench Of Baltimore City

STATE OF MARYLAND

vs.

PHILIP SILBERGUT.

The notion was argued before SMITH, C. J.; O'DUNNE, DICKENSON, SATTLEB. NILES, MOVLAN and SHKRIBOW, JJ.

Tkamoi Jr. BladUOn, AnUtant StatSt Athrnrcu, for the State.

William Orecnfoli for the defendant

SMITH, C. J.—

On June 14th Set. Gladstone and Officer McKenna of the Baltimore Police Department vice a road, both in plain clothes, were seated in Police Department car when the peculiar behavior of the defendant aroused their suspicions, and caused them to follow him. Silbert drove his car first north, then west, then south, then north, then east, then west, not more than a block or two in any direction. Two officers finally pulled alongside Set Gladstone displayed his police badge, and asked to see the registration card of Silbert's car. When he walked to the side of the car to receive the registration card, he observed lottery slips in the open glove compartment. He called the attention of Officer McKenna to the slips, and demanded Of Silbert that he hand over the slips. Silbert thereupon threw the slips in rear and attempted to escape but was caught after a short chase and arrested. At the station house, and lottery slips were found to number 800 rprcr/en/fic \$560.21 in piny, nil fctimi day.

At the trial of this case, reasonable objection was made and exception taken to the introduction of evidence by the State to prove these facts, (in the opinion that the search was unlawful, and these exceptions furnish the only ground relied on in the argument of the motion for a new trial. (Sec. 0. Art. 35, Flack's Code of 1030, and Article* 22 and 20 of the Md. Dill of 1914.)

It is well settled that "a search imples" some exploratory investigation. It is not a search to discover that which is open and patent" (Heyward vs. State, 101 Md. 685, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000).

place within the "presence" or "view" of an officer when his senses afford him knowledge that one is in the car. In such a situation the presence of the officer is sufficient, and he may arrest the offender without a warrant. (Daas vs. State, 183 Md. —, 35 A. (2), 1M, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000).

The JULIUS are in agreement that the arrest in this case was properly made, after the sergeant saw the lottery slips, possession of which was an offense committed in his presence. The request for a display of the registration card was not an error but was a proper inquiry to be made after the peculiar behavior of the automobile driver. The fact that the police officers were not in uniform is of no significance since their authority was not questioned by the defendant, who voluntarily stopped and surrendered his registration card when the sergeant identified him. The arrest, made after a lawful arrest, was legal, and the lottery slips were properly admitted in evidence. (Silvent vs. State, 176 Md. 533, 540-543).

The police officers of Baltimore City have the power to prevent the commission of crime, and to arrest and detain offenders for bearing without warrant when the offense is committed within their view; and it is their duty to do so. (Hoddy vs. Flinn, 43 Md. CM). To require them to obtain warrants in such cases, permitting the offender to make his escape, would not hamper the proper enforcement of the law, as to render it impotent and ineffective. (Heyward vs. State, 101 Md. 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000).

The motion must be overruled.

Resolution Adopted By The Supreme Bench On Death Of Ben! Elliott

The following resolution was adopted by the Supreme Bench of Baltimore, City on the death of Ben! Elliott, deputy in charge of Division "U" (colored) of the Probation Department of the Bench.

Mr. Elliott, who died on September 25th last, had been associated with the Probation Department since June 1st, 1910.

Following is the complete text of the resolution:

"At the regular meeting of the Supreme Bench of Baltimore City which was held on October 11th, 1910, it was upon motion duly made, seconded and carried:

"RECORDED. That we record with regret the death on Thursday, September 3rd, 1910, of Ben! Elliott who died on October 11th, 1910, has served the Bench as Probation Officer and for many years prior to his death as Deputy Probation Officer in the head of Division "11" of the Probation Department. He held position he occupied at the time of his death. Mr. Elliott was a member of the Junior of St. Martin's Church of Baltimore whose pulpits he occupied since October, 1910. He was a graduate of Virginia Union University, from which he received the degree of Bachelor of Arts in 1904. He has also in connection with the Theological School of THIC University in India, receiving the degree of Bachelor of Sacred Theology. He received the degree of Doctor of Divinity from Virginia Union University on June 4, 1909.

"Mr. Elliott was a man of high character and unflinching devotion to principle. His patience, sympathy and understanding, which endeared him to the members of this Bench, were loyally and unselfishly devoted to helping people in trouble. His commitment to the Bench and confidence of every Judge on the Bench, and we all shall miss him and feel his loss for a great many years to come.

W. CO. TWBU, SUTTH, Chief Judge,

ROBERT O'DUNNE,
KARIX T. TUCKER,
J. ANN 6ATUH,
J. CHAM MELAXAILA,
BUONR H. NILJM,
ROBERT T. TUCKER,
JOSEPH SHERROW."

OF THE SUPREME BENCH OF BALTIMORE CITY

A Special Meeting of the Supreme Bench was held on Friday, October 13th, at 12:30 A. M., to consider the question of whether or not the vacancy on the September 1944 Grand Jury, occasioned by the death of Sir. Charles S. Skipper should be filled. The question was discussed but no action was taken.

The Chief Judge presided and Judges, O'Dunne, Dickerson, Sayler, Koylan and Sherbow were present.

There being no further business, the meeting adjourned.

Emma S. Dickerson

Secretary

**•Emma S. Dickerson Has Been
Appointed Bailiff To The
Supreme Bench**

Announcement was made at the meeting of the appointment of Mrs. Emma S. Dickerson as Bailiff to the Supreme Bench of Baltimore. Mrs. Dickerson was appointed to succeed Mr. [Name] who has retired.

Resolutions to order sent around and signed by all of the Judges; was approved at a meeting of the Supreme Bench.

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Supreme Bench
at
Baltimore (Ettg)

W. CONWELL SMITH
Chief Justice

BALTIMORE Z. MARYLAND

October 16, 1944*

Honorable John I. Tucker,
Honorable J. Abner Saylor*

Dear Judges -

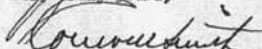
The inaction of the Bench on the death of a member of the Grand Jury who correct and is supported by precedent.

the law with regard to the selection and drawing of a Grand Jury of twenty-three persons is mandatory, and not directory merely. (State vs McKay, 100 Md. 630) State vs Vincent, 91 Md. 718, 723; Green vs State, 59 Md. 126; State vs Scarborough, 100 Md. 360; Clare vs State, 51 Md. 333. So that, if the objection may be waived, by pleading to the record (Lyere vs State, 207, 210; Green vs State, supra), yet when it is properly raised by plea in abatement, or by demurrer, the objection that the Grand Jury at its organization consisted of only twenty-two instead of twenty-three persons as required by Law is fatal to the indictment (State vs Vincent, 91 Md. 518, 727).

But if it appear from the record, or if the fact may be inferred therefrom: the right of direct challenge, that the Grand Jury at the time of organization was composed of twenty-three persons, then the fact that the Grand Jury thereafter (when an indictment was found) was composed of only twenty-two persons will not invalidate their action, whether this diminution in number was caused by one being excused (because he could neither read nor write English, State vs Taylor, 100 Md. 622, 631) or by one having since died (State vs Scarborough, 55 Md. 350.)

V

Very truly yours,


W. Conwell Smith*

cc - Judge O'Dunne
Judge Dickerson
Judge L'ileo
Judge Foylan
Judge Sherbow

OP THE SUPREME BSHCH OF BALTIMORE CITY

At a Luncheon of the Supreme Bench, on Octoer
1944,
26th, /the reappointosent of Ur. John ts. Coan, as a
deputy clerk in the Circuit Court No. 2, was ap-
proved.

Edwin D. ...

Secretary

M I B I E 5
OF THE SUPREME BENCH OF BALTIMORE CITY

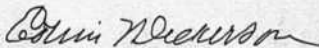
A Luncheon Meeting of the Supreme Bench was held on Thursday, November 14, 1944, at 12:30 P. M. All of the members, except Judge McLanahan, were present.

The Committee on a proposed increase in the salary of Mr. Howard S. Matthews, Trust Clerk, made its report, and after some discussion, action was postponed until the next meeting of the Bench.

The reduction in the budget of the Supreme Bench was discussed, and Judge Niles **was authorized** to take appropriate action to have the reduction restored to the budget, and if necessary, the matter should be referred to the Budget and Probation Committees.

A Committee of the Bar Association, consisting of President Manley, Messrs. Charles C. Page, William D. Macmillan and Herbert K. Brune, Jr, discussed with the Bench and submitted for its consideration, the suggestions heretofore attached as part of these minutes.

There being no further business, the meeting adjourned.



Secretary

(A Feasible FOIB of Announcement)

Hi order to secure a MN unlfono procedure with respect to til* praotioe under Rule 6 relating to "Instruatlons to the Jury", tbo Supreme Senoh nakes this following general statement of policy, •lhon Is not Intended to have the binding effect of a pule of courti

me Court will usually find It desirable to orally obarge the Jury. Bt order to aalst the Court la the preparation of Its charge* counsel will be expected to submit written prayers for lnstruotlons on the points whloh they wish covered by tbs charge.

Th» Court, In the absnoe of olrsunstanoeoe whleh in Its opinion require other action, will adhere to tne following proeednr* •lth regard to prayers whloh are submitted.

(1) If the Court does not Intend to charge til* Jury orally with regard to the subject natter of a prayer, it will foaaally grant or refuse the prayer*

(8) If It does Intend to charge the Jury with regard to the subject natter of a prayer, and disagrees with the proposition of law there set forth, It will formally refuse the prayer*

(S) If It does Intend to charge the jury with regard to the eubject matter of a prayer, and agrees with the proposition of law therein set forth, it will either formally grant the prayer or It will Inform counsel of Its Intention to Incorporate the substance of the prayer (with suh modifications as It may Indicate) in the obarge•

MINUTESOF THE SUPREME BENCH OF BALTIMORE CITY

A Meeting of the Supreme Bench of Baltimore City was held on Saturday, November 4th, at 10:00 o'clock A. M. All of the Judges were present, with the exception of Judges Ulanahan and Tucker, and **the Chief Judge presided.**

The following were, on motion, admitted to practice before the Courts of Baltimore City:

**Six New Attorneys Admitted
To Practice By Supreme
Bench Saturday**

The supreme Bench of Baltimore admitted the following to practice as members of the Baltimore Bar on Saturday: Marion U. Ernst, Henry C. Ginn, Jim Wm. Kurck, Leo C. McDougan, Leomin S. Freedman and Clinton E. Rouse.

The motion of Roland W. Johnson for a new trial from his conviction of rape, assault with intent to rape and common assault, in the Criminal Court of Baltimore, was argued and submitted. The motion was granted with respect to the first and second counts, in which he was charged with rape and assault with intent to rape, but was overruled with respect to the third count, in which he was charged with common assault.

The motion of Maurice Bailey from his conviction of lottery, was argued, submitted and overruled.

The motion of Jacquin O. Bejar from his conviction of rape, was argued, submitted and granted.

The recommendations of the Probation Committee, heretofore attached, so far as they were approved

The motion of Donald Brooks, from his conviction of murder, was argued, submitted and overruled.

There being no further business, the meeting was adjourned.

Edwin Deussen
Secretary

**Supreme Bench Overrules
New Trial Motions In
Criminal Cases**

Four motions for new trials were argued before the Supreme Bench of Baltimore in September, two of which were overruled while the other two were granted under agreement by the Judges.

Motions that were overruled were those of Maurice Bntoy, convicted of lottery and Donald Brooks, who was found guilty of murder in the first degree. A. C. Hill, Assistant State's Attorney, appeared on behalf of the State in the Bntoy case, while he and Assistant State's Attorney John O. Wells argued on behalf of the State in the Brooks case.

Arguments were filed heretofore by the Bench on new trial motions filed by John W. Johnson and Jaetion O. Pejnr. Both of them were convicted of rape. Decision on these cases was rendered by the Jurists. State's Attorney Bernard O. Peter represented the State and Jean M. Wyatt the defendant in the Johnson case. Ellis Xevl and Philip H. Goodman appeared for the defendant and Mr. Wells for the State in the Brooks case.

SUPREME BENCH ASSIGNMENT

Sat.. November 4. 1944

Bernard G. Peter

State of Maryland

Joseph M. Hyatt

vs.

Roland W. Johnson

Bo. 3127, May & Sept. Terms, 1944

Charge: Rape, etc.

From: Tucker, J.

Verdict: Guilty

Papers read. Oct. 17, 1944

*Granted as 1" & 2" Count
Dismissed as 4 & 3" Count*

Anselm Sodaro

State of Maryland

S. Alfred Uund

vs.

Maurice Bailey

Ho. 3763, Sept. Term, 1944

Charge: Lottery

From: Tucker, J.

Verdict: Guilty

N. G. as to Dominic, 2nd Deft.

Papers read. Oct. 17, 1944

Overruled

John C. Weiss

State of Maryland

Philip E. Goodman

vs.

Jacquelin O. Bejar

Bo. 3274, Sept. Term, 1944

Ch. R. Rap
Frs. M. Fiucke?; T*

Verdict: Guilty

Papers read. Oct. 21, 1944

*Granted*Anselm Sodaro
John G. Weiss

State of Maryland

Robert F. Leach

vs.

Donald Brooks alias
Donald Whitney

Ho. 3224, May & Sept. Terms, 1944

Charge: Murder

From: Sayler and Tucker, JJ.

Verdict: Guilty

Papers read. Oct. 25, 1944

Overruled

Supreme Bench
of
Baltimore City

EMORY H. NILES
JUDGE

November 3, 1944

Hon. W. Conwell Smith, Chief Judge,
Supreme Bench of Baltimore City,
Court House,
Baltimore, Maryland.


Dear Judge Smith:

The Probation Committee reports that after an examination held by the Chief Probation Officer, and personal interviews between the applicants and the Probation Committee, this Committee recommends for appointment as probation officers of the Probation Department, the following persons for the usual probationary period of six months,*at an annual salary of \$1,800.00:

Division "A" Miss Frances L<Shores
and Mr. Edward Hodes.

Division "B" Mr. Frank D. Harden.

Respectfully yours,



Emory H. Niles, Probation Com-
mittee /

EHN/Jp

*Approved Nov 4, 1944
in Bench meeting*

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Supreme Bench
of
Baltimore Cite
.. ..

EMORY M. NILES
JUDGE

November 1, 1944


Hon. W. Conwell Smith, Chief Judge,
Supreme Bench of Baltimore Glty,
Court House,
Baltimore, Maryland.

Dear Judge Smith:

The Probation Department of the Supreme Bench recommends that the vacancy created by the death of Probation Officer Beal Elliott, as Deputy in charge of Division B, be filled by the appointment of Probation Officer Harry S. Cummings, Jr., at a salary of \$2,500.00 per year.

This appointment was recommended by Mr. William L. Stuckert, Chief Probation Officer, under date of October 5 in a letter addressed to you. A copy of that letter is attached hereto, together with the copy of Mr. Elliott's letter, dated March 17, 1930, with respect to the original appointment of Mr. Cummings as Probation Officer.

Respectfully yours,



Chairman, Probation Committee.

EHN/Jp

*Approved Nov 4, 1944
in Bench meeting*



Probation Department
of
TLC Supreme Bench of Baltimore City

WILLIAM L. STUCKERT
Chief Probation Officer

Court Home

Baltimore-2, Maryland

COPY

October 5, 1944.

THE HONORABLE W. COLLIFELL SMITH
CHIEF JUDGE, THE SUPREME BENCH OF BALTIMORE CITY
COURT HOUSE, CITY

Dear Judge Smith:

With reference to filling the vacancy created by the death of Probation Officer Beal Elliott, as Deputy in charge of Division "B" of the Probation Department, if asked to recommend a successor I would suggest Probation Officer Harry S. Cummings, Jr.

Mr. Cummings was born in Baltimore, Maryland, on April 4, 1905, and was the son of Harry S. Cummings, who was a member of the City Council for twenty-six years.

Mr. Cummings graduated from the Frederick Douglass High School in June, 1923. He graduated from the Lincoln University, Chester County, Pennsylvania, in June 1927 and received the Degree of Bachelor of Arts.

He taught General Science at the mentioned High School from September 1927 to June 1928.

He was a candidate for Probation Officer when the first examination was held under the present administration in January 1930, and was selected from the four of his race who took the examination. At that time the Probation Committee requested the late Beal Elliott to study the qualifications, including the personality, of these candidates.

On March 17, 1930, Mr. Elliott made his report to me, a copy of which is hereto attached. What he states concerning Mr. Cummings has been justified by the fact that the latter has been a member of the Probation Department staff for over fourteen years.

On April 4, 1930, Mr. Cummings was appointed Probation Officer of Division "B" and assumed the duties of his office on April 15*. He has remained a member of the staff continuously, and his efficient service has been rewarded by appointment as Assistant to Mr. Elliott, with increases in salary.

He has proven to be an efficient and conscientious Probation Officer, and knows how to get along with people in a satisfactory manner, has always been able to work harmoniously with his immediate associates as well as all of the members of the Probation Department staff, and in my judgment merits the promotion - Deputy in charge of Division "B" of the Probation Department.

All of which is respectfully submitted.

Very respectfully,

Chief Probation Officer.

Mr. William L. Stuekert,
Chief Probation Officer,
Supreme Bench of Baltimore City,
Room No* 5, Court House,
Baltimore, Maryland.

Dear Sir:-

I respectfully recommend that Harry Sythe Coamings be appointed as Probation Officer for Division B of the probation Department of the Supreme Bench of Baltimore City.

Of the four men who successfully passed the examination, I consider him the most eligible for the following reasons:

(a) He stood first in the written test.

(b) His qualifications at the school level amply meet the requirements suggested by the examiners, in that he comes from an "A" class college, whose standing admits him unconditionally to the professional graduate schools of the best universities in this country*. I have in mind such universities as Yale, Harvard, University of Pennsylvania, Columbia University, University of Chicago, and institutions of the calibre of those*

(c) Personally, he is admirably frank, possesses poise; and has a personality that would certainly inspire respect from those with whom he would have to deal in the Probation Department. He has ambition, and is industrious. At the death of his father he was left without means to further his education. He did not depend on his family, but worked his way through school doing menial work of different types to defray his school expenses. I am reliably informed by persons of unquestionable sincerity, who saw him at Saratoga Springs, New York, where he was employed as a waiter while working his way through school, that in spite of the sporting element with which he was thrown in contact at this resort, he deported himself so manly and so far apart from his associates, that he was generally admired and respected.

He has always lived in Baltimore and knows the city and is creditably known by folks in general in the city*.

(d) He comes from a family whose general public spiritedness has been a decided asset to this community. His paternal grandmother for a number of years* was a leader among Negro women in uplift work*. One of the women's dormitories at Morgan College is named for her in recognition of her activities in that direction. His father was in the City Council of Baltimore for twenty-six years. His aunt, Miss Zula & Cousins, has been associated with the Baltimore School System for more than twenty-five years. For more than twenty years she has been the President of the Colored Equestrian and Fresh Air Society, which organization conducts a ton resort farm at Delight, Maryland (where the poorer colored children of all sections of Baltimore are each summer gathered in groups and given a two week outing. This aunt was also the President of the Maryland Federation of Colored Women's Clubs, and is an

outstanding church woman, having on several occasions* been elected to

the general Conference of the Methodist Bpisoopal Church.

It may be thought that a young man possessing theas personal traits, and having such a battleground might be too ambitio'um to be a Probation Officer, and too honest to swear that he will never aspire to anything higher or hotter. Any man whose only ambition is to be a Probation Officer* nothing more, under any cirouButanoe, is not fit to be a Probation Offioar, A satisfied man is a dead man*

Hespaotfnlly sabmittod,

/s/ getl Elliott

ProbRtion Offioer.

JJIHIISS


OF THE SUPREME BENCH OF BALTIMORE CITY

A Luncheon Keating of the Supreme Bench was held on Thursday, November 9th, 1944, at 12:30 P. M.

The Chief Judge submitted a form of Resolution for the instruction of Juries, and it was decided to request the Chief Judge to send a copy of the Resolution to the Committee of the Bar Association, and to **each member** of the Bench, as representing the view taken by the Bench.

The Chief Judge was requested to ask Mr. Luther Pittman, Clerk of the Superior Court to send a set of the Maryland Digest to each member of the Bench for use in his work.

There was a discussion of the filing of Opinions in the two Rape cases of Roland W. Johnson and Jacquin O. Bejar, who were granted new trials. After considerable discussion, it was decided that Opinions should not be filed in these cases.



"Secretary

Decisions On Motions For New Trials Announced By Supreme Bench

The Supreme Bench of Baltimore yesterday granted the new trial motion of Jacquin O. Bejar, who was convicted upon a charge of rape. The motion for a new trial of Roland W. Johnson, found guilty on a similar charge, was granted *DM* to the first and second counts of the indictment and overruled as to the third count, under which he is charged with common assault.

Ellis Levin and Phillip H. Goodman were the attorneys for Bejar, while Joseph of Wynn represented Johnson.

Supreme Bench
Baltimore City

W CONWELL SMITH
CHIEF JUDGE

BALTIMORE Z. MARYLAND

November 5, 1944*

Charles O. Pare, Esq.,
306 Title Building,
Baltimore-2-Maryland.

Dear Mr # Page:-

The Supreme Bench has considered the subject brought to its attention by your Committee, namely, Instruction to the Jury under Trial Rule #6. While the Bench has not taken any formal action in the matter, it is the sense of the members of the Bench that it would be proper to adopt a general resolution similar to the one which I enclose to you herewith. This resolution is not as broad as the one suggested by the Committee, but the members of the Bench feel that it is as far as the Bench ought to go in attempting to achieve complete uniformity in practice which is desired by the Bar*

When your Committee has had an opportunity to consider the proposed resolution, will you please let me hear from you.

Very truly yours.

W. Conwell Smith.

- cc- Judges O'Connell
- Dickerson
- Saylor
- Kiles
- Pucker
- Boylan
- Sherbow
- Mason
- Moer

RESOLVED: That in jury trials of civil cases counsel ought to be encouraged to make thorough preparation of the law, and to submit written prayers as permitted by trial rule No. 6 of the General Rules of Practice and Procedure adopted by the Court of Appeals* That the court in civil cases in which written instructions are to be given should make formal rulings on the prayers and in cases in which the Jury is to be instructed orally, should inform counsel in advance of the oral charge, of its proposed action on the prayers, whether to grant or reject them, or to substitute an oral charge in place of them.

No change in the rule itself should be permitted to narrow or restrict the breadth of discretion committed to the trial judge in the selection of a method of instructing the jury appropriate to the needs of the particular case.

KLOISS


02 THE SOPHEME BENCH OF BALTIMORE CITY

A Luncheon Meeting of the Supreme Bench was held on **November** 16th, 1944, at 12:30 P.K. All of the members of the Bench were present, except Judge KcLanahan.

The report of the Committee on the question of whether or not additional Examiners in Equity should be appointed, made its report, in which it was stated that the Bar Association opposed the appointment of any additional Examiners. The Committee made no recommendation. After a good deal of discusion it was the sense of the Bench that no additional Examiners should bs appointed at this time.

The Committee on the application of Mr. Howard 3. Kitthews, Trust Clerk, for an increase in his salary to \$5,000. a year, made its report and recommended the increase. After full dis-cussion, it wae decided to request the Legislative Council to endeavor to have the Legislature amend the law, so as to provide for a salary of \$5,000. per year for Mr. Matthews.

There being no further business, the meeting adjourned.


Secretary

MEMORANDUM

A motion was made, duly seconded and unanimously carried **that the Supreme Bench of Baltimore** City recommend to the Legislative Council that Section 486 of Article *U* of the Public Local Laws of Baltimore City (1938) be amended to increase the **salary of the Trust Clerk** to the Supreme Bench to Five thousand dollars (\$5,000.00) annually.

Sovoober 17, 19U.

Daniel C. Joseph, Ssq.,
Uaaon F. liorTit, Esq.,
Oeraltl IT. Kiil, Ssq.,
Paul R. Haaanoop, Koq.,
Hysm Poul Hone, Esq.,
Baltiooro, Ifnr/lond.

Dear 31rs:-

At a oeting of tho Suprooo Bench it vac
dadod that for tho proont thoro be no lrtcreaaa in
the **nuaber** of Equity Ertmmlncra.

loura very truly,

Jccrotary of the
Supremo Bench of
3olUoore City.

Kixaxis

~~OF THE SUPREME BENCH - BALTIMORE CITY~~

A meeting of the Supreme Bench was held on Friday, December 1st, 1944, at 11:00 o'clock A. M. The Chief Judge presided and Judges, O'Dunne, Dickerson, Niles, Uoylan, Sherbow and Uason, were present.

The following were on motion, admitted to practice before the Courts of Baltimore City:

**Four New Attorneys Admitted
To Practice By The
Supreme Bench**

Andrew Lee Quinn, Jr., J. Cutler Soper, J. Frank Boyd and James A. Pine were admitted to practice as members of the Baltimore Bar yesterday by the Supreme Bench of Baltimore.

The motions of Horace A. Heinze and Henry Schaefer for new trials from their conviction of Larceny in the Criminal Court, were argued, submitted and overruled.

The Chief Judge read a letter from, Ur. Charles S. Page, acknowledging the proposed Resolution, with respect to instructions to Juries in Civil cases. A Resolution embodying the conclusions of the Bench, was passed and filed with the Clerk of the Supreme Bench.

Hr. Frank C. Robey., Clerk of the Court of Common Pleas, submitted the appointments in his office, set forth in his letter attached hereto, and on motion, the appointments were approved.

The Chief Judge requested that nominations for the January, 1945 Grand Jury, be sent to him.

Judge Niles was requested to write an Opinion in the case of Heinze and Schaefer, above referred to.

Judge Sherbow reported that \$1400.00 had been allowed in the

Budget for loud speakers in the Court Rooms, and Judge Niles reported on behalf of the **Probation Department** that the two colored appointees had been placed in the Budget, and **Ur. William L. Stuckert**, Chief Probation Officer, had been granted a **raise** in salary.

There being no further business, the **meeting** adjourned for Luncheon.

A Luncheon was then held, with the above mentioned Judges, and Judges Tucker and S3.yler, ana Judge /illiam L. Henderson, of the Court of AppealB, who honored us with his presence, also attended.

**Resolution Adopted By
The Supreme Bench ;
Yesterday ,]**

The followiik resolution pertaining to the ncmiratn and submission of writlen prayers in Jury trlns of civil en MM. wmi adopted by Uic members of the Supremo Bench of Baltimore ycwel. iinr.

December L IOM.

Resolved: That In Jury trials of civil canes counsel ought to be encouraged to make thorough preparation of the law. and to submit written prayer* as permitted by trial rule No. G of the Genera) (Sules of Prmctico and Procedure adopted by thir Court of Jp-pals. That the Court In nil COCK In wbltd written instructions are to be Riven should make formal rullnc* on the prayers; and ID cinea In which UHI Jury la to be instructed orally, should Inform couuil lu advance of the cliargr. of (c) proposed action on stal pmyerw, whether to Brant or reject them, or to ntstitute nn owl charge In place of them.

No change In Uic rule Itclf should bo permitted to narrow or restrict the breadth of discretion committed to the trlnl jndco In Uic selection of a not too of [nstructing Uic jury approprint*, to the needs of the particular case.

- W. Coxwax Sumt.
- ODDITWE
- EDGHEE
- HOWIT T. DICKESON.
- J. AH'CS SATLEM.
- EMOUT H. Nixa.
- JOHK T. TUCKEB.
- CHANS B. SOBIA
- JOSEPH SITRAOW-
- B. P*rr. MASDX.

Estlin Beckman
Secretary

**Supreme Bench Judges Hear
Arguments On Motions
For New Trial**

The Judge* of Uic Supreme Bientii or Iniltmore ycarcrdnj- bellO arKiiments on the if-w trlnl nintlonx of Horn if A. licime nmj Henry Schmdcr, who were convicted of larceny. The Bench reserved It* decision in Uic matter. TVlliam H. Mnynard, Deputy Slate'i Jitnney. ami Berrnad O. Potor, Ad-jutant Stale> Altowrw. npiwored on behalf of the State, while Pant B. MAM represented the defomUntd.

SUPREME BENCH ASSIGNMENT

Friday, Dec. 1, 1944

Thomas N. Biddison	State of Maryland	Bernard B. Feikln
	vs.	E. Kilton Altfeld
	Robert Williams	

No. 2764, May Term, 1944
 Charge: Manslaughter
 From: Saylor, J.
 Verdict: Guilty
 Papers Reed. Nov. 1, 1944

Withdrawn

William H. Maynard	State of Maryland	Paul B. Mules
Bernard G. Peter	vs.	
	Horace A. Helnze and	
	Henry Schaefer	

No. 3396, Sept. Term, 1944
 Charge: Larceny
 From: Tucker, J.
 Verdict: Guilty
 Papers reed. Nov. 6, 1944

Overruled

Aaselm Sodaro	State of Maryland	S. Alfred Mund
	vs.	
	Robert Sommers	

Bo. 3923, Sept. Term, 1944
 Charge: Receiving Stolen Goods
 From: Tucker, J.
 Verdict: Guilty
 Papers reed. Nov. 10, 1944

Withdrawn



Srriir. (d)»u>
(Emxrt of (Jmttmmt Pleas
Baltimore. jHh.

—3—

November 30, 1944

The Supreme Bench of
Baltimore City

Hon. W. Oonwell Smith
Chief Judge.

Dear Sirs:

I am reopeotfully submitting to you for your approval the following names that **I desire to** appoint as "deputy clerks in my office.

Miss Anna R. Johnson to take the place of Mr. Milton B. Cole, who resigned on February 21, 19^2. Miss Johnson has been employed by this office ae a temporary clerk since March 2, 19*2.

Mr. John F. Bald to take the place of Mr. George H. Leibold who died October 30, 19J-t. Mr. Bald has been employed by thiB office as a temporary clerk since February 1, 19*3.

Mr. James L. Fessagno to take the place of Mr. Michael J. Fasquarlello who is resigning as of Deoember 1, 19W.

I have taken up the above changes with the Hon. J, Millard Tavres, State Comptroller and wish to state that these changes meet with his approval.

Respectfully submitted,

Frank C. Robey
Clerk

FCR/G

1 UHUXES

OF THE SUPREME BENCH OF BALTIMORE CITY

A General Term Meeting of the Supreme Bench was held December 18th, 1944 at 10:00 o'clock A. K. All of the members of the Bench, except Judges McLanahan and i&son, were present and the Chief Judge presided.

The Assignment of Judges to the several Courts for the year 1945 was made and an Order covering the several assignments was duly passed. Judge Koylan asked to be reassigned to the Juvenile Court to complete some unfinished business, with the understanding that he was to be relieved as soon as possible.

Among the Summer Assignments, Judge Dickerson was assigned to the Civil Courts from July 15th to July 31st, and to the Criminal Court from July 22nd to July 29th.

A Rule covering the filing of motions for new trials in Civil cases was proposed by Judge Sherbow, adopted, and will be published in the Daily Record.

In compliance with the Rules of the Court of Appeals, it was decided that a summons should be issued for the defendant, returnable in not less than thirty days, where the plaintiff seeks an Ex Parte confession of judgment. Rule 5 of the Common Law Rules was amended to provide for a judgment Non Pro, in lieu of an Order of Dismissal of cases following within the Rule. It was decided that the Rule should be redrafted and formally adopted by the Bench.

On motion of Judge O'Dunne, it was resolved that there should

be a general policy with regard to the appointment of Counsel in the **Criminal** Court, but that **the matter should be left to the** Judges presiding in the Criminal Court. The Chief Judge agreed to draft the proposed Resolution and send it around to the members of the Bench.

Judge O'Dunne called attention of the Bench to the inhumanity of keeping prisoners in the lockup without food until their cases should be reached for trial late in the afternoon. Judge Hoser agreed to draft a request* the President of the Jail Board **for** providing food for prisoners in the lockup whose cases would not be reached for trial until later in the day.

The Grand Jury for the January Term, 1945, was selected. There being no further business, the **meeting adjourned.**



Secretary

Amendment To Rule 32 Is Announced By The Supreme Bench

A substitution for Rule 32 for the Common Law Courts or the Supreme Bench was adopted by the Bench at its meeting yesterday.

The complete text of the amended rule follows:

SUBSTITUTION TO RULE 32

FOR THE COMMON LAW COURTS OR THE SUPREME BENCH: BEHECH OR BAI/MIONT:

OFFICE, AS APPOINTED JAX-

PAST 10th, 1944

MOTIONS IN ARREST OF JUDGMENT OR FOR NEW TRIAL

Every motion in arrest of judgment or (or new trial) shall be filed before (four o'clock) the official closing of the Clerk's Office on the third day succeeding that upon which the verdict shall have been rendered, and shall stand for hearing, without notice, on the next succeeding law day. After the rendition of the said motion shall be filed in writing within the time limited for the filing of the motion, and no other shall thereafter be assigned without leave of the Court. When the third day is Saturday, or a legal holiday, the motion shall be filed before (four o'clock) the official closing of the Clerk's Office of the next succeeding day not a holiday. Intermediate Sunday and holiday shall not be counted in computing the above time.

The provisions of Rule 32 shall likewise apply to motions in arrest of judgment or for new trial in all cases of judgments entered by direction of a Judge sitting without a jury under the Rules of the Court of Appeals adopted January 30, 1944.

Paragraph (old language) to be deleted.

Titles (now language).

Article 0-1, Section 2).

- W. CORWELL, Siimi.
- BUOEXE ODUKXX,
- EDWIN T. DICKEBSON,
- J. ABTEO SATLXB,
- EYO T B. NILTB,
- JOHN T. TICCKCB,
- CHARLES E. SIOYLAN,
- JOSEPH SHERRON,
- HERMAN M. MOSES.

January Term Grand Jury Is Selected By The Supreme Bench

The Grand Jury for the January Term, 1945, was selected by the Supreme Bench at its meeting yesterday. They are called for Monday, January 31st, when the local Courts will convene for the January Term.

The following is a complete list of the Jurors:

- AFMOR, George M., Sr., 48 St. Don-Bans road.
- Arnold, William C., G York court, Gallford.
- Baker, Charles B., Emersonian Apts., East Ave place and Lake Hill.
- Belsinger, Harry F., Sr., 8100 W. Baltimore street.
- Blake, Edward Rindard (c), 107 X Carey street.
- Coleman, TV, Emmett (c), 2020 Madison avenue.
- Coleman, John Kalil, 2202 Boone street.
- Collier, Rodney H., Northwood Apartments, 1325 Marlborough Hall road.
- Oot, Clarence Morrie, 310 N. Municipal street.
- Durnell, William 11., 1007 Northwick road.
- Hell, Conrad J., 3000 Volmond road.
- Brans, David Arthur, 11-13 Park Hill Avenue.
- Hall, Harver U., 3501 Seimola Avenue.
- Irr, Henry P., 1418 St. Albans njny.
- Erlinger, G. Adolph, 405 E. Chesno street.
- Levin, William, Temple Garden Apts., Cloverdale road and Druid Hill Park.
- Millican, Dr. Kemp, 2710 Maryland Avenue.
- Miller, Hurry W., Sr., 3401 Duvall Avenue.
- Reed, John Baptist, 2410 Harlem Springs street.
- Thiomas n., 1011 B. 30th Street.
- Trine, H. Stanley, 2817 Quantico Avenue.
- Wentz, William H., Jr., 4207 Granada Avenue.
- Warfield, Henry Allen, Jr., 1701 Rose-dale street.

Assignment Of Judges Of Supreme Bench For Next Year Is Announced

The assignment of the Judges of the Supreme Bench for the next year was announced yesterday at a meeting of the Bench.

The Judges and the Court in which they will serve are:

- Judge Mason, Superior Court
- Judge Tucker, Superior Court.
- Part II
- Judge Saylor, Superior, Court Part II.
- Judge McLennan, Baltimore City Court
- Chief Judge Small, Baltimore City Court, Part III.
- Judge Mies, Court of Common Pleas.
- Judge Sierbow, Circuit Court
- Judge O'Dunne, Circuit Court No. 2.
- Judge Moser, Orphan Court
- Judge Dickerson, Criminal Court No. 2.
- Judge Roylin, Jureiile Division.
- Judges Saylor and Nilen to hear cases involving or orders directed to the Registrars or Voters on petitions filed in the several Courts of Baltimore City.
- Judge Usher to perform the duties of a Jury Judge.

THE

Rules And Resolutions Of Supreme Bench Are Amended

The Supreme Bench of Baltimore City Ann announced the following amendments to the Rules of the Bench:

TITLE 6
(As amended December 18, 10+1)

Twice Continued Cases

After a case has been twice continued it shall not thereafter be listed as ready for trial, but shall remain without further call, subject to the right of either party to call it up for trial on thirty days' written notice to the other, a copy of which notice shall be filed with the clerk; and in such event the case shall be posted by the clerk in the preliminary list for the trial day next after the expiration of such thirty-day period. No case twice continued shall be again continued except by order of Court and for good cause shown. All cases which have not been called up for trial within a period of one year after a second continuance shall, at the expiration of each period, be considered dismissed for want of prosecution, and judgments of "non pros" shall be entered by the clerk unless such period shall have been extended by prior order of Court for good cause shown; and no case so dismissed shall thereafter be reinstated except by an order of Court and for good cause shown. A case not for trial but not reached during the term shall not be considered continued within the meaning of this rule.

This rule as amended to take effect from the date hereof.

W. Cox WELL, SMITH,
EDGESE O'DONNAN,
EDWIS T. DIOKIMOX,
J. Ans'tra SATLER,
EMOBY H. NILES,
JOHX T. TUCKER,
CnAnLEH E. Wornik,
JoBErt Suonow,
E. PAUL MASON,
HERMAN M. MOSEK.

BXSOLTITION

Bnpromo Bunch of Baltimore City
(December 18, 10+1)

Resolved, That the attention of the Justices assigned to preside in the Criminal Court of Baltimore and the Criminal Court Part II be directed to the necessity for the appointment of counsel in trials of capital crimes and other extremely heinous crimes, where a Just regard for the rights of the accused may require it. (Code 1030, Art. 28, Secs. 7 and 8; Coates vs. State, 160 Md. 502, note 12). That it be left to the discretion of these Judges to provide proper occasion to discover the necessity of such appointment, by appointment of counsel by the Court in advance of trial, or otherwise. In order that the trials shall not be scheduled until after opportunity for preparation by counsel has been afforded.

W. Cosn-na, SMITH,
Bootsr. O'Donnan,
Eovme T. DICKEISON,
J. Anna SATLT*,
EMO-T H. NILU,
Jomr T. FOCKER,
CBABLES E. HOVLAN,
JOSEPH SHERROW,
E. PAUL MASON,*
HERMAN M. MOSEK.

B,U1BC3

(Adopted December 18, 10+14)

The summons for the defendant following the entry of a Judgment by confession shall be filed with the Sheriff in the direction to make return thereon within thirty days from the date of the entry. Upon a return of "non mihi" by the Sheriff the judgment creditor shall be entitled to a return of summons, to be returned within a like time; and upon two returns of "non mihi" shall be entitled to an order by the Court directing notice to the defendant by publication, by posting a copy of the summons in the Court House door, or otherwise, as the Court may direct.

W. Corral Sutrn,
EDWIS O DUTYK,
EBWIS T. DicwatBOK,
J. ANS'TRA SATLER,
EMOBY H. NILES,
JOHN T. TUCKER,
JOSEPH SHERROW,
E. PACT. MAMS,
HERMAN M. MOSEK.

MINUTES
OF THE SUPREME BENCH OF BALTIMORE CITY

A Special Meeting of the Supreme Bench was held at 12:00 o'clock, January 4th, 1945, for the purpose of conducting Memorial Services for members of the Bar, who had died during the past year. All of the members of the Bench were present, except Judge McLahahan, and the Chief Judge presided.

Sr. William R. Semans, President of the Bar Association of Baltimore City, opened the exercises and introduced the Speakers. A Memorial Kinute and biographical sketches were presented by Mivn).!. Sturtevant and seconding speeches were made by Messrs. Jendell D. Allen and Herbert K. Brune, Jr. Judge Emory H. Miles, responded on behalf of the Supreme Bench. The meeting then adjourned and the members of the Bench met at a Luncheon, with Judge William L. Henderson of the Court of Appeals, as a guest.

Messrs. Maurice B. Block, William F. Dobbin and John L. Porter were selected as additional members of the January Term Grand Jury, in the place of Dr. Kemp Malone, and Messrs. William M. Ftivall and Harry V. Neeper, Sr., who were excused.

The Report of the Grievance Committee on charges preferred against Eugene A. Edgett was submitted and read to the members of the Bench. On motion, it was resolved that an Order be passed against Kr. Edgett to show cause why he should not be disbarred from the practice of law. There being no further business, the meeting adjourned.

William J. Decker
Secretary

M I O IFS
OF THE SUPREME BENCH OF BALTIMORE CITY

A Luncheon Meeting of the Supreme Bench, was held on Thursday, January 11th, 1945 at 12:30 P. M., and was attended by all of the members of the Bench, except Judge McLanahan, and the Chief Judge presided.

The Probation Committee reported that it had appointed Elizabeth Johnson (colored) as a Probation Officer, assigned to Division "B", for the usual probationary period of six months at \$1800.00 a year, and it also appointed John B. Patterson (colored) as a Probation Officer for Juvenile Causes, under the same conditions and at the same salary. The Report of the Probation Committee was approved.

A form of daily trial record, to be kept by the Clerks of the law Courts was submitted, and the report of the Committee was received and accepted. It was the sense of the meeting that a record of the work of the several Courts be kept in such form and manner as the Supreme Bench should from time to time direct.

There was a discussion as to the discharge of Juries on the last day of their Term, as Law Motions are usually disposed of on these days. Such a proposal met with the approval of the Bench. There being no further business, the meeting adjourned.

Corwin Dickson

SioTetary



104

Probation Department
of
The Supreme Bench of Baltimore City
Court House
Baltimore-2, Maryland

WILLIAM L. STUCKERT
Chief Probation Officer

January 10, 1945.

THE HONORABLE EMORY H. HILLS,
CHAIRMAN: PROBATION COMMITTEE OF THE SUPREME BENCH,
COURT HOUSE, CITY.

Dear Judge Files:

As the result of Written and Oral Examinations held,
it is respectfully recommended that

Kiss Elizabeth Johnson (colored), 929 Worth Eutow Street
be appointed Probation Officer, and assigned to Division "B" of the
Probation Department for the usual probationary period of six
months, at \$1800 per annum, provided for in the 1945 Department
Budget, and that

John E. Patterson (colored), 339 Bloom Street
be appointed Probation Officer of the Circuit Court of Baltimore
City, Division for Juvenile Causes under the same conditions and
at the same salary, appropriated in like manner.

Respectfully,

Chief Probation Officer.

WLS:EJS

DiojnplioicJ sketches of those brethren nrv jin-scented with thiU report. The Bar Association will publish the record of these proceed lags. Including the biographical sketches, la pamphlet form and copies will be sent to Uio families and friend*.

The Honorable Rowland K. Adams, a member of the Court of Appeals of Maryland and formerly a member of this Bench, passed on to his reward on July 10, 1041. As a special memorial service for Judge Adamw was hold by the Court of Appeals, hbj biography Is not Included In thla report.

The Memorial Committee presents the rdlowbig wLantc:

It Is altogether fitting and proper, that In accordance with the custom of the Bench and Bar, we panic today In our many activities to pny tribute to the memory of our brethren who hove ualsbod their coume. A lawyer has on ttaasunl opportunity to be a useful citizen, lie sees that Justice Is done; he helps the unfortunate and he restores pence to troubled minds. He is particularly fitted Co ongOho In public service, and although he may not hold public office, he devotes a portion of bis time to social, political and cbnrrlable work designed to contribute to tho public welfare.

The brethren whoio memory we honor today all lived useful lives, and the Memorial Committee mores the adoption hi Your Honor* or this memorial proceeding to the cad that It may become purl of the records of the Supreme Bench.

Respectfully submitted,

EDWIS M. STTOWXIT, Chairman.

Itoncrr D. BAXTUTT,

JOEBBT W. BtiCH,

JULUO D. BLOOB,

JOHN H. HESSET,

SAMUEU S. SMAILIN,

Memorial Committee, The Bar Association of Baltimore City.

January 4, IMS.

MOTION SECONDED BY

WENDELL D. AXLEN

icy I Pleate Your Honors:

I rise to second the motion of the Memorial Committee. The Hor appreciates the custom of the Supreme Bench In appointing an nnnunl hour In sifh-cla session In memory of our recently <4> jmrIM tiro there. On this occasion, by our presence, we conimomom their qualities of character, ability and devotion to duly.

In these particular times, when tin ravages and Impress of wnr affect tin lives of us all, we recognize tho seriousness of the tasks and burdens which our brother* have borne lu the recent years before they passed away.

On this solemn occasion It la JHillD that we take stock of ourselves us oll-cere of this Court In the administration of Justice and take on increased determination to carry on the duties and responsibilities which they have laid nside.

It is perhaps true that lawyers ns n group respect precedent and stare decisis more than nny other group of our society. It is enpInly difficult, especially for those who have become lined, year upon year, to the settled principles of law and procedure to keep atrifast of the whirlwind of change In our economic life and accompanying legislation. Our brothers BO recently departed, most of whom had reached the fulsome years of life, have Iwen confronted with the struggle or keeping pace with the fast change of statutory law and regulations having the effect of law. Hut we nil renlic, no our comrades did, that In these serious days we must be willing temporarily to give up many of the privileges which we enjoyed In peacetime days, but it is a proper function of the lawyer to preserve the fabric of constitutional government, and thi

orderly administration of Justice, so far as It is consistent with the needs of War.

One resounding and unanimous thought which comes back to us by word mill letter from our younger brethren who are serving In the Armed Forces, or in the various Governmental Department* enexnged In functions akin to war. Is that they mnr return after the War and find things the same as when they closed their ofico door*.

In memory of our friends and compnies of the Bar who hare so recently <4> the straggle, we cannot do better (lift In this presence firmly to resolT that we shall carry on the high Ideals and precepts, under the guidance of our courts, in the preservation of our constitutional and democratic way of life.

And No I take pi en sure lu seconding the motion of the Memorial Committee.

SECONDXNa ADDRESS BY

HERBERT M. BRITN, JR.

Atav It Please Tour Honor*:

I esteem It a privilege to Join In sec (Hiding the motion of tho Chairman and bus lake part In these exercised. For we are not only paying our respects to those of our brother* deceased during the year, but in celebrating their good unfittw and achievements, wo fay nn nml tribute to the best and finest <4>ments in our profession and rcdedl- into ourselves to the Ideal of the "good" <4>ryer after which we would pattern our own lives.

Whni, then, Is our Ideal ar die "good" lawyer? First of nil, ho is a man In whom the commercial attitude is sub-ardlnalcd to the professional. He does not, for the sake of high fees, oxford bis talents to obtain greater consideration for a client than the client is justly <4>ltied to. He does not reject a worthy

and difficult case merely because the remuneration will be small. *Xlv* does not misrepresent facts nor unconsciously distort the authorities which he cites for the sake of gaining an improper advantage. But within the limits of fairness and his duty to the Court, he presents fully and with all the *Thor* the *juwssell* every sound point which can be urged in his client's cause. *xxvii* By conscientious study and devoted to every difficult *COM*, the "good" lawyer keeps his mind stimulated, his wits sharpened and his more of sound legal knowledge well stocked to meet all the demands which may be made upon him.

Thrd, by contributing freely of his time and *curcrl* to the work of the organized Bar, he joins in upholding the standards, the dignity and the rights of his profession.

Fourth, he engages in public service through leadership in organizations devoted to the public welfare and through participation in public life. The boards of hospitals, chambers of commerce, *wrlve* clubs, neighborhood and civic improvement associations, schools and colleges and other cultural institutions contain a large percentage of public-spirited lawyers. And it is only necessary to remind ourselves that the Governor, the Mayor, our two Senators and one of our Congressmen are lawyer* to illustrate the wide and successful participation of our profession in public affairs, lawyers. Indeed, designed and built the free government of the United States; it is for lawyers to pre-strengthen and improve that government of their own making, and to protect it alike from the assaults of external enemies and the ravages of internal decay.

I need not mention by name those deceased members of the Bar whom we especially honor today in order to show how they exemplify the "good" lawyer. On this memorial list is a judge of the Court of Appeals, distinguished both as a practitioner and a judge for his heroic qualities of character, ability and learning which inspire us to endeavor; to emulate him; the Reporter of the Court of Appeals, whose law test-book *deve* established for him a prominent, untarnished reputation greater than any memorial we can in-shew today; a learned member of the Bar who found time to serve as Chairman of the School-Board of Baltimore City during a long period when our public education system was recognized as among the best in the world; the Board received *IVCTSAI* acclaim. On the list are a member who were active in political life; and some who achieved their greatest success outside the field of the law, but never lost touch with their profession or discarded its ideals and standards.

For name of those whom we mourn today I feel a deep personal attachment which makes my loss the greater. To each of you the face of some one of the faces of some few beloved to you present themselves most vividly today, let us together we mourn their passing, we recognize that our profession is the richer for having known them; and in following their examples as "good" lawyers we, too, may be able to contribute some thing to the work we are called to join the Innumerable and Illustrious company who have completed their work in the courtroom and passed on.

Thlro he *Drilh*! *VThat* twin* *se* in transmission;
This life of mortal breath
Is but a suburb of the life of vision,
Whose portal we call Death.

RESPONSE OF JUDGE EMORY H. NILES

In these proceedings we unite to pay tribute to the memories of those members of the bar of Baltimore who have died during the past year. While each out-of-us may have special or cloio unsoalationui with *MDC* this weeling is equally in honor of all, and there is little that can be added to the *Ming* address which has been hpcu inlie. At the time, when our country is in the midst of a bluet and bloody war, and when every home is shaken by ouxlety if not broken by grief, it is difficult to keep in *urkPCUp* the object* of our profession and the relation that it bears to those of us more *dWkult* tasks which are faced by the members of our ruled forces. Are we *thitid* today in gathering here in a calm and untroubled court room, bearing not even the discomforts of war, when our young men and young women are facing hardship, pain and doubt throughout the world?

I believe that we are, for at bottom the cause which our *urtlcs* and navies serve is the same *u* as that upon which our *ocddi* brother* spent their lives. It is the cause of *jiwlco*.

For centuries both *lcmid* and *iu* have been having defined the nature of Justice without coming to agreement upon an exact definition. But in *Ue* main our people have a common *undit*-*Rtandul* of the idea of Justice, and a common belief in the importance and inviolability of the individual human personality. To promote Justice and to protect *Um* Individual in the object of the law. But the law is not a person; it is not a living being. It can act or *lAVt* life only through living, feeling, *ctiuk* human being*. And this principal body of men who perform this function are made up of the lawyers. Our *lolders* and sailors are incurring great *lengers* and cruel *laffring* in the broad *Tort* to enable us to continue our *suply* as a plea for Individuals to live, freely and Justly. Our function as lawyers is to irratinate that opportunity into reality in individual cases. I would not be understood as claiming for lawyers any share of the credit which is due to the members of our armed forces. Our *pmont* *COBC* can be Justified, if at all, only by unremitting support in every possible way of the sons and daughters whose courage and strength are our protection and hope. I merely say that our purposes as lawyers are in *iony* with the purposes of our *hurred* forces, and that these winm *wo* *hemor* today have each in *lds* *trihuted* to the name *end*. *the* *practice* of the law is a profession involving hard training a

ful application. As a profession, it is the inheritors of a long tradition. Imperfect like other human institutions, the history of our profession abounds in examples of bad and good, of failure and success, of selfishness and generosity, of incompetence and ability. But in one can find an ancient book without an immediate feeling that over the course of centuries there has been created, however, partially and *liand*-*liatid*ly, a society in which elements of justice have become realities. In our country lawyers have taken a leading part in developing the good as imposed (to De evil element*). In that society justice is enforced for the good of *in* as well as that of *nil*. In that *ocrlt*-*rcly* which may in the future protect and enforce the rights of nations, as a *csult* of the heroism of our *nred* forces.

Those in *WIOH* memory *te* *ijMt* *ISS* *dry* lived among us and each *coitrlp* titled his *dlfferent* *port* (0 the whole) They varied as any group of men vary, whether in a profession, an array or *ny* other social body. Some attained worldly *SCUOH* and some did not. Some were known to all of us, and some to only a few. Some attained high distinction and great reputations; some performed humble or even obscure work. The career of each was a reflection of his capabilities and personality. But all were united in the common *ncly* of being interested and enforcing the law, in *hrlidng* into reality, the rights of *indivldu* who as clients entrusted those *rich* to them. However *lmpertly* acknowledged or pursued, the *lve** of all were *ill* *tl* in but led and inspired by the common ideal of Individual *Jim* *ter*. To the great *strat* *itute* which is our society, each contribute! *lu* share.

1 The*o whose *tinncs* have been read have gone from among us. We *Hhlt* not see them *ngln* in our work, *nap* *Khal* we again *liarc* *Ueir* *encourag*-*meot* or their help.

Today, however, in this brief moment, we honor their memory. We mourn them as friends; we *pricidit* *H* them! *M* fellow workmen, and we salute them as professional brothers.

The report of the Committee, *not* *inennral* minutes, and the *ndccrator* of *He* *lrom* *TK* of the *lur* will lie *nt* *gelvel* *nd* preserved *ngn* the *penan*-*tal* records of this *Oilrt*.

Biographical Sketches

ADOLPH OUTBERLBT

Mr. GUTHER was born in Baltimore December 13th, 1870, and after his early education in the parochial school of this City, studied law at the University of Maryland. He was graduated in 1905 and the same year was admitted to the Bar. He was engaged in the general practice of his profession, and was an active and respected practitioner until his death on December 27th, 1943. He left surviving his widow, *Kntil*-*clric* T. Quiterlet.

—*Dr* Samuel S. BmalMn.

JOHN A. EBERT

Mr. Ebert was born in 1903 and died suddenly on January 2, 1941, at his home 401 1/2 Wood Lane Avenue, Baltimore. Mr. Ebert is a graduate of St. Elmt's *clh* *la* *ruol*-*hial* *Scinol* *nd* *Loyl** *Ugh* *School*, *liall* *mor*, also of *thfr* *ruiv* *rsity* of *liall* *more* *Law* *Schools* *rom* which he was graduated in 1930.

After his graduation from high school, Mr. Ebert worked at the Chesapeake & Potomac Telephone Company for almost ten years. While working he attended the University of Baltimore LAW School in the evening. After his graduation he engaged in the practice of law, with offices in the Court Square Building and later became associated with the late John W. Loebner with offices in the Franklin Building.

He was a member of both the Maryland Bar Association and the Baltimore City Bar Association.

As a result of the National Emergency, Mr. Ebert joined his law office and became Assistant Manager of Industrial notations at the *Fnrlred* *Plant* of the Bethlehem Steel Company in which capacity his knowledge of the *U* *we* greatly *Omited* him.

He attended the public schools of Baltimore until 1890 when he was enrolled as a student at McDonogh School. Upon his graduation from this institution six years later he had compiled an enviable record in every respect. During the rest of his life he always maintained a keen and lively interest in the activities of McDonogh School.

Upon graduation from McDonogh he obtained a position as a stenographer in the office of Honorable Morris A. Soper, who was at that time practicing law in this city. It was largely upon Judge Soper's recommendation that Mr. Kraus undertook the study of law, entering the University of Maryland in 1905 and completing his course with distinction some three years later.

The early days of Mr. Kraus' professional life were spent in the public law office of Baltimore City. In 1908 he obtained a law-clerkship in the office of the Honorable John C. Rose who was at that time United States Attorney for the District of Maryland. Upon graduation from law school he served as an Assistant District Attorney under John Philip Hill, leaving this position in 1913 for one as an Assistant State's Attorney for Baltimore City. He served in this capacity until 1919 when he entered the office of the City Solicitor of Baltimore as an Assistant to the late Roland T. Marchant, then City Solicitor.

In 1923 he entered the private practice of law, forming with his erstwhile superior the firm of Marchant & Kraus. However, only four years later he left private practice to accept an appointment as City Solicitor of Baltimore during the regime of the Honorable William F. Broening, then Mayor of Baltimore City. Completing his term of office four years later, he returned to the general practice of law, but again left this field in 1938 to assume a position on the legal staff of the New Amsterdam Casualty Company.

Mr. Kraus soon began to suffer from ill health and since December, 1942, had been unable to engage in his profession. Suddenly, on April 8, 1944, he passed away, just one week short of his 54th birthday.

During the early part of his life Mr. Kraus was very active in fraternal circles, being particularly prominent in the Masonic order. At the time of his death he was a member of the board of directors of several charitable institutions, as well as Clerk of the Session of the Second Presbyterian Church, a position he had occupied for twenty years. He was a member of the American Bar, Maryland State and Baltimore City Bar Associations and of the Association of Insurance Counsel. He was a member and past president of the Barrister's Club, one of the legal clubs of Baltimore.

In 1914 Mr. Kraus married Marie Strohmer of this city. He is survived by his widow, a son, and a brother, George W. Kraus.

—J. Walter Kraut, Jr.

ROBERT J. MACGREGOR

Robert J. MacGregor died April 14, 1944, at his residence, 4637 Belle avenue, Baltimore, Maryland, after a prolonged illness of several years. Although greatly incapacitated, he nevertheless insisted upon visiting his office until a short time prior to his death.

Born in Baltimore County on February 16, 1870, he received his early education in the public schools and at Baltimore City College. He graduated in law from the University of Maryland in 1910 and was admitted to the Bar in the same year.

Mr. MacGregor enjoyed an extensive practice and was an active part in the legal ad and was a member of its advisory board. Prior to his admission to the bar he was engaged in business and had Paper Company.

Mr. MacGregor took an active part in civic and fraternal organizations; He was a charter member of the Kl. K. K. V. V. A. V. & A. M. and was a member of the Baltimore Bar Association.

He was survived by his widow, Mrs. Bessie Donaldson Wolfe, his only daughter, also a member of the Baltimore Bar.

—Bi/eh* n. /f*

BENJAMIN H. MCKINDLBS

Benjamin H. McKindless, who had a long and distinguished record in the law, died at his home in Baltimore on May 4, 1944, following an illness of nearly two years. Mr. McKindless was born in Castle Pin, Pennsylvania, on March 15, 1873, his family moving to Maryland in his early boyhood.

He was graduated from the Howard University Law School in 1901. He was appointed in 1911 by City Solicitor S. S. Field to the position of Assistant City Solicitor for Baltimore City, and served with distinction in that office during the eight years that followed. During that period the City Solicitor's Office was engaged in a long series of bitterly-contested cases which grew out of the construction of the present sewerage and sewerage disposal system. Mr. McKindless was constantly in Court defending the City of Baltimore in this litigation. When Mr. Roland T. Marchant succeeded S. S. Field as City Solicitor, he endeavored to retain Mr. McKindless' services as Assistant City Solicitor. Mr. McKindless' services were continued until his death in 1944.

Mr. McKindless was a member of the Baltimore Bar, the Maryland State Bar, the American Bar, and the Baltimore City Bar. He was also a member of the Baltimore City Bar Association and of the Association of Insurance Counsel. He was a member and past president of the Barrister's Club, one of the legal clubs of Baltimore.

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On September 1, 1900, he married Miss Viola Collette, of Hagerstown, Md.

He was a member of the Baltimore Bar, the Maryland State Bar, the American Bar, and the Baltimore City Bar. He was also a member of the Baltimore City Bar Association and of the Association of Insurance Counsel. He was a member and past president of the Barrister's Club, one of the legal clubs of Baltimore.

—By the Court.

EUGENE PSEDBICK

Eugene Psedbick, who had a long and distinguished record in the law, died at his home in Baltimore on May 4, 1944, following an illness of nearly two years.

Mr. Psedbick was born in Baltimore on March 15, 1873, his family moving to Maryland in his early boyhood. He was graduated from the Howard University Law School in 1901. He was appointed in 1911 by City Solicitor S. S. Field to the position of Assistant City Solicitor for Baltimore City, and served with distinction in that office during the eight years that followed.

During that period the City Solicitor's Office was engaged in a long series of bitterly-contested cases which grew out of the construction of the present sewerage and sewerage disposal system. Mr. Psedbick was constantly in Court defending the City of Baltimore in this litigation. When Mr. Roland T. Marchant succeeded S. S. Field as City Solicitor, he endeavored to retain Mr. Psedbick's services as Assistant City Solicitor. Mr. Psedbick's services were continued until his death in 1944.

Mr. Psedbick was a member of the Baltimore Bar, the Maryland State Bar, the American Bar, and the Baltimore City Bar. He was also a member of the Baltimore City Bar Association and of the Association of Insurance Counsel. He was a member and past president of the Barrister's Club, one of the legal clubs of Baltimore.

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—(U) Kobrrt if. Heapl.

a work which obtained equal rank with KM larger predecessor. Dnrlnrj the time afforded In the Intervals of work his State ltrwrtcr. Mr. Tiffany's "creolest enermies were devoted to his leathlbr; n the bw School of the Unlvrlty of Maryland, and to the preparation of the later Mill lons of his work (tulle-ii) Properly. The second edition appeared lu 3020, mid enhanced. If thnt wns possible, the reputation and minority of its author. The Lird mid final edition was published In l-o-5; it consists of six volumes which easily hold the name lending place among texts on rcln plery which was established by the film edition.

X« one who has rend either of Mr. Tiffany's works enn fall to be Impressed with bin exactness of conception of legal principle* nud the clarity of the style In which he bus expressed them. Tho'c Same nmlfics appear In the handbook In the Maryland Keurt'K of which he wns the author from volume 135 to volume ITS. As the late Judge Carroll lmnnd once said of one of the other clerks* of the Court of Appclnt: "He wnk n exact workman. But lu addition Mr. Tiffany drew upon an immense rwerfior of learning purified by a scholarly attludne nud a nldi-cl-ty of the principles with which he wns dealing. AH an eminent reviewer wns his loot edition said: "We may nay aft. Uta work that lu the balanced completeness of Its treatment of a vast ml-ccr. In its crllend nod doctrlnal mlt'K m of authorities, and In the "mpltclt- and clearness of Its style, It stands out as a notllie Achievement "w sound M-holnrlu. one or the very f "w great American lnn-books."

The most clinnetrlstrlc personal quality of Mr. Tiffany was his modesty. He wns quiet In denlrmn, mid n'cer In conversation he wns mltu his view as Mlpor to thnt of the pcrson with whom he mlkt h dluw'up the ml-K-tlon. The UTler once nskol his view on a point tlt wns, su'pMlntp that ltr. Tiffany's j-ncnt leamlnt; would enlph In to clvo n authorlntutlve opinion In n doubtful uatler. In his vhr-llpstrlstrally gentle voice he declnded lu RVC a pwllr, answer, mid rclrml mid to h' publishes volume, wrlor: "Well, you know, my frmb Is HllK-II; more lcnclnt twin I am."

Tito learning mid courtesy of Mr. Tiffany were well known to members of the l-o-and nud ltr. IJU scrl-mth- was n great s'cler. but Is wns h'nd-ly Nann publicly, for character. m'd-nly he Klrd notlptp of It, mid mntio nly pretence or n'ow of It. To (bow) who knew of his nny nety of private Cftrpitolity he mntps q' hldi In that ruality nly In his lcnrning which wnt pluply m'dlowlodced.

The fln'lk hclntr from nbleh Mr. Tiffany sufficed dnrlnrc the lntt few yearh of lllm life wat a source of n-llctlon Kl him n'ar of tarrmr to MM flrt-mis, but It could not n'pno l'be work which he hail done, nor cno bin dmln now c'f'f'ce the many of a l'cncr-rlcltar of the th' mmlr, n pcutenuh In nil th-c' Millies* of thnt wnt, mid n ornament to the profession of wh' a he was a member.

—litt P.mor., JI. Nlet.

ISIDOE OOLDSTROM

Is-10-r Goldstrom, who died In Jlnll-moro on Austin IS, l-w-1. wns born In llnltmore about nS years before llls death.

lie wnn ctulmled nt the Baltimore l'ulle School* nml RmdumMI from th-c- University of Maryland School of l-ur, being admitted to the Baltimore l-ur on May 22, 1865. He nl n't becunne an s'w'k'ing of the luto Thomns C. Weeks' After a dl'fcoitlunance of (but avoiclonlly he therrn'ter until hi* d'vth jnctnled alone.

l'l- llls kl'usury nntl nml'lf- he out-rlred many valuable deitts. One of the most l'mportant of n'blely wna the Milk Bolt l'r Eicl'mnee, whldi h'rauf'lt l'lm l'no conclnt nml n'tl'te m'tact r'ill the l'mjrt-nml dairy l'ml'tury of J'io State and City. Hu n'ns also at one time counsel for the M'qior McenM Commlt'wion nml lle l'tuUl-n at that office were tmf'isem'd to the Attorney-General.

In 183-1 l-w and the lntc Kdwl'n J. Colcun were n'lk'ldnt' counsel in the United States Keuente Commlttee to l'nv-vc-l'ate H'ID nml'pl'ustl'nt'ice of the Vlrl'n l'lanl'ns. Th'U n'ccrlo l'ook l'lm r'at' s'overni w'ckM to U'osc i'h'l'ndn o't-nt'l'nlp l'nf'orm'ntion mid he l'nter j'up'w'rted nt n'ny l'icr'n'n of the Com-ml't'w'ID Wash'ngton.

He ms n'lways active In (be Pen-nent'ic Part); for more than twenty years was a member of the Speaker's Commlt't'c In the Democ'Uc N'ntlonn'l Stat' mid M'lnleplal Com'pl'nc. he hl'm'w'f be'fne an excellent public sp'k'nr nml often n'p'ear'nc on the platform. Mr. Goldstrom wns UIM. net'l'e In s'ny r'rl'g'ous nnd ph'l'm'tropic no'tl'f'lm.

Dr'f'ce the l'nt fl'n- y'm'n i'f b'is l'ite he had the n'ls-f'unct'ion of knowing that his n'nt' n'erv'ng n't an o'l'ker In the United States Army, nnd the i'll'n which resulted In llls death, and which l'et'sed for so'oo eight w'cks. W'K ch'ered by the will'at'ion that l'ite only w'on w'ong doing b'is fo'ul duty as a citizen.

Mr. Gold'f'rom In survived by s'w'lv'io'w. Mrs. Doni D. told'tron; by s'w' Mr. Tl'cunent nml Dor Oal'stn'ni, and a dnup'hor. MIM nelen Gold'f'rom.

—Jlt R'ndolph Mar'ion, Jr.

EDWARD J. LIPPH

Edward J. Lipin, the son of John Lipin n'nd Augusta Liplo, of A'w'io rule' County, State of Maryland, wns born on April let. 1011, nt noma, Stato of Louisiana. In llls e'f'ly l'ife his parents moved, to Anne Arundel County, nnd locat'ed at t'v'nt. In now known n' Up'n's Corner at the J'ane-1-nt'ion of the Am'npol'x n'rail nnd the Mountain road. He attended the do-m'ny r'hool n'arly, the fr'itsadent' h'gh School and U'ce Baltlmore* City C'l'ic's from which h' advanced to the Un'erslty of Maryland at Collep'o l'm'f'ic. He w'as obt'ined h' Bachelor of Arts D'eg'ee on June Ob. l'CO. He then l'nc'nd the D'lv'cr'ol'ry of B'ill'more, at K'IO l'ic obt'ained llls l'nd'ch'or of 'w'ann Des'ig' on June S'lt. 1037. fl'n U'J'N n' l'nl't'ed to the B'n'r on Aug'ust 7th, 1037, after which h' entered l'f'fo He c'nc'nl p'rt'ct'ce, of law In Anne Amudcl County anil Baltimore 01 l'y. Ho w'as attorney for tin; Anne 'r'nd'ed Co'lt'ur B'n'l'm'p-Com'm'w'lou.

l'fr. r.l'p'li died on St'p'tem'ler 1'0h, 11H4, l'ev'nlve s'rv'rl'v'ng; h'm l'ull w'k'; formerly Mills U'ico Hart of l'ull'more City, whom he married on June 1867. W'ns a K'OU n'w'leht l'p'ln; h' it par-ent's; n'nt'io our brothers, Lieut. Col' J' Knym'on l'l pin of the U. S. Army Air Force, and Set. Alfred l'lipn. U. S. An'j.

Mr. l'lipn w'ns n' m'ny of excellent un'ity mid of unblemished v'bn'm'ter, th'oru'k'ly com'w'nt n' ll law l'er in, v'ery i'p'oc't, nml h' m'ln'ch'ity death v'UK n' r'om' h'rony nml low to all who l'ev'nt' l'it'it.

—H't Robert W. Uraeh.

FKAKOIB SMA OASET

Fruntin King Carey died on October 1. 1911, at the ap; 54 So. J'r. Carey j'v'n l'ron In Baltimore on July 1, 1865. (i'ian n'nd J'anch and Simun J. Curry. Ho received l'rt. A. V. nt l'nv'-'r'f'ion Col' l're In 18'88, mid h'is A.M. In ISS1, and the d'ep'n-c' of L'IJ. II. nt the Un'lv'r'sl'rc' of Vl'and In 1893. lie w'as admitted to the Bar In Un'lv't'ur' In the name year. He l'rms en'p'ised In Active p'rt'ic'le' of l'w until 1910 when he re'f'nd from th'c p'rt'ct'ice of law to devote h'is full time to the affair* of the n'nt'ional sup'ir Am'nf'act'ur'ing Com'm'ny, of wh'ch he yan l're'ud'ent and In which h' had a n'rc' l'ua'uc'ill l'nc'rc'f'.

April 27, 1886, he married Anne Gale h'm'lh Hall. Mr. Carey In survived by no daughters, Mrs. l'ou'w Carey R'6-c'h' of New York, and M'm. l'ercj- Ch'ill's Mad'iera, Jr. of Philadelphia, nml three s'w's, Francis James Carey; l't. Com'dr. Aud'ren Gal'm'lt'li Carey nml U'K'nald S. Carey.

Shortly after commencing the p'rt'ic'le' of law In Baltimore Mr. Carey be-c'ame a member of the Arm of Steele. S'c'm'ic*; Carey, which, for many years, wat one of U'ce leading law firms In B'j'll'more City. Upon U'nc'ns'ol'nt'ion of this firm he p'rt'ct'iced law for a while under b'j' own name, and then r'ormed the firm of Carey, r'iper & Hall with o'l'f'ees In the Culvert B'uild'ng In 1910 when Mr. Carey withdrew fr'om the firm of Carey, l'p'cr & Hall. In order to devote h'is full time to the l'bert sugar business, he w'ns chosen by l'J'l- h'et sup'ir b'ul'n'ry In the United Stat't' (to go ab'road to Holland In order to p'ro'cure a R'h'p'rot of sugar l'w' f'rt'it from O'cc'm'ny so that the beet Kl'g'ng l'nd'ustry, which had for years l'leg' depended on Germany for its s'ec'nd, l'could continue to o'-'er'ale. On l'bb't tr'ln th' b'ont on which Mr. Carey w'ok- "Hue struck n' ml'no In U'ce Kn'ellsh t'r'avn'cl' h'nt w'nt l'ite to m'kr port, Ch'any, mid Mr. Carey n' s'nc'w'ell's w'at'el' some very dl'f'lc'nt n' d'ec'w'nt'f'oll's, n'ly o'cc'ur'ng n'nd h'avl'ng: sh'p'w'ID U' l'f'f'. United States n'w' n'ed'lt'ite supply o'f'f'.

l'ost sugar seed. In b'n l'w p'rt'ct'ice Mr. Carry o'p't (y'm'w'it) In c'or'j'or'at'ion l'w, m'k'lngs a n'ldo reputation lu b'nt'd'nc' l'cor'por'ate; r'or'p'or'at'ions n'nd c'nr'rl'one l'fl'AH; c'f'f'ic. l'f'f' h'n c'erv'les were en'g'nt'ed u'f' p'enn'od'K many l'nc'rc r'ors'f'ln U'nt'ol'j' l'v'ol'v'nc' ut'lt'f'nc' n'nd cot'nu ml'f'lt l'f'f' l'ho South. He c'ame l'nd'c'ul'd of the Ch'arb-ct'um (S. C.) K'nl'w'ly, Q'as-an'it Electric Com'p'ny which he c'-' organized, and he held th' n'f'ir- for three years.

Mr. Carey was always very active in civic and national affairs and served on numerous committees and commissions. He was also interested in conservation and worked hard to get the Human Bill for Conservation of Oysters through the Maryland Legislature. During World War I he served as Manager of the Red Cross War Campaign Fund for Maryland, and as Manager of the Hoover Food Conservation Fund Campaign for Maryland. He is also a member of the Executive Committee of the League of Nations and the Maryland Section of the National Y. M. C. A.

TM, V L M &, sr "c. n. S., " Sr, ° iri ° Errl H, " ; E

Mr. Carey was always very active in civic and national affairs and served on numerous committees and commissions. He was also interested in conservation and worked hard to get the Human Bill for Conservation of Oysters through the Maryland Legislature. During World War I he served as Manager of the Red Cross War Campaign Fund for Maryland, and as Manager of the Hoover Food Conservation Fund Campaign for Maryland. He is also a member of the Executive Committee of the League of Nations and the Maryland Section of the National Y. M. C. A.

On two occasions he was instrumental in bringing natural gas from West Virginia to Baltimore, and during Mayor Preston's term in office he was instrumental in bringing natural gas from Baltimore to Annapolis. He was also instrumental in bringing natural gas from Baltimore to Annapolis. He was also instrumental in bringing natural gas from Baltimore to Annapolis.

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PAUL M. BURNETT

Mr. Burnett was born January 18th, 1897, and died October 30th, 1964. He was admitted to practice law by the Supreme Bench of Baltimore in 1928 and later by the Court of Appeals of Maryland. Mr. Burnett began his busi-

ness career after leaving Baltimore City College, in the office of the late William Reynolds, assisting him in making care of the collection business for K. G. Linn & Company, and upon the death of Mr. Reynolds succeeded as local attorney for that firm for many years. He still holds in honor the supervisory title of Junior Member of the Bar of the State of Maryland.

Mr. Burnett

Mr. Burnett served for some time upon the board of directors of the El-Hi Trust (now known as the El-Hi Trust) in connection with the affairs of the insurance company. He formed and took an active interest in the Baltimore Hospital for Crippled Children. During the summer months he would take care of crippled children in the hospital.

He had not actively practiced law for some years before his death, as his time was fully occupied with the details of this growing insurance business.

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TAMES CHAEIJA BYBKB

James Charles Byrne was born in Baltimore on August 22, 1902. He was the son of Charles A. Byrne and Emma Reister Byrne. He was named after his uncle, the late James C. Byrne, well-known for his activity in the political life of Baltimore of a generation ago, and the incumbent for several years of the office of Building Engineer, or as it was then called, the Building Inspector of Baltimore City.

Young James attended the public schools of Baltimore, and upon completing his studies at the Baltimore City College, entered the law school of the University of Maryland, graduating and receiving his degree of LL.B. in the Class of 1916. The same year, the twenty-first year of his life, he successfully passed the Bar Examinations, was admitted to practice, and was married.

While he was pursuing his law studies at the University of Maryland, in the usual evening courses of that period, Byrne accepted a position as secretary and assistant to the late Charles H. Koppelman, a then prominent figure in the financial world of Baltimore, under whom he received valuable training in business and finance. Mr. Koppelman, knowing his young assistant's ambition to establish himself as a practicing lawyer, recommended Byrne to the Judge Charles L. Hill as a worthy candidate for the position of Junior Member of the Bar of the State of Maryland.

Mr. Byrne was admitted to the Bar of the State of Maryland in the Class of 1916. He was named after his uncle, the late James C. Byrne, well-known for his activity in the political life of Baltimore of a generation ago, and the incumbent for several years of the office of Building Engineer, or as it was then called, the Building Inspector of Baltimore City.

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JOHN A. BRADY

John A. Brady was born on August 2, 1876, in Baltimore, Maryland. He came of Irish parents and lived his entire life true to his Irish traditions. He was entirely a self-made man and in his youth his struggles were hard and many and his opportunities few. He graduated at law from the University of Maryland in the Class of 1902, and shortly thereafter began the practice of his profession. He early came under the tutelage of the late Judge Thomas S. Haer and William F. Lyons, from whom he absorbed many of the practices and traditions of the legal profession, which he faithfully carried out during his own practice. He was a friendly, kindly, and ever helpful to his clients and friends and was possessed of that wonderful but rather rare humor that never wounded but always pleased. He was a staunch member of the Roman Catholic Church and died on December 7, 1964, leaving his widow, Isabel T. Brady, and four children, John A. Brady, Jr., Francis X. Brady, Isabel Brady and William H. Brady, surviving him. All three of his sons are now in the armed forces of the United States.

-By Robert N. Haer

The letters written by the Chief Judge, in connection with the retirement of Mr. Schraeder, were submitted, and are to be held pending the notification by Jir. Sol.raeder.

The Chief Judge submitted tentative schedules for assignment of the Judges during the summer Recess.

The Report of Mr. Howard B. Matthews, Trust Clerk was submitted, showing an excess of \$453.74 of receipts to be turned over to the Mayor and City Council. The Report was handed to the Secretary, who was directed to file the Report with the minutes of this meeting. The Report was submitted for consideration to Judges Sayler and Sherbon, who with the Secretary, constitute the Trust Committee of the Supreme Bench.

The application of Kr. R. Palmer Ingram, for appointment as an Auditor and Master of the Equity Courts, was submitted to the Chief Judge, but no action was taken.

Judge Sherbow reported that he was having difficulties with the purchase of eight microphones for the several Courts and that the one in the Criminal Court has been removed without ceremony. He stated that the purchase will necessitate specifications being drawn and priorities obtained and substantially the Committee will have to start all over again.

The Rules Committee, consisting of Judges Tucker, Sherbow and Mason, reported that a meeting had been held with the Bar Association Committee and that the work had been divided up in order to get out a draft of the rules as promptly as possible.

The Court House Committee, consisting of Judges O'Dunne, Sherbow and Niles, reported that they had asked the Walters Art Gallery

to furnish their experts to put the Court House Hur&ls in condition, and that a conference had been arranged for Monday.

The Chief Judge reported that he had located the portraits of Chief Justices Marshall and Taney, which has been sent to the Walters Art Gallery by former Chief Judge Dennis **for** repairs, and that the work could not be properly done until after the War, and he thought it best to get them back.

It was recoi/jnsded that the Supervisors of Election, be gotten out of the Builaing in ordar to get the **Juvenile** Court Administration in the Court House. It was reported that Mr. Hennegan, was agreeable, if adequate apace on the first floor could be obtained elsewhere.

It was also reported that the Coiwnittee had gone over the draft of plans for the People's Court in thi3 connection, **and** that **arrangements had been made** for repainting and cleaning the Court House toilets. The Committee also reported that it was endeavoring to obtain rooms for Judges Markell and Henderson, in the Court House.

/ There being no further business, the meeting adjourned.

Edwin A. 2. Nelson

Secretary

**Supreme Bench Overrules
Motion For New Trial
In Criminal Case**

The motion for a new trial of George IV. Uttrij, ivlib was convicted of robbery, was overruled by the Supreme Court on Saturday.

Bernard G. Peter, Assistant State Attorney, represented the State.

Supreme
at
JSalhmara <Eitg

W.CONWCU. SMITH
Chief jueac

BALTIMORE 2. MARYLAND

January 30, 1946,

To The Judges or the 3upreofl Bench:

Ur. J.ucke, city Engineer, and «r. Zicmornan, Superintendent of Builddngs, have agreed to install fluorescent lighting in all of the judges' ohanborbt (Judno Savior has indicated, however, that he does not wish to have this lighting installed in his offices) Ttxla lighting should be installed in tho very near futuro*

The load speakers for all or the courts (excopt tho Circuit Courts, the Juvenile Court, and Orphans' court) are bulng ordered and vlll bo in operation soon* V*e are also arranging to have tills equipment placed in the Grand Jury Koosi.

Steps are bolntj token to have all of the ecartroocs watibed and cleaned* Some palntlnj raj to dons very soon, nlso»

Be are sndoavorlnp, to have new offlceo raade available for Judge Uarkoll and Juflce Kenderoan adjolnlnr the ^ar i-lbrory. This will icean movinc -fr« 'olgor to the TOOK QC!Joining the oxtlce of the Clark of the Haltltnore City Court, This varlc nay take scrae tine, as architect's drawings Dill be necessary before the work can proceed.

He will be obllgod if you will let us have an Inventory of all the items needed in your courtroom, such as wlnjtro shades, bulba, etc. If you vlll send thor: to :lrx Henry Rohnnann, ?-aillff, Tiooc 314, he will turn then all over to Ur. Zl^nesun so that the purchases can be made promptly*

De art also endeavoring to have tho Walters Art Oallery arrange to assign experts to dean the murals in the St# Paul Street lobby, the Orphans' Court, and several of the other ourto.

We will appreciate any susgeations you nay nave regarding further work to be dona in the Court &ouae»

The installation of tollots and other such itens isay be delayed by reason of ohortagos uf siaterlals, but every effort will be Bade to aaSce a;-a i.^provemente in the aanltorj facilities in this building.

i

Yours vory truly,

/a/ Joseph Oberbow
B^ory n. idles
Eugene C*Donne

February 5th, 1946.

Eugene A. Edgett, Esq.,
3543 Newland Road.,
Baltimore, -18- Maryland.

Dear dene:

When you called to sea oe last week, you told me that you were afraid that publicity over the disbarment proceedings, would cost you your present position. I would be glad if you 'll call to see mo aa soon as you get this letter. It may be to your advantage to submit, the matter without a hearing and in writing, oonsent to whatever action the Bench may take. It will be hard for you to avoid publicity.

I am writing thia letter on my own responsibility alone, and herein do not speak for or on behalf of the Bench.

Very truly yours,

etd/jn

Edwin T. Dickerson

February 5th, 1945.

Frank E. Schraedor, Esq.,
Rochambeau Apartments,
Charles & Franklin StB.,
Baltimore, -1- Maryland

Dear Frank:

The question of your retireiuent a.s a
Bailiff came up at the meeting of the Supreme Bench
Saturday, and I was directed lo request you to write
to the Chief Juti^e and give notice in your latter
that you elstct to retire as a Bailiff. Your election
will then be approved by the Bench, and the proper
authorities Bill be BO notified. Your pension will •
probably not atart until thi« is dona.

Sincerely,

etd/in

Sdwin f. Dickerson

February 5th, 1945.

Eugene A. Edgett, Esq.,
3533 Newland Road.,
Baltimore, -18- Maryland.

Dear Hr. Sdgettj

I submitted your Answer to the Order of the Supreme Bench to **show** cause **why** you should not be disbarred, at the Bench meeting Saturday.

I «as directed by the Bench to notify you that the matter has been 3et for a bearing in Opns Court on the first Saturday in Karen next, at 10 o'clock A.K.

Vary truly yours,

etd/m •

Edwin Tl Diekeraon
hang

SUMMER VACATION SCHEDULE

	CRIIMIAL COOM	CIVIL COUBTS
	ASSIGNED TO JUDGE	ASSIGNED TO JUDGE
J-7	Hile8, Court of Corcnon Pleas	Sherbow# Circuit Court
9-14	Sberboi7» Circuit Court	Wiles, Court of ^onmon ?2saa
16-21	Hason, Superior Court	Dickerson, Criminal Court <u>fT</u>
25-28	Dickerson, Criminal Court <u>XL</u>	Maor., Superior "ourt
30- ff. 4	Sayler. Superior Court <u>III</u>	Circuit Court No. 2
5-11	Circuit "ourt Ho* 2	Sayler, Superior i-ourt <u>III</u>
13-18	Smithj Baltimore City <u>iii</u>	Mcianahan, Baltimore "lty I <u>Z</u>
20-25	&cLanahan, Baltimore City £	Smth, Baltnore City <u>III</u>
27 - ept. 1	Uoser* Criminal court I	Tucker, Superior Court <u>II</u>
5-8	Tucker, Superior Court <u>II</u>	Woser, Crial Qinal Court <u>I</u>

Filed 7/3/45

SUPREME BENCH ASSIGNMENT
Saturday, Feb. 3, 1945

Bernard O. Peter

State of Maryland

S. Alfred Mund

vs.
George W. Harris

Ho. 32, Jan. Term, 1945
From Hoser, J.
Charge Robbery
Papers rec'd. January 19, 1945

overruled

MINUTES

OF THE SUPREME BENCH OF BALTIMORE CITY

A Luncheon Meeting of the Supreme Bench was held on February 15th at 12:30 P. U. Judges Henderson and Siarkell of the Court of Appeals were the guests of the Supreme Bench. All of the Judges, except Judges Uclanaban and ISoylan were present.

Judge Sherbow reported that we would not be able to get loud speakers for the Court rooms.

Judge Niles offered a Resolution which was duly passed, authorizing the Probation Department to deposit with the Union Trust Company as custodian, a \$10,000.00 U. S. Treasury Bond, pursuant to the terms of an agreement, a copy of which has been filed with the Clerk of the Supreme Bench.

Judge Niles reported certain changes which will be made in the forms for reporting the daily work of the County Law Courts.

The Chief Judge reported the names of a number of applicants for the position of Auditor and Master, now vacant, because of the death of the late John M. Requardt. There being no further business, the meeting adjourned.



Secretary

RESOLUTION

Resolved/that the #10000 United States Treasury Savings Bond Ho. X 480217 0 purchased by, and registered in the name of the Probation Department of the Supreme Bench of Baltimore City, on December 12, 1944 at par, and now in the custody of the Union Trust Company of Maryland in pursuance of an Agreement between said Department and said Company dated February 5, 1945, shall not be sold, redeemed, transferred or otherwise disposed of except upon the written authorization of two members of the Supreme Bench of Baltimore City*

Adopted!

t&NUTKS

A luncheon meeting of the Sunreme Bench v/as held on February 21, 1945, et IE:SO o'clock"?. ». All of the members of the Bench except Judge Hoylen were present and the Chief Judge presided.

A letter from Mr. Eugene A. Edgett wai'vting a bearing in connection with the charges now pending against him before the Supreme Bench and submitting to such action as the Bench should think proper, and also praying consideration of the circumstances which surrounded him et the time the charges arose^was read. On motion, it was resolved that the letter of Mr. Edgett be filed with the papers in the charges now pending again*t him.

Judgesfcioserand Dickerson requested en expression of the Bench with regard to the payment of counsel fees for indigent prisoners charged with serious crimes and triade certain recommendations, all of which is fully set forth in the paper hereto attached. On the motion of Judge O'Dunne, it was resolved that the matter be left to the discretion of the Judges presiding in the Criminal Courts. Judges looser and Dickerson invited the members of the Bench to rive them in writing .their views on the whole matter and stated that they would present en additional report et a subsequent meeting of the Bench and would not take any action under the resolution of Judge O'Dunne until further consideration by the Bench.

The Chief Judge reed e letter from Ur. Kenry Ripperger, hereto attached, advising the Bench of the temporary eppointment of the Deputy Clerk herein named. On motion, the appointment v/as approved.

Judge Moser reported that a communication had been sent to the Grand Jury regarding certain conditions in northwest Baltimore and that the matter had been referred to Commissioner Atkinson for investigation. He reported that a reporter from The Baltimore Sun had talked with him about giving publicity to the re;ort end stated that the State's Attorney had said he 'ould advise Commis-sioner Atkinson not to give either the complaint ort a copy of it to the press.

There being no further business, the meeting adjourned.



Secretary,
Supreme Bench of Baltimore.

RESOLUTION

SUPREME BEHCH OP BALTIMORE CITY

RESOLVED: That tbo attention of the judgea assigned to pre-
 side In the Criminal Court of Baltimore and the Criminal Court
 Part II be directed to the necessity for the appointment of
 counsel in trials of capital crimes and other extremely serious
 crimes, where a Just regard for the rights of the accused may
 require It* (Code 1039, Art. 26, sece. 7 & 8; Coates vs State,
 180 Ud. 502, 509-512), That it be left to the discretion of **thaao**
 Judges to provide proper occasion to discover the neecesslty of
 such appointment, by separate arraignment of each cases in advance
 of trial, or otherwise, In order that the trials shall not be
 scheduled until after oppportunity for preparation by counsel
 has been afforded*

H. Cornell smith. Chief Judge

Eugene "Dunne

Edwin T. Dickerson

J. Abner Saylor

J. Craig HcLanehan

Enory H. Niles

John T. Tuckor

Charles f. Uoylan

Joseph aherbow

K. Paul Kaoon

Herman H. Moser.

To The Supreme Bench of Baltimore Cityt

In conformity with an expression of the Bench, at a meeting last Fall, we are reporting relative to the appointment of Counsel for prisoners charged with serious offenses and without funds.

The State's Attorney from time to time places in the assign-
sent, for arraignment only, cases he considers serious. The accused,
when arraigned, usually expresses a desire to have counsel and the pre-
siding Judges of the Criminal Court appoint counsel.

The granting of these requests for the year 1945 have thus
far involved an expenditure of about \$1600.00, which is approximately
2/t% of the total amount expended for the year 1944* This increase may,
if it persists, give rise to criticism..

He recommend that the Supreme Bench give consideration to this
matter and give us the benefit of an expression of their views. It may
be advisable to limit the expenditure for an attorney, appointed by the
Court, to a maximum of \$50.00, and to make this limitation public. It may
also be advisable to invite, through the columns of the Dally Record,
lawyers, who are willing to give their services for the above compensa-
tion, to so advise the Judges of the Criminal Court, to the end that a
standing list may be compiled from which the Judges of the Criminal Court
may from time to time appoint for prisoners so arraigned, counsel deemed
to be competent.

We submit the above suggestions for your consideration*

Respectfully,

Erwin Brown

Thomas H. May



HENRY J. RIPPEROER, CLERK

CIRCUIT COURT OF BALTIMORE CITY
BALTIMORE'S, MD.

February 19, 1945

Honorable W. Conwell Smith
Chief Judge
Supreme Bench of Baltimore City
Baltimore, Maryland.

Dear Sir:

Subject to the approval of your
Honorable Bench, I beg to notify you that I have
appointed Doris E. Kirchenbauer, a Deputy, in the
place of James W. Murphy, who is now in the armed
forces. The appointment is temporary.

Kindly notify me when the appoint-
ment is approved.

Respectfully yours,

Henry J. Ripperoer
fOTrk

HJR:HJB

MINUTES

A luncheon **meeting** of **the Supreme Bench** was held on Thursday, March 1st, 1945 at 13:30 P. K. All of the Judges were present, except Judges Moser, McLanahan and Mason.

The appointment of Mr. Harold A* Xeene, as a deputy clerk in the Court of **Common Pleas**, was approved.

judge O'Dunne reported on **the** salary situation of Mrs. Mary A. Webster, Grand Jury bailiff, and reported to the **Bench** that her salary is \$900.00 a year, and she cannot afford the withholding deductions **from** her pay. No action was taken, as it was the view that **some** provision* might be made for her in **the next** budget.

judge Sherbow reporter* on delinquent fiduciaries, and submitted a form of notice, which he is sending to surties on fiduciary bonds.

There being no further business, the meeting adjourned.

Edna Weirson
Secretary



Clerk's Office
(Office of the Baltimore Police)
Baltimore, Md.

23rd of
February
1945

Honorable W. Conwell Smith
Chief Judge - Supreme Bench
Baltimore City

Dear Judge-

I am appointing Mr. Harold A. Keene,
as a deputy clerk in this office to fill a vacancy
created by the retirement of one of our deputies,
Mr. Edward P. Wolf.

I will appreciate it if you will have
this appointment approved by the Supreme Bench of
Baltimore City as of February 19th, 1945 in order
to avoid complications in our payroll and retirement
system under which we operate.

Thanking you for your kindness, I am,

Sincerely yours,

Frank C. Rodey
Clerk.

FCR/B

Approved 3/1/45

Maroh 2nd, 1945.

Mr. Frank c. Hobey,
Cleric, Court of common ploas, '
Coart House,

Baltimore 2, MA.

Dear Mr. Robey:

your appointment of Mr.
Harold A. Keene as a deputy olerk
In your offiae was approved at a
meeting of the supreme Benoh yes-
terday.

Tory truly yours,

ETD:JISC

secretary

M I N U T E S

A Meeting of the Supreme Bench was held on Saturday* Karch 3rd at 10 A. U. All the members of the 3en* were present, except Judge McLanahan, and the chief Judge presided.

The motion of Clarence Purviance for a new trial from hie conviction in the criminal Court argued, submitted and overruled.

The motion of Joseph Hammond for <i new trial from his conviotion of assault In the criminal court Part 2, was argued, submitted and granted.

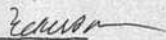
The appointment of Patrick J. Kent, 325 Collins Ave., as a Bailiff under Judge Moyl&n was approved.

Mr. R. Palmer Ingram was appointed Auditor and Master to fill the vacancy c^ussed by the death of the late John M. Eeq'oardt.

On motion it was resolved that the list of Jurors in all the Courts shall be uniform, and contain only the name, address and occupation of the Jurort.

Judge Itoser reported on his conference with the Grand Jury on Friday, relative to complaints of conditions along Pennsylvania Avenue below Lafayette Avenue.

There being no further business, the meeting adjourned.



 Secretary

SUPREME BENCH ASSIGNMENT
March 3, 1945

Bernard G. Peter

State of Maryland
vs.
Clarence Purviance

S. Alfred Mund

So. 320, Jan. Term, 1945
From: Ifoser, J.
Charge: Lottery
Papers reed. Feb. 6, 1945

Overruled

Thomas M. Blddlson

State of Maryland
vs.
Joseph Hammond

Herbert H. Rosenbaum

Bo. 212, Jan. Term, 1945
From: Dickerson, J.
Charge: Assault
Papers reed. Feb. 12, 1945

Gravled

Josept G. Finnerty

State of Maryland
vs.
Joseph Dixon

Paul B. Mules

Bo. 356, Jan. Term, 1945
From: Dickerson, J.
Charge: Panderlig⁷ etc.
Papers reod[^]eb. 20, 1945

Withdrawn

Joseph G. Finnerty

Same

Paul B. Mules

Jo. 357, Jan. Term, 1945
from: Dickerson, J.
Charge: Diaaferly House
Papers reed. Feb. 20, 1945

Withdrawn

John G. Weiss

State of Maryland
vs.
John Bury

Joseph Rosenthal

»o. 4-18, Jan. Tejarf 1945
From: Meo, # :
Charge^KOBBery
Papers reed. Feb. 21, 1945

Withdrawn

Court Notice

By Judges of Circuit Court and Circuit Court No. 2

Unrcb 1. 1W5.
To Fudarcit ani Rurcllc On Their Joud*, and Their Alomei**.*

The Trust drrlc of tuc Supreme Bench *lias* reported to the Judges of the Circuit Court nnd Oreicut Court No. 2 n number of cases of fiduciaries In default for not niuc romtH under Equity *Hale* 20. or (or not having slated auditor's accounts, or both. The Trust Clerk fans lie re to fore communicatid •Itti the fiduciaries and the bondinr oropranes and advised them of the defaults.

Uulys the delinquent fiduciaries comply with the mandatory requirement) of the equity rules on or *before* April 1, 1945, the fiduciary trill bo removed, orders nppoluUng counsel will bo rescind oil, nnd tho Clerks of tho Circuit Court and Circuit Court No. 2 will be instructed, until further notice, to accept no *bonda* in any cate from any corporate bonding company where tho fiduciary i in default.

Josrrii SitEkoov. i
JuJcc. Circuit Court
of Baltimore Olyr.
EOOKTC ODuKite.
Judge Circuit Court
No. 2 of Baltimore
City.

R. Palmer Ingram Appointed Auditor Of Equity Court* By Supreme Bench

Announcement was made on Saturday of the nppointroent of It. Palmer Inprnm in nn auditor of tte Circuit Court nnd the Oreicut Court No. 2 of Baltimore, by tbo Suprcro Bench of Baltimore. He nil fill tuc vacancy jcaused by the death of John M. Hequardt.

Mr. Injnm, who has practiced Inn- in Baltimore for the last nineteen years, is n native of Norfolk, Va., hving been born in Unt city on July 20th, 1880. De received lin early c-ducation In private schools nt Norfolk nml vns cmluntd from the Luvr School of Washington and Leo University, nt Lexington, Vn. Dpon his oilmission to tin- Bar, he n-ns associated with tho Silspring Board In Wb>Lingdon, prior to com In R to Bnlthroor.

He IK married nnd rnsld< nt the nucliambcou Apartments.

Motion For New Trial Granted By Supreme Bench Of Baltimore

The motion for a new trial of *Jessie Hammond*, who wait convicted or jifantit, was franted by the Supreme Bench of Baltimore on Sntnlny. The Bench also overruled the new trial motion of *Clarence Phairnee*, who was found gully of vloniinc the lottery lawn.

Herbert H. Eosejtinmm wan tbc ot- torney for Hammond, while Bernard O. Peter, Assistant State* Attorney, spncareil on behalf of the nlato in (bo Purviance case.

Court Order On Fees For Attorneys Appointed In Criminal Cases

By n HnsoluUoQ of the Supreme Bench psswl In tuc year 1W1, Uia otbntlou of Uic Justct* utlupied to tho Crimiul Court of Baltimore wan dl- reeled to tho necessity of appointing couol In trials of serious enses and otlieru, where a Just record for the rights of the icated may no ronulre, with separate arnlcnment In ndvices of trial.

In conformity with till* ItOAolnton, the Stu-U's Attorney of Bnlthiuro City has, from time to thnic, aligned for imrnrc nrrnlnment cncel which be considered were comprehended In this Resolution.

Sach arralpmctntj have mntorlally Increased in number, Inrolvine an Increase In the fees paid couol appointed by the Court to represent Un- defendant & in such cases, ivlth a remllant Inccr-EEC in the expwue thereof to tho Mayor and Oily Council of Haiti mot.

Hereafter a fee of \$25.00 will be awarded nuch couol In nuch caw, unless it shall develop from the trial of the awe-Unt the offense-lc a rery actions one, InvolVUs coimldrcabrc preparation for trial and time and effort In ths trisl. In wBCh COM a mxntmiii fee of \$100.00 will be allowed.

Members of the liar, who mny dealrv to-enjmo In RDCU Hemic arc Invlltd to so ndvise tho Jnd'io of tho Criminal Court trl Baltimore by letter to tho end that a list of such nmlwrlH of the Bar may bo compiled, from which competent conxel may, from time to time bo appointed in inch or-w Hn-kl Judge* of tho Criminal Court of Bnlthiuro.

Elw rts T. DICKMOA.
LIVINAv M. Snow-S.

APRIL 3, 1945

Supreme Beculi Ailouences! Appointment Of Builiff For Judge Moylaur

The Supreme B-*ab yitirrdijj* ""** noititNj tift npiHilntcut of Prntic J. Kent & a liniliff to «cm- irlth Jmlue Qiarics K Uoylan. Mr. Kenl, who is: itimimLil. nxkdefi nt 32', Colliv nvc-j nne.

MAKCH 17, 1945

DISBAiMENT PEOOEEDINAs ABE FILED AOAJHST OHABLES

F. RHEB

Chief JntRe W. Conicrl Smith bns Hied a jvttion with the Supremo Bench of BiUdmore in which Charles Fulton Hieb In required to show cause by March 31st next, why ho should not bo disbarred from life practice of Inn-

Rlteb, n-lto WBB admitted to practice no a member of thio Bar on December 2ml, 1033, Is charged with conduct wbecomling a inuiber of the Bar. lie recently completed a six months sentence In the I'raler Befomntory Camp at Petersburg, Vu, after pleading RULLty to n chrgc of unlawfully falling to make income tax returns.

Tho JIIISM of the Supremo Bench *atro* signed an order disbarring Enslie A. Edlett from the further practice of lan*. Stipett, n former ANUUt Sidto'i Auoruct, bod been a member of the Bar for twenty-Hrc years.

MARCH 23, 1945

Bailiff Named By Supreme Bench To Serve With Judge Dickerson

The Supreme Bench of Baltimore
announced the appointment of
Hotvni P. Unite* as a bailiff to
serve under Judge Elnria T. Dickerson.

Mr. Unite, who lives in
ildea at 2107 EUnmont street, is
associated with a local trucking
concern and formerly served
secretary to an official of the Baltimore
& Ohio Railroad. He will be
appointed by the resignation of
Frank E. Schraeder.

a i u s i s s
OF THE SUPREME BENCH OF BALTIMORE CITY

A Luncheon meeting of the Supreme Bench was held on Thursday, Birch 15th, 1945, at 12:30 P. M.

All of the Judges were present except Judges Sayler and Mosler, and the Chief Judge presided.

On motion, it was resolved that Eugene A. Edgett be disbarred from the practice of the law before the Courts of Baltimore City.

The Chief Judge was, on motion, authorized to issue a citation against Charles F. Rheb, who plead guilty of income tax frauds in

the D. S. Court for District of Maryland, and suffered imprisonment therefor, to show cause why he should not be disbarred from the practice of the law before the Courts of Baltimore City.

The attention of the Bench was called to the action of Hewlett B. Cox in instituting and concluding a case for absolute divorce on the ground of desertion, in the Circuit Court after his client had been denied a divorce a Mensa by the Circuit Court No. 2077 similar ground. The matter was referred to Judge Sherbo* with full power to act.

Judge Sherbo discussed the methods of himself and Judge O'Dunne in dealing with delinquent fiduciaries, by removing such fiduciaries and denying to their sureties authority to act as such in other cases until such delinquencies should be corrected.

There being no further business, the meeting adjourned.

John J. Sherbo

Secretary

MINUTIS.

A meeting of the Supreme Bench was held on Saturday, April 7, 1945, at 10 o'clock a.m. All of the members of the Bench were present except Judges McLeneben and Moser, and the Chief Judge presided. The following gentlemen were, on motion, admitted to practice before the Courts of Baltimore City:

On motion of the Supreme Bench of Baltimore on Saturday admitted John Wilfred Donb and Henry Byron Sulcr (a practice member of the Baltimore Bar, on motion) Die respective motion of William H. Mnytmrd and George B. KJcITner.

The motion of John O. Farley for a new trial upon his conviction of rape, was granted upon the recommendation of the State's Attorney.

The motion of Harry E. Shanks for a new trial upon his conviction of rape was argued, submitted and over-ruled.

The motion of Luther McClam for a new trial upon his conviction of murder and robbery, in the Criminal Court, was argued, submitted and over-ruled.

The appointment of Mr. Howard L. Bangs, as a bailiff of the Supreme Court, assigned to Judge Dickerson's Court, was approved as of March 21, 1945.

There was a discussion of a suggested amendment to Equity Rule No. 26, Section 3, and a draft of the proposed amendment was referred back to Judges O'Dunne and Sherbow for reconsideration.

There being no further business, the meeting adjourned.

William H. Mnytmrd

Secretary.

SUPREME BENCH ASSIGNMENT

April 7, 1945

Bernard G. Peter

State of Maryland

J. Howard Payne

vs.

John O. Farley

Bo. 617, Jan. Term, 1947
 From: Moser, J.
 Charge: Robbery, etc.
 Papers reed. Mar. 16, 1945

*Granted on the
 recommendation of
 the State's Attorney*

Anselm Sodaro

State of Maryland

Michael J. Freedman

vs.

Harry E. Shanks

George W. Evans
Robert P. McGuinn

Bo. 34, Jan. Term, 1945
 from; Moser, J.
 Charge: RaDe, etc.
 Papers reed. Mar. 17, 1945

Overruled

Joseph G. Finnerty

State of Maryland

Webster S. Blades

vs.

Luther McClam
 alias Bobby McClam
 " Ira McClam
 " Ira Moore

Bo. 331, Jan. Term, 19*5
 from: Moser, J.
 Charge: Murder
 Papers reed. Mar. 23, 1945

Mo. 338, Jan. Term, 1945
 Charge: Assault to Murder

No. 339, Jan. Term, 1945
 Charge: Assault to Murder

No. 332, Jan. Term, 1945
 Charge: Murder

No. 340, Jan. Term, 1945
 Charge: Assault to Murder

"»• 333, Jan. Term, 19*5
 Charge: Murder

Bo. 334, Jan. Term, 1945
 Charge: Bobbery with deadly weapon

Overruled

Ho. 335, Jan. Term, 1945
 Charge: Robbery with deadly weapon

Jo. 336, Jan. Term, 1945
 Charge: Robbery with deadly weapon

Supreme Bench Of Baltimore Grants, Overrules New Trial Motions

The motion for a new trial of John O. Farley, who was convicted of robbery, was denied by the Supreme Bench of Baltimore on Saturday. The court in its decision overruled the motion of Harry B. Shanks, found guilty of rape, and of Luther J. Cinni, who was convicted on three charges of murder, three of robbery and of attempt to murder.

Joseph J. Finnerty, Attorney General's Attorney, appeared on behalf of the State in the Median Circuit while Attorney St. Q. O. Bernini, O. Peter and Anselm Solino represented the State in the Shanks case. Farley was represented by J. Howard Pitts.

MINUTES.

A luncheon meeting of the Supreme Bench was held on Thursday, April 12, 1945, at 12:30 p.m. All of the members of the Bench, except Judges Sayler and Niles, were present, and the Chief Judge presided.

By a resolution, duly seconded and passed, Section 3 of Equity Rule S6 was amended to read in the form attached to these Minutes as part thereof.

The Chief Judge was authorized to issue, on behalf of the Bench, any and all orders which he should deem advisable in connection with the **disbarment proceedings** of Charles F. Rheb.

There being no further business, the meeting **adjourned**.

The Supreme Bench of the District of Columbia has announced the amendment of Section 3 of Equity Rule 20.

The amendment adopted by the Bench follows:

Article D of the Constitution of the District of Columbia:

(e) Failure to File: Notice of delinquency. In every case where a fiduciary has failed to file his report within such prescribed period, without having procured an extension of time by written order of Court, the Trust Clerk shall forthwith report such delinquency to the Court having jurisdiction over the estate. Thereupon the Court shall issue an order to the said fiduciary to appear in person within twenty days thereafter why he should not be removed, and a copy of said order shall be sent to the surety on the bond of the fiduciary. The said fiduciary shall file a satisfactory answer within the time specified, together with his overdue report. The Court shall remove the fiduciary and appoint a successor, and all appropriate papers, records and assets shall be forthwith turned over to the successor by the removed fiduciary. The successor shall file a report within fifteen days after his appointment, unless the Court shall extend the time by written order.

No commissioner for the year in question shall be elected or nominated by the Judiciary who has been in default in filing his report within such prescribed period.

Adopted April 12, 1945.

Edwin Beckwith
Secretary.

Amendment of Equity Rule 26, Section 3:

(e) Failure to File: Notice of: Removal. In every case where a fiduciary has failed to file his report within such sixty-day period, without having procured an extension of time by written order of Court, the Trust Clerk shall forthwith report said delinquency to the Court having jurisdiction over the estate. Thereupon the Court shall issue an order to the said fiduciary to show cause within twenty days thereafter why he should not be removed, and a copy of said order shall be sent to the surety on the bond of the fiduciary. Unless a satisfactory answer shall have been filed, together with all overdue reports, the Court shall remove the fiduciary and appoint a successor, and all appropriate papers, records and assets shall be forthwith turned over to the successor by the removed fiduciary. The successor shall file a report within fifteen days after his appointment, unless the Court shall extend the time by written order-

No commissions for the year in question shall be allowed or paid to any fiduciary who has been in default in filing his report within such sixty-day period.

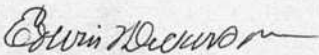
Adopted April 12, 1945.

MINUTES.

At a luncheon meeting of the Supreme Bench held on Thursday, April 19, 1945, **all** of the members were present **except** Judge Saylor, and the Chief Judge presided.

The Chief Judge reported that after consultation with the attorneys for the Baltimore **City Bar** Association, he had decided to allow the pending proceedings against F. Fulton Bheb to stand, and had granted leave to the Bar Association to file a petition in the pending proceedings for such relief as it may desire.

At the request of **Mrs.** A. H. Breeskin, leave was granted to have the portrait of Judge Harlan removed from the Court House to the Baltimore Museum of Art, for the Exhibition of Paintings, which **will** begin on May 11th, the painting to be fully protected by insurance, **and to be carefully handled.** There being no further business, the meeting adjourned.



Secretary
Supreme Bench.

MINUTES.

A Term Meeting of the Supreme Bench was held on Monday, April 15, 1945, at 11 o'clock a.m. The entire Bench, with the exception of Judge Dickerson, who was present in executive session in chambers, was present at the executive session in the Court room.

The following were admitted to practice before the Courts of Baltimore City:

The following were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore City: Arthur L. Lobe, Frederic K. Kulewicz and Nathan E. Utnick.

On motion the Chief Judge was authorized to sign the order on the petition of the Bar Association of Baltimore City, filed against Charles F. Rhee.

The Grand Jury for the May Term was selected, and a list thereof is attached to these minutes as part thereof.

Judge Niles, Chairman of the Probation Committee, reported that Mr. Rafferty had resigned as Treasurer of the Probation Department, and that Mrs. Brandt had been appointed in his place.

There being no further business, the meeting adjourned.

Supreme Bench General
Term Meeting To Be
Held Today

The Supreme Bench of Baltimore will hold a general term meeting at 11 o'clock this morning. Motions for admission to the Bar will be entertained at this session and the Grand Jury for the May Term will be selected. Such other business as may be properly presented will also be considered.

Corrin McCann
Secretary,
Supreme Bench of Baltimore City.

Supreme Bench
of
Baltimore City

EMORY H. NILES
JUDGE

April 24, 1945

Hon. Edwin I. Dickers-m,
Court Ho'ise,
Baltimore, Maryland.

Dear hed: he: Probation Ueapartment.

The data far v.hiCi you sslted me yesterday
is ns follows:

The former Supervisor «nd Dirburser of the
Probation Department, llr. Vislter D. Lafferty, resided
as of April 14, 1945.

As of Aoril 16, 1945, Mrs. ileanor K. Brandt
was appointed to succeed .Jr. Lafferty. ~~her~~ employment
was for no s-ieclflc period of time.

Sincerely yours,

EHN/Jp


"-i»^|

Supreme Bench Selects Grand Jury Members For May Term

The Supreme bench of Entlmor yesterday selected the Grand Jury for the May Term. They are called for Monday, May 14th.

Those selected to serve on the Jury are:

Berkow, r-ouls E., Seville Apartments, 723 Lake Drive.

Creamer, Harry E., Sr., 100 North Curley street.

Croker, John Hanson, 1514 Jolton street.

Dempsey, Edward T., 1212 Midwood avenue.

Duvall, Henry Wilson, 3012 Givynns Falls Parkway.

Flinocan, Thomas James, 3103 Evergreen avenue.

Fleischer, Jesse S., 030 Brooks Lane.

Gier, Frank C Jr., 5308 Wesley avenue.

Hall, Silas Baldwin, 3100 Abel at Street.

Horet, Willfam, 2002 East Pratt Street.

Knrelier, George W., 2000 White avenue.

Knwhner, Herman II., 3314 Echodale Avenue.

Kruehwltch, Alw, 3440 Anehentoroly terrace.

Nwer, Carroll E., Sr., 230 Mallow Hill avenue.

Newburcor, Sidney, 2300 Allendale road.

Otto, Charles S., Sr., 2701 Trolley avenue.

Pollholn, Hcriuan, 3M0 Oreenmount Avenue.

Hoi Dicker, Harvey E., 3503 Juniper road.

Boy, Clarence EL, 1137 North Carey street.

Shrlver, Gcarea G., M0C 9L Albans Way.

Volk, P. Irvln, 3S0S Denlson road.

Wallace, George W., 423 Tale arenae.

Willen, Jack, BouUicm Hotel, Llot 4 Redwood streets.

Grand Jury For May Term Organized In Criminal Court Yesterday

The Grand Jury for the May Term (jurors) organized in the Criminal Court yesterday by Judge Herman M. Mosor. George S. Shriver was named foreman of the body and Jesse S. Fleischer was the alternate foreman.

The Grand Jury as organized follows:

Berkow, r-ouls E., Seville Apartments, 723 Lake Drive.

Creamer, Harry E., Sr., 100 North Curley street.

Dempsey, Edward T., 1212 Midwood avenue.

Duvall, Henry Wilson, 3012 Givynns Falls Parkway.

Flinocan, Thomas James, 3103 Evergreen avenue.

Fleischer, Jesse S., 030 Brooks Lane.

Gier, William S., 3001 Fordham Drive.

Gier, Frank C. Jr., 5309 Wesley avenue.

Hall, Silas Baldwin, 3100 Abel at Street.

Horet, William, 2002 East Pratt Street.

Knrelier, George W., 2000 White avenue.

Knwhner, Herman II., 3314 Echodale Avenue.

Kruehwltch, Abe, 3440 Auchenoroly terrace.

Nesor, Carroll R. Sr., 230 Mallow Hill Avenue.

Newburcor, Sidney, 2300 Allendale road.

Otto, Charles S., Sr., 2701 Trolley avenue.

Pollholn, Herman, 3900 Oreenmount Avenue.

Itclncker, Horrey R. 3603 Juniper road.

Roy, Clarence E., 1137 North Carey Street.

Shrlver, George G., 0105 8L Albans Way.

Volk, P. Irvln, 3503 Denlson road.

Wallace, George W., 423 Tale avenue.

Willen, Jack, Soathiofn Hotel, 117 Redwood streets.

Selected To Serve On Grand Jury For May Term

William S. For, 3001 Fortlanni drive, was selected to serve as a member of the May Term Grand Jury by the Supreme Bench of Bullmoiv yesterday. He will serve in the place of John Hanson on Orokt-r, who is on OICUKPIL.

MINUTES.

A special meeting of the Supreme Bench was held at 12:30 p.m., May 8, 1945. All of the members of the Bench were present except Judges Sayler, Hoylan, McLanahan and O'Dunne. The **Chief Judge presided.**

The Chief Judge stated that Mr. Latane is ill with heart trouble at the Johns Hopkins Hospital, and had requested that a permanent Third Master in Chancery be appointed. On motion the Chief Judge was authorized to offer the appointment first to Eben J. D. Cross, and should he refuse to accept then to Messrs. Due, **Bernstein or Bicefel**, after conference with the absent members of the Bench.

The hearing of disbarment proceedings against Charles Fulton Rieb was set for June 1st at 10 a.m.

There being no further business, the meeting adjourned.

MAY 10, 1945

**Eben J. D. Cross Named
Additional Master In
Chancery By Bench**

The Supreme Bench of Baltimore City announced yesterday the appointment of Eben J. D. Cross, 610 Mercantile Trust Building, as an additional Master in Chancery to the Circuit Court and Circuit Court No. 2 of Baltimore City.

The office of Master in Chancery is one which exists under the jurisdiction of the Court or Baltimore City independent of statute. The first Master, Daniel M. Thraan, was appointed on May 21, 1870. There have been two Masters in Chancery ever since. On December 27, 1882, when Daniel M. Thraan and Jolin C. King were appointed. At the present time Ward B. COP and James A. Latane are sitting as Masters in Chancery, and together with Mr. Cross will continue to serve.

The rules of the Bench require reference of all cases submitted without contest to one of the Masters for report to the Court. For several years just the increase in the volume of such business in the two Circuit Courts has indicated the desirability of an additional Master in Chancery, and this condition has resulted in the appointment of Mr. Cross.

Secretary
Supreme Bench of Baltimore City.

MINUTES.

The luncheon meeting of the Supreme Bench was held on Thursday, May 17, 1945, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler and Moylan. The Chief Judge presided. The Chief Judge presented a Summer schedule for the Court Stenographers, which, on motion, was approved.

The Chief Judge called the attention of the Bench to the bill **passed by** the Legislature, which provides that no order shall be necessary to take testimony in equity cases.

Judge Moser called the attention of the Bench to an act of the Legislature, which provides an automatic appeal in cases where the sentence of death is imposed, and which requires that a transcript of the testimony be written up and forwarded to the Court of Appeals, although no appeal is taken, and which authorizes the Court of Appeals to review the testimony, to determine whether or not any reversible errors have been committed in the trial below. The Chief Judge called the attention of the Bench to the steps which he has taken, to have the salaries of the Judges increased by the Mayor and City Council of Baltimore, through inclusion of an appropriation in the Budget.

There being no further business, the meeting adjourned.



Secretary
of the Supreme Bench of Baltimore City.

14

MINUTES .

A meeting of the **Supreme Bench of Baltimore** City was held on Saturday, June 2, 1945, at 10 o'clock a.m.

All of the members of the Bench were present except Judges **McLanahan and Moser** and the Chief Judge presided.

The following were admitted to practice before the **Courts** of Baltimore City:

I. The Supreme Bench of Baltimore on Saturday, June 2, 1945, admitted the following to practice as members of the Baltimore Bar: **Sturcnet E. Coonan, Jotcpb B. Steffmann, John IV. Marctuc, Lawrence Fallon, Jr., Tobias C. Phillips, Lloyd A. Drelling, Wilbur F. Sheffield, Jr., Edith DeBusk and Theodore J. Younker.**

The motion of Kenneth Hunt from his conviction in the Criminal Court for a violation of the motor laws was argued, submitted and granted.

The motions of **Arlin McCarthy** and **John Canty**, convicted of murder in the first degree and accessory, were argued, submitted and granted, but the order granting the motions was held from publication **pending** the writing of an opinion.

The following order was passed:

IT IS ORDERED by the Supreme Bench of Baltimore City this 2nd day of June, 1945, that in all cases referred to the Auditors and Masters, the Clerk of the Circuit Court of Baltimore City and the Clerk of the Circuit Court No. 2 of Baltimore City are hereby authorized to sign such orders of reference.

(2)

There being no further business, the meeting adjourned.

Collin Dickson

Secretary
Supreme Bench of Baltimore City.

**Arguments On New Trial"
Motions Are Heard By "
Supreme Bench**

Arguments on motions for new trials in criminal cases were heard by the Supreme Bench of Baltimore on Saturday. The Bench considered the motion of Kenneth Hunt, who was convicted of failing to use reasonable care in the operation of a street car. The motions of Arlin McOmair, D-10, was found guilty of murder in the 1st degree and John Conroy, convicted of being an accessory to murder, were held under advisement by the judges.

William B. Giffen, the attorney for Hunt, and Thomas N. Biddison and Richard G. Carter, Assistant State's Attorneys, appeared in support of the State in the McCarthy and Conroy cases. The defendants in the murder case were represented by Walter V. Harrington and Daniel E. Klohn.

SUPREME BENCH ASSIGNMENT
; June 2, 1945

Thomas N. Biddison
Bernard G. Peter

State of Maryland
vs.
Arlin McCarthy,
alias Axlene McCarthy,
alias Arline McCarthy
and
John Canty

Walter V. Harrison
Daniel E. Klein

Ko. 1211, Jan. Term, 1945

From: Moser and Mason, JJ.

Charge: Murder

Verdict: As to McCarthy Guilty of Murder in 1st degree

Verdict: As to Canty Guilty on 2nd Count (Accessory)

Granted

iaselm Sodaro

State of Maryland
vs.
Kenneth Hunt

P. S. Ball
Wallis Giffen

Ko. 1645, Jan. Term, 1945

From: Dickerson, J.

Charge: Violating Motor Laws
(Failing to use reasonable care)

Verdict! Guilty

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MINUTES.

A luncheon meeting of the Supreme Bench was held on Thursday, June 7, 1945, at 12:30 p.m. All of the members of the Bench were present except the Chief Judge, and Judge O'Dunne presided. Judge Henderson of the Court of Appeals attended the luncheon.

Judge Moser read a letter addressed to him by Doctor Lewis B. Hill, **emphasizing** the increased work he has to do, and inquiring whether he should devote five mornings a week to his work, or a lesser **number** and have an assistant. The matter **was referred to the Judges of** the Criminal Court, and it was their opinion that the election should be left to Doctor Hill. Judge Moser will undertake to find out whether or not funds would be **available** for **the** increased service.

There was some discussion as to when opinions should be filed in the cases of State vs. Arlie McCarthy and John Canty, and the matter was held in abeyance pending probable preparation of an opinion by the Chief Judge.

There being no further business, the meeting adjourned.



Secretary
Supreme Bench of Baltimore City.

MINUTES.

A luncheon meeting of the Supreme Bench was held on Thursday, June 14th, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler and McLanahan. The Chief Judge presided.

Judge Moser reported that Doctor Lewis B. Hill desires to serve five days a week as Chief Medical Officer to the Supreme Bench, instead of having assistance. He also reported that he talked with Mr. Fallon, and that he thought it could be arranged to pay Doctor Hill a salary of \$4,000.00 a year, which is the same as the salary formerly paid to Doctor Guttmacher.

A letter was received from Mr. Thomas J. Waxter by the Chief Judge, asking that 6th Rule reports be not required in the case of beneficiaries receiving old age or blind pensions from the City. The letter was referred to Judge Sherbow, with authority to investigate and report at the next meeting. There being no further business, the meeting adjourned.

Edwin Deicerson

Secretary
Supreme Bench of Baltimore City.

Motions For New Trials Are
Granted By The Supreme
Bench

The motions for new trials of Ar-
ril a McCarthy, convicted of murder in
the first degree and of Jolui Ciuitj,
found guilty of being an accessory
After the fact to murder, were granted
by the Supreme Bench of Baltimore
yesterday.

The defendants were convicted fol-
lowing a trial before Judges Herman
H. Moser and B. Paul Manini, set oral
arguments ago. Arguments on the new
trial motions were heard before chief
Judge W. Conrad Smith, and Judge
Eugene O'Dunn, Uilnu T. Deicerson,
J. Aimer Sayler, Emory H. Niles, John
T. Tucker, Churien B. Jio-Jan and
Joseph Sherbow.

Walter V. Harrison represented Ar-
ril a McCarthy, while Bonid E. Klein
was the attorney for County.

MINUTES.

A luncheon meeting of the Supreme Bench was held on Thursday, June 31, 1945, at 12:30 p.m. Judges Henderson and Markell, of the Court of Appeals, attended, and **the** Chief Judge presided. A testimonial resolution on the retirement of Judge Eugene O'Dunne, engrossed and framed, was presented to him, on behalf of his associates on the Bench, by Judge Edwin T. Dickerson. It was decided to close the clerk's offices at 12 o'clock noon during July and August of this year. There being no further business, the meeting adjourned.



Secretary
Supreme Court of Baltimore City.

MINUTES.

A term meeting of the Supreme Bench was held on Friday, June 2nd, at 10 o'clock a.m. All of the members of the Bench were present except Judges McLanahan, Saylor and Dickerson, and the Chief Judge presided.

Mr. Ernest L. Perkins was admitted to practice before the Courts of Baltimore City.

Disbarment proceedings against Mr. Charles Fulton Rhee were begun but not concluded. It was decided that the proceedings would be resumed on July 10th at 10 a.m.

The following gentlemen were selected to serve on the Grand Jury for the September Term 1945-

- Following is a list of those who were designated to serve on the Grand Jury and who are called for Monday, September 10th:
- Clement*, Otis Gilman EraerMn Hotel, Baltimore & Culcrct streets.
- Fecley, Harry L, 1027 West Fuyotlle meet.
- Gibbons, aiwin C, 5103 Carter nte-
nne.
- HDRDQ Prank J., 3201 Cliflon ave-
nut
- HrrLs, J, Morrison, 1 Elmhuirst road, HllfeilCrj, William F., 3027 Elkadei road.
- Hoff, Snowden, Sr., S515 North Cal-
vorl street
- Johnson, Milton Earl, SfirQ Tolando
road.
- Jones, Ufred E. B., 300 East Glt-
Hngs avenue.
- Kstnicr, X Benjamin, 2700 Qmven
Anne road.
- Michael Monroe, 3303 DonUinn road.
- Miller, Munka R., 3800 Ednor road.
- Necplcr, Harry W., Sr., H01 Pavail
avenue.
- Nolte, Charles Elmer, Jr., H01 North
Charles treet.
- Scrivener, John Y., 210 Enst Lafay-
ette nvenuo.
- Shapiro, Inrnel D., Incrmm Hall Apl.t,
7301 Fork Hdffbits areune.
- Biodcc, William f., 3137 Weaver ave-
nue.
- Tribbr, X Nelson, ISH Frederlck
avenue.
- Welsh, Orlando Ti., 1000 Chlton
stUct
- Wilson, Ediran] N., 754 Dolphin
street.
- Wirth, OnSATc George, JIOG Spring,
dale avenue.
- Tonoe, Robert James, 501 Sanford
place.
- Zloberx, Loots Bobert, 2132 Callow
avenue.

**Admitted To Practice As A
Member Of Baltimore
Bar**

Ernest L. Perkins was admitted to practice before the Courts of Baltimore City by the Supreme Bench of Baltimore yesterday, upon motion of Uchan! B. Stevens.

**HEARING BEGON BT BEHOH OK
DISOTPUNAET ACTION
AOAINST ATTOSNEY**

The Supreme BCDCJl of Baltimore yesterday began hearing the disciplinary proceeding which was instituted by the Bar Association of Baltimore City against Charles Fulton Rhee, member of the local Bar.

After hearing the testimony of several witnesses the case was postponed by the Bench until Tuesday, July 10th.

Natnaa Patz and Clatcr IV. Smith, JD reprcsontine ta Bar AssociaUon in the proceedings, whlo Hilary W. Quit and I*O M. Alpert an the attorneys for Rhee.

There being no further business, the meeting adjourned.

William Dickerson
Secretary,
Supreme Court of Baltimore City.

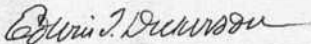
MINUTES.

A meeting of the Supreme Bench was held on Tuesday, July 10, 1945, at 10 o'clock a.m., for further proceedings in the disbarment case against Charles F. Rheb.

All of the Judges were present except Judges Dickerson, Tioser, MoLenahan and Moylan, and the Chief Judge presided.

At the conclusion of the hearing in open Court, the Judges met in executive session and an order of disbarment was passed against Charles F. Rheb.

There being no further business, the meeting adjourned.



Secretary, Supreme Bench of
Baltimore City.

Supreme Bench Of Baltimore!
Disbars Charles F. Rheb {
From Practice Of Law

An order was signed by the Supreme Bench of Baltimore yesterday disbarring Charles F. Rheb from the further practice of law. The action of the Bench was taken following the report of charges filed against Rheb by the Bar Association of Baltimore City. In which it was contended that he had been guilty of conduct unbecoming a member of the Bar.

Ninthman Palis and Clater W. Smith reported to the Bar Association in the proceedings.

M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, August 16th, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler, McLanahan and Moser; and the Chief Judge presided.

The Chief Judge announced that Mr. Frank J. Hanson would be **unable to serve as a** member of the September Term Grand Jury, **and** Mr. Harry A- Hudgins was elected to serve in his place if he can serve, with Mr. Frank B. Weber as an alternate in case Mr. Hudgins will **be unable to serve.**

The Chief Judge submitted a letter from Mr. Stuckert, Chief Probation Officer, requesting authority to inspect papers in adoption cases which have been sealed. A resolution giving this authority was duly passed.

The Chief Judge announced that Mr. Ashby Tolson had submitted his resignation as an Auditor of **the** Circuit Courts, effective September 15th next. It was agreed that his successor would be appointed at a later date, and that members of the Bench would not discuss the matter in the meantime.

The Chief Judge referred to a letter from Hon. J. Howard Murray, suggesting that the clerks of **the** Equity Courts sign orders for adoption, but no action was taken.

There being no further business, the meeting adjourned.

Edwin J. Dickerson

Secretary,
Supreme Bench of Baltimore City.

RESOLVED this 11th day of August, 1945 by the
Supremo -liarch of Baltimore City thct for and during the
couroc of any investigation by the iVobatlion Department In
any adoption proceedings the records and papors in oaid
adoption proceeding shall be always open to inspection by any
member of the **robntion Department of the Suprerao fench, and
that the Order of Court roforrin? the case to the Probation
Department for investigation shall be equivalent to a special
order under the terms and provisions of Chapter 345 of the
Acts of 1945 directing an inspection of all such papers and
proceedings by members of the probation Department.

Chief, Judge

Supreme Bench
of
Baltimore City

W. CONWELL SMITH
CHIEF JUDGE

BALTIMORE Z. MARYLAND

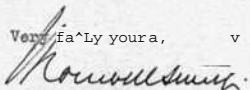
August 22, 1945.

Sear Judge:-

I enclose herewith copy of the Supreme Bench Budget for 1946. The budget reflects the increases of salary granted by the City Ordinance to the Judges of the Supreme Bench and likewise reflects the increases granted to the stenographers and bailiffs etc* by the Legislature. Increase in items under the control of the Supreme Bench are limited to \$100 to Mrs. Webster, Matron to the Grand Jury, and \$300 to Kr, Xooney, the Deputy Clerk to the Supreme Bench.

The budget must be presented under the practice initiated last year prior to September 1. As we shall have no meeting of the Bench prior to that time may I ask that you indicate your approval of the budget by initialing the attached paper*

Very faithfully yours, v



W. Conwell Smith.

BDDOET OF THE BOPPEME BERCH FOTI 1946

Chief Judge		\$4,312.00	
10 Associate Judges @ \$3,812.50		38 125.00	
22 Bailiffs (assigned to courts) & \$2,875.00		250.00	
Folfer (Jury Clerk)		450.00	
Qardner (Jury Asseably Boon)		2,875.00	
lialieh (Orend Jury)		2,875.00	
Kerr (Assistant to Trust Clark)		2,875.00	
11 Court Stenographers e \$4,140.00		45,540.00	
Orand Jury stenographer		4,140.00	
2 Stenographers to Jury Clerk & \$1,900.00		3,000.00	
Supreme Bench Deputy Clerk		900.00	
Medical Service			
Dr. Outtacoher	\$4,000.00		
Mrs. »els	1,900.00		5,900.00
Watehnan			
Lee (Court of Coraacn Pleas)		1,500.00	
Courley (Circuit Court No. 2)		1,500.00	
Andrae (Circuit Court)		1,500.00	
Fletober (Baltlnora city Court)		1,500.00	
Grand Jury Matron			
Mrs. Webster		1,000.00	
7 Retired Judges S> \$600.00		4,200.00	
4 BaUred Bailiffs J \$1, \$00.00		<u>6,000.00</u>	\$194,442.00

EXPENDITUBE3

Supreoe Bensch - Expenses			
Stationery, etc	\$2,000.00		
Uedicol Service	<u>100.00</u>	2,300.00	
Trust Departaent - Expanses			
Stationery, eta.		600.00	
Loud speakers		<u>1,400.00</u>	<u>4,300.00</u>
Appropriated for 1945			(198,742.00
Increase over 1945			<u>jl,74, nog. Co</u>
			•24,742,00

M I N U T E S.

A special meeting of the Supreme Bench was held on Thursday, September 6th, at 13:30 p.m. Present: Chief Judge Smith and Judges Sberbow, Mason, Moser, Niles, Tucker, Moylan and Dickerson. Messrs. Myar Strauss, 2701 Whitney Avenue, and George Hetheron, 2956 Wymen Parkway, were selected for the September Grand Jury, in place of Messrs. Frank J. Hanson and Milton Earl Johnson who were excused.

The report of the Budget Committee was submitted and approved. The Chief Judge reported that he had asked the clerks of the Equity Courts and Baltimore City Court to keep a record of judicial work performed by the Judges, with respect to the items covered by the request of Chief Judge Marbury of the Court of Appeals.

Mr. Joseph Bernstein was selected as Auditor and Master in the place of Mr. Ashby Tolson who has submitted his resignation, effective September 15th.

There being no further business, the meeting adjourned.



Secretary
Supreme Bench of Baltimore City.

**Additional Grand Jurors Are
Selected By Supreme
Bench**

Two new members of the Baltimore Grand Jury were selected by the Supreme Bench of Baltimore City on Thursday, September 6th. They are Myar Strauss, 2701 Whitney Avenue, and George Hetheron, 2956 Wymen Parkway. They will serve in place of Frank J. Hanson and Milton Earl Johnson, who were excused.

The meeting was held at 1:30 p.m. on Thursday, September 6th, at the Supreme Bench of Baltimore City. The meeting was presided over by Chief Judge Smith. The Budget Committee's report was approved. The Chief Judge reported that he had asked the clerks of the Equity Courts and Baltimore City Court to keep a record of judicial work performed by the Judges, with respect to the items covered by the request of Chief Judge Marbury of the Court of Appeals. Mr. Joseph Bernstein was selected as Auditor and Master in the place of Mr. Ashby Tolson who has submitted his resignation, effective September 15th. There being no further business, the meeting adjourned.

September Term Grand Jury Organized In Criminal Court Yesterday

The annual Grand Jury for the September Term was organized in the Criminal Court yesterday before Judge Herman M. Moser.

Alfred B. E. Jones was named Foreman of the body, while William F. Hill was designated as alternate Foreman. The following members will constitute the Penitentiary Committee: Charles Elmer Nolte, Jr., chairman; Harry W. Nepler, Sr., Israel D. Shapiro, J. Nelson Truitt and Eilwin M. Wilson.

A complete list of the Grand Jurors follows:

Commitments, Old Gilmer, Emerson Hotel, Baltimore & Culvert street.

Folley, Harry L., 1927 West Foyotte street.

Gibbons, Edwin G. 6505 Carter Kettering.

Barris, J. Morrison, 1 Elmfaust road, Fitchburg, George Washington park.

Benberc, William F., 3027 Blkoder road.

Hoff, Snowden, Sr., 3515 North Calvert street.

Jones, Alfred B. B., 303 East Otis avenue.

Kntioer, J. Benjamin, 2700 Queen Anne road.

Michael Monroe, 3303 Dorltbas road.

Miller, Maurice K., 3600 Ednor road.

Nepler, Harry W., Sr., 3401 Duval avenue.

Nolte, Charles Elmer, Jr., 4401 North Chick street.

Scrivener, John T., 210 East Lafayette avenue.

Shapiro, Israel D., Ingram Hall Apartment, 7301 Park Heights avenue.

Stolke, William N., 3157 Wearer avenue.

Stuws, Myer, 2701 Whitney avenue.

Tribby, J. Nelson, 1814 Frederick Avenue.

Welub, Orlando L., 1000 Chilton street.

Wilson, Bdn-an N., 77A Dolphin street.

Wirth, Guatare Oorco, 4000 Springdale street.

Yinnic, Robert James, 601 Sonlord place.

Zinbrk, Louis Ilbert, 2432 Callow Avenue.

! SEPTEMBER 15, 1945 -

Joseph Beruslein Appointed Auditor To Equity Courts By Supreme Bench

Ably Tolson, who for more than twenty-two years has served as Auditor of the Circuit Court of Baltimore City, and of the Circuit Court No. 2 of Baltimore City, has been appointed September 15, 1945, Mr. Tolson was appointed Auditor on March 10, 1918. Preceding the late Isaac McCarty, Jr. (the Supreme Bench of Dullimore City, of which he was a member for more than thirty years), Mr. Tolson was Auditor of the Circuit Court of Baltimore City, and of the Circuit Court No. 2 of Baltimore City, from 1918 to 1945. He was appointed Auditor of the Circuit Court of Baltimore City, and of the Circuit Court No. 2 of Baltimore City, by the Supreme Bench of Baltimore City, and of the Circuit Court of Baltimore City, and of the Circuit Court No. 2 of Baltimore City, on March 10, 1918.

An appointee to Mr. Tolson (the Bench of the Circuit Court of Baltimore City, and of the Circuit Court No. 2 of Baltimore City) was Joseph Bernstein, of the Baltimore City, to be Auditor of the Circuit Court of Baltimore City, and of the Circuit Court No. 2 of Baltimore City.

MINUTES.

A meeting of the Supreme Bench was held on Saturday, October 6, 1945, at 10 o'clock a.m. All of the members of the Bench were present except Judges McLanahan, Foster and Moylan. The Chief Judge presided.

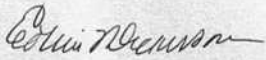
The following were admitted, on motion, to practice before the courts of Baltimore City:

Kenneth Willard Slaughter and June B. Chieslin were admitted to practice the members of the Baltimore Bar by the Supreme Bench of Baltimore on Saturday, upon the respective motions of George W. Delia and Gillert J. Stern.

The motion of Lloyd Walker for a new trial, on his conviction of assault with intent to rape, etc., was argued, submitted and over-ruled.

There was a discussion of the proposed rule 28 governing Workmen's Compensation Appeals,

There being no further business, the meeting adjourned.



Secretary
Supreme Bench of Baltimore City.

The Supreme Bench of Baltimore on Sunday October 15, 1945, the new trial motions of Lloyd Walker, who was convicted on charges of assault to rape, assault to commit murder, and assault to commit rape.
Bernard G. Foster and Jobu C. W. Curtis, via Kiant Slate's Attorney, appeared in behalf of the State.

SUPREME BENCH ASSIOHMEHT
October 6, 1945

Bernard O. Peter

State of Maryland

Linoood Koger

vs.

Lloyd Walker

Ho. 2048-9-50-1, Bay Term, 1945
Front Noser, J.
Charge) Assault to Rape, etc
Verdicti Guilty

overruled

K I H U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, October 2nd, at 12:30 p.m. All of the members of the Bench were present except the Chief Justice and Judges Toland and Woylan.

Rule 50, relating to Workmen's Compensation appeals, was, on motion, duly approved. The Secretary was directed to give a copy to the Daily Record for publication.

It was the sense of the Bench that marrying persons should not be allowed to station themselves in the Court House for the solicitation of performing marriage ceremonies, and the Secretary was directed to communicate with Mr. Paul Zimmerman, Superintendent of Buildings, requesting him to have persons so soliciting removed from the Court House.

There being no further business, the meeting adjourned.

Secretary
Supreme Bench of Baltimore City.

NEW LAW- RULE TO REPLACE
PRESENT LAW; RULE NO. 50

- - - - -

Y/ORKKEN'S COMPEKSATIOI; APPEALS.

At any time after an appeal is taken from the State Industrial Accident Commission, and not later than thirty days after the Record of the proceedings of the State Industrial Accident Commission has been filed with the Clerk of the Court to which the appeal has been taken, each party to the case shall file with said Court any proposed issues of fact which each party may wish to have submitted to a Jury, having first served a copy of such proposed issues on the other party or parties.

Any and all exceptions to such proposed issues must be in writing, served on the party or parties proposing the issues, and filed with the Clerk within ten days after the service of a copy of the Issues excepted to.

Such exceptions shall stand for hearing on the next law day.

At such hearing the Judge may permit any of the parties to amend the proposed issues, or may himself frame proper issues of fact. Any party may within five days object to Issues framed by the Court.

After the Issues have been framed and settled by the Court, the trial judge shall upon application of either party, and after notice thereof to the other party or parties, set the appeal for a hearing on a particular day not earlier than five days after said application, except as agreed by the parties; otherwise the case shall be tried in the usual order.

If none of the parties to the appeal files any proposed issues within thirty days after the filing of the record with the Clerk, the case shall be treated as a non-jury case, and shall be set for hearing before the Court without a jury. At such hearing the Court shall hear the case on the record, unless either party shall elect to produce other or additional evidence, or the Judge himself shall ask for other or additional evidence* Reasonable notice of all hearings shall be given.

The time for filing issues or exceptions thereto may be extended by the Court in its sound discretion for good cause shown.

This rule shall become effective immediately, and shall apply to all appeals hereafter taken as well as all appeals now pending, except that in all cases where the records from the State Industrial Accident Commission have heretofore been filed in Court, proposed issues shall be filed not later than December 1st, 1945.

*Adopted
Oct. 25, 1945*

Rule Adopted By Bench To Replace No. 50 Of Law Courts

The following new rule has been adopted by the Supreme Bench of Baltimore to replace the present law rule No. 50 of the Common Law Courts of Baltimore City:

W O A K U E K B C o u r s e A T i o s A P P C A L O

At any time after an appeal is taken from the State Industrial Accident Commission, and not later than thirty days after the Record of the proceedings of the State Industrial Accident Commission has been filed with the Clerk of the Court to which the appeal has been taken, each party to the case shall file with said Clerk any proposed issues of fact which such party ~~may~~ wish to have submitted to a Jury, having first served a copy of such proposed issues on the other party or parties.

Any and all exceptions to such proposed issues must be in writing, served on the party or parties proposing the issues, and filed with the Clerk within ten days after the receipt of a copy of the issues excepted to.

Said exceptions shall stand for hearing on the next law day.

At such hearing the Judge may permit any of the parties to amend the proposed issues, or may himself frame proper issues of fact. Any party may file within five days except to issues framed by the Court.

After the issues have been framed and settled by the Court, the trial judge shall upon application of either party, and after notice thereof to the other party or parties, hear the appeal for a hearing on a particular day not earlier than six days after said application, except as agreed by the parties; otherwise the case shall be tried in the usual order.

If none of the parties to the appeal files any proposed issues within thirty days after the filing of the record with the Clerk, the case shall be treated as a non-jury case, and shall be set for hearing before the Court without a jury. At such hearing the Court shall hear the case on the record, unless either party shall elect to produce other additional evidence, or the Judge himself shall ask for other or additional evidence. Reasonable notice of all hearings shall be given.

The time for filing issues or exception thereto may be extended by the Court in its sound discretion for good cause shown.

This rule shall become effective immediately, and shall apply to all appeals hereafter taken as well as all appeals now pending, except that in all cases where the records from the State Industrial Accident Commission have heretofore been filed in Court, proposed issues shall be filed not later than December 1st, 1945.

Adopted by the Supreme Bench of Baltimore City October 25, 1945.

U I N U T t S.

A meeting of the Supreme Bench was held on Saturday, November 3, 1945, at 10 o'clock a.m. All of the members of the Bench were present except the Chief Judge and Judges McLanahan and Moser. Judge DieJeerson presided in the absence of the Chief Judge. The following men were admitted to practice before the Courts of Baltimore City:

Twenty new attorneys were admitted to practice as members of the Baltimore Bar by the Supreme Bench on Saturday. They were among the candidates who received the examinations given by the State Board of Law Examiners in June and were admitted by the Court of Appeals of Maryland on Tuesday of last week.

The new attorneys are: Herbert Edulitz, John H. Uhlir, William B. Henkel, Raymond S. Tompkins, John Lewis Cupit, John A. Litchfield, Jr., William J. Manchoree, David Wilkitt, Jr., A. Jerome Ulmer, Constance Keenan (wife), J. O. Donald Pluett, Mary Aniblan, Sam Abbott Brown, Eunice M. Hull, Ineoti D. Hornsby, Stephen L. Felder, Cosimo Scro, O. Herbert Martin, Jr., Mario E. Plant-hull and Knick D. DUT.

The motion of Salvatore Calacione for a new trial from his conviction of robbery in the Criminal Court was argued, submitted and over-ruled.

The question of credit on bastardy allotments made by members of the armed forces was discussed, and Judge Diekerson stated that he had allowed a defendant credit for all payments taken from his salary by the government as part of the allotment for a bastard child, even though the credit was in excess of the Court order, and would result in the mother of the child not receiving any payment for a considerable period of time.

There being no further business, the meeting adjourned.

Edwin Ricusson

Secretary
Supreme Bench of Baltimore City.

**Motion For New Trial Is
Overruled By Supreme
Bench**

The *new* trial motion of Sillyntorc
Oaludonc, who ivns convleUil of rob-
bery with a deadly weapon, wms over-
ruled by Uic Supremo Bench of Balti-
more OR Satardny.

Thomas N. nlddlsoii. Am^tnnt Slnto's-
Atonier. nppwnKI on bcnnlf of Um
stnte.

SUPREME BEECH ASSIGNMENT
November 3, 19*5

Thouu It. Bltfdlaon

State of *Harylurt*
 va.
 Salvctor* *Calacions*

Psul C. uolu

E M. 2336, 7, t ant 2342.
 itay & saptoabw Tma, 19«5
Froat Komr. J.
 Chare*! Hobccry with £»wSlj mophon. (to.
 Twdfeti Quilty

Overruled

M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, November 15, 1945, at 13:30 p.m. All of the members of the Bench were present except Judges Sayler, Moylan and MoLanahan. The Chief Judge **presided.**

A rule, regulating notification of non-resident defendants in divorce and annulment proceedings, to be known as Rule 19, was adopted by a vote of five to three.

- There being no further business, the meeting adjourned.



Secretary
Supreme Bench of Baltimore City.

RULE 19

Divoroe and Annuljment - notification to
Absent Defendant.

In all divorce and annulment of marriage proceedings where the defendant has not been served with subpoena, and has not appeared voluntarily, the complainant shall be required to make reasonable efforts to ascertain the actual whereabouts of the defendant, and, by whatever means that may be available - that is to say, by registered mail, by wire, by telephone, or by personal interview - to bring to the knowledge of the defendant the fact that a suit is pending against him or her, the object and purpose of which is to obtain a divorce, or to have the marriage annulled, as the case may be. In such cases, therefore, where only notice by publication has been given to the defendant, a final decree for the complainant shall not pass until a sworn statement by the complainant or his or her solicitor shall be filed which shall give a circumstantial account of the efforts of the complainant to locate the absent defendant and to warn him or her of the pendency of the suit, or until sworn evidence before the examiner shall disclose a bona fide effort by the complainant to discharge his or her obligation to notify the defendant. And the failure of the complainant to make such reasonable effort in good faith, and to offer proof thereof, shall be ground for the postponement or denial of relief.

New Rule Adopted By The Supreme Bench Of Baltimore City

RULE 23

InvKscrutIH OF PUBSDB Of futimjii
BSTA-B

1. HctpOHhilly of Fiduciary* for InvrcimciU. JhdKFS stlln not psit JnrcimciU on securities for Investment of trust funds IK-IBR administered under the jurisdiction of the equity courts, or maintain a list of securities acceptable for such Investment; and to lie relieved of responsibility for tic choice of investment* to be modi of funds Dittler the Jurisdiction of the equity courts, n trustee must Invest In tiny of the following :

- A. Bonds JKLIUVI or pinmtCHI tij the United States.
- B. Bond* Issued by the Stale of Maryland.
- C. Bonds or stock issued by Uic City of Baltimore.
- D. First mortgage*, nide or assigned directly to the investing trustee, on fee simple real estate In Maryland to the extent of sixty per cent. of the value thereof if store or office property and productive or dwelling house: fifty per cent of its actual value if farm property and Improved, or Uirty % or cent of its actual value If unproductive or manufacturing property.
- E. First mortgages made or assigned directly to the investing trustee on leasehold property la Maryland If store or office property and productive, or dwelling house: provided the ground rent capitalized at six per cent, and the mortgage to be treated do not together exceed sixty per cent. of the fee simple value of the property.

! 7. Original ground rents on Improved real estate situate in Maryland where the amount of the rent captitud-nix per cent, id not over thirty-three nud one-third per cent. of the value of the property from which they issue.

Investments may lw mo do by trustees In other securities; but only under full personal responsibility of the investing trustee* In encu Instance. In all respects the name as If the trust wro being administered Independently of the jurisdiction of the court, for care and diligence In the choice and retention of the Investments.

Tucrc Khali « no general rule governing the retention or disposition of securities held by trustees from investments made prior to this date; but in each trust the trustee Khali retain or dispose of such *curities hereafter as duo ofiro of the Interests of the trusts shall require.

2. Onfer* In Rrvnt to Iivrcimct*^o. Etc. The Court will pass orders specifically authorizing or directing In vAraeuls, sale*, exchanges or other disposition* of trust awfa only upon a showing by the trustee upon petition that wicf order? necessary; but every investment, *ale or other disposition of trust moud, whether in pursuance of a Kpecfic order or int. shall be reported ns herein below directed.

1. Extent Thai UtaUration of the i-rijiU. If Iicqured. Whenever Investment* are made In any stocks, bonds, ci-lincalo* of indebtedness or other KH-urhicl or a*^ocm represented by certificates or other evidence* of indebtedness which are or may be Issued In registered form, such certificates or bonds shall be made out or registered, so far as to least six the principal is concerned. In the nlnc of the tnikoe or trustees as such, subject to the order of the Court; provided, however, that securities at, or unconditionally guaranteed UM to principal and Intercur by the United States of America, which are not so registered, shall be included in the full extent irwrrissible by the laws, rules, and regulations of the rjited States or of any department, bureau or agency Uierco; provided further, the court will entertain an application by a Corporate Trustee or by Co-trustee*, one of which is a Corporate Trustee (in the absence of a contrary priviNion In the trust Instrin) for permission to hold in beanform, or to transfer to bearer form <nt to the name of a nominee, any investment In the above described security, whether or that may be subsequently acquired by fifth trustee or co-trustee* (Well authority to cease iimil HIP retr; ment of the corpora to: hich retirement from trustee; and upon an individual a the re

nr upon the apnolntment. of an individual to succeed a corporate trustee. the retiring corporate trustee shall report to the court the status of the retention of all securities belonging to the trust, whereupon the court will pass such orders as It may deem necessary to catNe all securities of the trust then held or thereafter to be acquired (o conform to the style of registration required by this rule hal snb authority to otherwise register the same may be given.

4. Iicport* of Investments, Satei, £70. All Investments or other nrcnosM, and sales, exchanges or other disposition of assets shall be reported to the Court by the trustee upon the form provided for the panKiKo within thirty days of the completion of such transactions.

Such reports will not be required ns to sales, exchanges or other disposition or assets until tic proceeds thereof aggregate \$500 or more; or, if In Uio ucigni-while, the trustee files a report under Rule 20, showing such Mies, etc.

If such Investment* be in stock, the report shall be accompanied by a certificate of two jimmilleil brokers or brokerage firms vfilo have been engaged in the Investment banking and brokerage business In the City of Baltimore more Uian ten years past and arc acenditH* or a securities exchange registered with thp Securities Kxclange CommkMon, to Uie effect Hint In their judgment said stocks are suitable investments for the funds of Uic estate, and (but the cost of said Investment) is Uie fair market price thereof.

If such Investment* tic in bonds or oilier securities except stocks, the trustee shall (ie like certificate* or, alternatively, may file rich data as it thill deem relevant or as the Court may require; but no such certificate* or data shall be necessary If the Investment be In the securities enumerated in subSection* A, II or C. of Section 1 hereof.

In the case of Investments permitted in the case of the trustee (D, E and F of Section 1 hereof) such proceeds shall be accompanied by the following:

- A. A certificate of valuation certified under oath In at least two persons familiar nOIH Die value of the property.
- D. A certificate of the merchantability of tint title by a member of the Bar if at least five years' practice In Jaryland, or by a title Insurance company authorized (o do business In Maryland.

The report of the trustee (hai) show In each Instance the date of the transaction and the cost or proceeds, us Uio cuKcmvbo. An to Investment*, It shall specifically set forth the nerial numbers of any stock certificate and the Kennl n timber a or other marks of identification of any bonds or other evidence of indebtedness acquired; or If the Investment be in real estate or upon mortgage. It shall set forth the date of the conveyance and the place and either the liber and folio or the date of record thereof.

The trustee i shall file a duplicate original of each report, with n confirmed copy of each exhibit, with the Trust Clerk, who nourt I cm mine same and report to the Court any matters therein contained which, In his Judgment, should receive the consideration of the Court.

Every Inrertment, sale or other disposition shall include all collections of principal, without regard to the amount thereof, shall be shown In the trustee's next succellinc report required to be filed in accordance with Rule 20.

If the term "trustee" is used In this Rule shall include nlduclores other than receivers.

This rule shall go into effect on and nn of the first day of December, 1011, and thereK-n shall supersede Uile 23 as adopted October 2, 3W3:

Provided, however, that any trustee vfilo is In default upon the effective date of this rule, according to the tenor and effect of the mics, nnt any such rules superseded by this rule; shall not be subject to discipline and removal for said default by the Court.


M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, November 9, 1945, at 12:30 o'clock p.m. All of the members of the Bench were present **except Judges** Sayler and McLanahan, and the Chief Judge presided.

The re-employment of Doctor Charles O'Donovan as Pediatrician, on the staff of the Circuit Court, Division of Juvenile Causes, was approved.

An amendment to Rule 23, relating to investment of funds of fiduciary estates, was approved - .

There being no further business^ adjourned.y"


Secretary
Supreme Bench of Baltimore City,

When the law creating the Division for Juvenile Causes became effective June 1, 1943, by its provisions the Supreme Bench of Baltimore City took over the Staff of the former Juvenile Court. Dr. Charles O'Donovan, the pediatrician of the Juvenile Court of Baltimore City, was at that time on military leave and was replaced during such leave by Dr. T. Terry Burger. Dr. Burger accepted the position at Dr. O'Donovan's request*

On November 9, 1945, Dr* Burger resigned, and Dr. O'Donovan having been discharged from the Armed Forces, resumed employment as pediatrician in the Circuit Court of Baltimore City, Division for Juvenile Causes, The re-employment of Dr* Charlea O'Donovan as pediatrician on the Staff of the Circuit Court of Baltimore City, Division for Juvenile Causes, as of November 9, 1945 is hereby approved*

Approved
Nov. 29, 1945.

E
AMENDMENT TO RULE 26 TO BE INSERTED
IN SECTION 3 AS AN ADDITIONAL AND FINAL
PARAGRAPH MARKED (f) AND TO BECOME EF-
FECTIVE DECEMBER 1st, 1945.

Whenever a fiduciary has invested in a common trust fund, with each report under this Kule, there shall be filed, as evidence of such investment and its extent and cost, a statement of participation from the trust company operating the common trust fund, under oath of one of its officers, and said statement shall be accepted as such evidence by the Trust Clerk. An investment in a common trust fund by a trustee acting under Jurisdiction of the Court shall not be interpreted as placing the administration of the common trust fund under its Jurisdiction. The statement shall read substantially as follows:

STATEMENT OF PARTICIPATION IN COMMON
TRUST FUND OF THE BLANK TRUST COMPANY.

To the Trust Clerk:

This is to certify that as of the date hereof

_____ Trustee under _____
_____ is the owner of the following units
of participation in the above designated common
trust fund, viz:

Total Units in Fund	Number of Units Held By This Estate	Cost of Units	Market Value as of Last Valuation Date
_____	_____	_____	_____

Date _____ The Blank Trust Company, Trustee
of Common Trust Fund

By:

Sworn to before me by _____
_____ of The Blank Trust Company, Trustee Of
Common Trust Fund, this _____ day of _____

19____

Notary Public

MINUTES.

A meeting of the Supreme Bench was held on Saturday, December 1, 1945, at 10 o'clock a.m. All of the members or the Bench were present except Judges MoLanahan, Moser and Moylan, and the Chief Judge presided.

The following gentlemen were admitted to practice before the Courts of Baltimore City:

CharlM O. lnbel and Willhm B. smcrville were admitted (o practice as Member* of the Baltimore Unr by lit Supreme Bench of Baltroorc ON Sniunhy. upon the rmpctive motions of IULph s. OrcU and J. Gilbert Pren-tletrnst.

The motion of Richard Goodmaa for a new trial from his conviction of murder, in the Criminal Court, v/as argued, submitted and over-ruled.

There being no further business, the meeting adjourned.

Supreme Bench Overrule, A Motion For New Trial In Criminal Case

Thit Supreme Bench of Dnllmore on Saturday overruled the motion for a •ow trial of Itldmnl Goodman, who won convicted of matder In the flnt degree. Bcmanl G. Peter, Assistant Suite's Attorney., represented the State at the hffl ng.

1251-710

^>W> //J7L6/U4>® S*~

Secretary
Supreme Bench of Baltimore City.

SUPHEUE BBHCH ASSIGUMBT

Deoenbar 1, 194\$

Barnard 0. Peters

State of Maryland

E. Everett Lane

vs.

Blehard (kxxtaan, alias
Rudy Goodman

No. 356X, Sept. Torn, 1945

Proa: Itoser, J.

Charge: Hurdor

Verdict: Oulltr

*motion for new trial
denied*

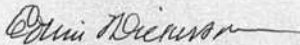
M I N U T E S .

A luoccheon meeting of the Supreme Bench was held on Thursday, **December 6, 1945, at 12:30 p.m.** All of the members or the Bench were present except Judges McLanahan and Sayler, and the Chief Judge presided.

It was the sense of the Bench that a letter be written to the Mastersin Chancery, directing them to apply new Rule 19, relating to divorces, to all suits in which testimony shall have been taken after November 15, 1945, and to all cases instituted after January 1, 1946. The Chief Judge agreed to prepare a letter and to send it around to the other members of the Bench for their consideration, before sending it out.

It was the sense of the Bench that the recommendation of Doctor Guttmacher, relative to the appointment of an Assistant Medical Examiner, at about \$3,000. a year, be considered favorably. The recommendation of Doctor Guttmacher, with respect to blood grouping tests, and with regard to certain fees to be paid Professor Milton Sachs for such tests, and his appearance in Court when required, be approved.

There being no further business, the meeting adjourned.



Secretary
Supreme Bench of Baltimore City.

M I N U T E S .

A meeting of the Supreme Bench was held on Friday, December 14th, at 10 o'clock a.a. All of the Judges were present except Judge McLanahan, and the Chief Judge presided.

The following individuals were admitted to practice before the Courts of Baltimore City.

Iulijr- II. Wolfe, Irvine D. Alter, MKM JDOVIK, William F. inlonc and, William A. Skeen were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Unlilmurc yesterday.
Tlic nciv utioniwyn Mere admitted upon the motion of Albert h. ijklnr, Kill* Levin, J ill Inn Isaacson and Ktiril F. Stclnmann.

The following gentlemen were selected to serve as the Grand Jury for the January Term 1946:

Supreme Bench Announces Assignment Of Judges For Ensuing Year

- Chief Justice Blunt
- Judge Slicerow, Superior Court
- Judge McInninn, Superior Court
- Judge Dickerson, Superior Court
- Judge Moser, District Court
- Judge Saylor, Baltimore City Court
- Judge Lackner, Court of Common Pleas
- Judge Wilks, Circuit Court
- Judge 3inn, Circuit Court No. 2
- Chief Judge Smith, Criminal Court
- Judge Jinson, Criminal Court Part II
- Judge P. Mojlaw, Juvenile Division
- Judges Dickerson and Tucker to bear cases arising from orders directed to the Registers of Voters.

Appointments In The State's Attorney's Office And City Court Approved

The Supreme Bench of Baltimore yesterday approved the appointment of Alan H. Murrell, deputy chief enforcement attorney for the Office of Trice Administration, an new Baltimore State Attorney for Baltimore City.

Mr. Murrell was named by Stoic's Attorney N. Bernard Wells to succeed Thomas N. Biddison, who has built his reputation to be the top lawyer in the State's Board of Correction. Mr. Murrell, who is 43 years of age, attended Boy's Latin School, Uidllmoro City College, and received his law degree at the University of Unlilmurc, being admitted to the Bar in 1910. A veteran of both World Wars, he was recently discharged from the Navy as a lieutenant commander after serving 23 months with the Atlantic Fleet. He is married, has one child named Rickida at 5102 Hrookevva road.

The Bench also approved the promotion of Edwin J. Dickerson as Chief Deputy Clerk of the Baltimore City Court, to succeed the late Charles F. J. Carroll, an well UH the appointment of Richard H. Bouge to fill Mr. Dickerson's former post as Court Clerk, and that of Joseph K. Tori as a deputy clerk in the city.

Announcement of Uncle's appointment was made on Thursday by John O. Rutherford, Clerk of the Court.

The Grand Jury for the January Term will be selected by the Supreme Bench of Baltimore at its next meeting. The jurors are called for Monday, January 14th, when the local courts will convene for the January Term.

- Those selected to serve on the jury are as follows:
- Amirotr, David W., 2033 St. Paul street.
- Bachof, Henry J., 3802 Fair avenue.
- Bottomer, Louis J., 2808 Maryland avenue.
- Cordmy, David M. Sr., 1130 East 70th street.
- Ourren, Walter C., 1802 Volley Kirel.
- Debusky, Itolwrl M., 2-130 L. avelew avenue.
- Enoch, Edivard F., 222 North Filtoil avenue.
- Isacson, Isidor, 2041 Wheeler avenue.
- Flidin, John S., 5503 Remmell avenue.
- Fitzpatrick, Frank A., 446 East 22nd street.
- Pritter, Italpli F., 7100 Itoxcdsie road.
- Cannlor, Ilccinald A., MW Snnford Plucc.
- Orevn, Jerry O., 1120 Enft Will «n» L Hubcr, Henry F., 3302 UnrlURon road.
- Sigm*, l'illill J., 1120 Park HohlgaIs avenue.
- Overicclt, Lloyd, 1027 Eanl, T2jd street.
- Quiliu, William U., 4011 Hnnllton avenue.
- Hytle, Charles E., 4120 Carlisle avouue.
- Kcllcirncocker, ChnrUn, 2733 North ClirreA truce.
- Kncldcr, Morrln, -120 Maine nrcmif Surratt, Cl arles R., 1532 Elm avoni t
- TlvUr, Sol 23W West Rogcn pvcmlt Woodward, William J., 1107, AU<mltl street.